



Speech By  
**Hon. Craig Crawford**


**MEMBER FOR BARRON RIVER**

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Record of Proceedings, 26 November 2020

**DISABILITY SERVICES AND OTHER LEGISLATION (WORKER SCREENING)  
AMENDMENT BILL**

**Introduction**

 **Hon. CD CRAWFORD** (Barron River—ALP) (Minister for Seniors and Disability Services and Minister for Aboriginal and Torres Strait Islander Partnerships) (3.33 pm): I present a bill for an act to amend the Disability Services Act 2006, the Evidence Act 1977, the Police Powers and Responsibilities Act 2000, the Working with Children (Risk Management and Screening) Act 2000 and the other legislation mentioned in schedule 1 for particular purposes. I table the bill, explanatory notes and a statement of compatibility with human rights. I nominate the Community Support and Services Committee to consider the bill.

*Tabled paper:* Disability Services and Other Legislation (Worker Screening) Amendment Bill 2020 [254](#).

*Tabled paper:* Disability Services and Other Legislation (Worker Screening) Amendment Bill 2020, explanatory notes [255](#).

*Tabled paper:* Disability Services and Other Legislation (Worker Screening) Amendment Bill 2020, statement of compatibility with human rights [256](#).

As the new Minister for Seniors and Disability Services I am pleased to introduce this bill to support Queensland's implementation of nationally consistent worker screening under the National Disability Insurance Scheme. This bill was previously introduced in the 56th Parliament and lapsed on the dissolution of the parliament. I would like to acknowledge the former minister, the former member for Mundingburra, for all of her hard work on this bill and supporting Queensland's transition to NDIS worker screening. The bill was previously considered by the former Communities, Disability Services and Domestic and Family Violence Prevention Committee. I thank the members of the former committee for their consideration and note that a single recommendation was made that the bill be passed. I would also like to express my thanks to all the stakeholders who participated in the committee process.

The bill is substantially the same as the lapsed bill. Minor amendments have been made to ensure the bill operates as intended. This includes, for example, clarifying provisions in relation to notifying NDIS participants in relation to screening outcomes, ensuring review rights are clear and clarifying transitional arrangements that apply to yellow card holders and blue card holders. The bill implements the nationally agreed policy for NDIS worker screening under the Intergovernmental Agreement on Nationally Consistent Worker Screening for the NDIS signed by the Premier on 3 May 2018.

The broad objective of the NDIS worker screening is to help safeguard people with disability from risk of harm by establishing a scheme to screen workers who provide NDIS supports or services. The bill will ensure consistency in safeguards in Queensland and other jurisdictions, including portability of clearances across different roles and employers in the NDIS and the national portability of clearances and exclusions. In addition to introducing a new NDIS worker screening check, the bill will continue existing state disability worker screening for services that are outside the jurisdiction of the NDIS Quality and Safeguarding Commission. This will ensure continuity of safeguards and leverage policy positions under the NDIS worker screening check where possible.

The bill will amend the Disability Services Act 2006 to replace the existing yellow card framework with a new framework for both NDIS worker screening and state disability worker screening. It will enhance the safeguards already in place under our existing systems to screen people working or volunteering with people with disability. The bill will expand the scope of screening that occurs. Under the bill screening will be required for a broader range of people working in risk assessed roles for registered NDIS providers. This includes registered health practitioners and people providing supports to children with disability.

The bill will also strengthen the identity checking process and support a streamlined application process by allowing individuals to make an application for a clearance which must be verified by their employer. In addition, safeguards for people with disability will be enhanced as applicants will no longer be permitted to start work in a risk assessed role for a registered NDIS provider until they are issued with a clearance. This is consistent with the reforms under the blue card system and ensures that the eligibility of people is assessed before they begin working with people with disability.

The bill will also implement a strengthened framework to automatically exclude people convicted of disqualified offences and ensure that risk assessments for other people with assessable information focus on the potential risk of harm to people with disability. The bill will also enable a broader range of information to be considered to ensure a comprehensive risk assessment.

The bill will support the achievement of a significant milestone: for the first time ever, NDIS clearance holders will also be subject to national ongoing monitoring of their criminal history throughout the five-year validity period of their clearance. If a person's criminal history changes, this will lead to a reassessment of their eligibility to hold a clearance. In addition to the additional safeguards introduced by the bill, it will also support the streamlining of processes associated with worker screening checks. For example, cards will be valid for five years and applications will be able to be made through an online portal. Checks will be portable across jurisdictions to support the operation of the NDIS across states and territories. Additionally, the bill supports streamlined processes across the screening system in Queensland. All people working with children with disability will require a blue card and an NDIS clearance. This will ensure the highest level of safeguards for children. A new joint application process will enable people to make a single application for both checks.

Queensland is continuing to work towards commencement of NDIS worker screening in early 2021. The bill enables commencement by proclamation so that we can continue to work with our Commonwealth colleagues and the sector to ensure readiness for commencement. Until commencement, Queensland's yellow card system will continue disability worker screening.

The bill will support providers and workers by introducing a more streamlined system for worker screening. Applications will be able to be made online and employers will no longer be responsible for the identity checking process for the worker screening check. In addition, checks will be portable across states and territories which will make it easier for individuals and providers that offer services in more than one jurisdiction. This will reduce red tape and ensure service providers can focus their time on providing supports to people with disability.

Most importantly, the bill will increase safeguards for NDIS participants. It will mean that individuals need to have an NDIS clearance before they can work with NDIS participants and the check will be more comprehensive and include consideration of a broader range of information. For the first time ever, the criminal history information of NDIS clearance holders will be monitored at a national level to ensure that if there are any relevant changes that indicate a risk of harm, the individual can be removed from providing services.

The introduction of this bill creates significant reform to strengthen safeguards for people with disability in Queensland. This represents a crucial part of implementing the NDIS. The Palaszczuk government is committed to ensuring a smooth transition to the new worker screening framework. My department will work closely with the disability sector stakeholders, peak organisations, service providers and, most importantly, with people with disability, to ensure we communicate the changes under the bill clearly and implement them effectively. I commend the bill to the House.

### **First Reading**

**Hon. CD CRAWFORD** (Barron River—ALP) (Minister for Seniors and Disability Services and Minister for Aboriginal and Torres Strait Islander Partnerships) (3.41 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

## **Referral to Community Support and Services Committee**

**Mr DEPUTY SPEAKER** (Mr Kelly): In accordance with standing order 131, the bill is now referred to the Community Support and Services Committee.

### **Declared Urgent**

**Hon. CD CRAWFORD** (Barron River—ALP) (Minister for Seniors and Disability Services and Minister for Aboriginal and Torres Strait Islander Partnerships) (3.41 pm), by leave, without notice: I move—

That, under the provisions of standing order 137, the Disability Services and Other Legislation (Worker Screening) Amendment Bill be declared an urgent bill and not stand referred to a committee, with all remaining stages to be considered next sitting week.