

Productivity Commission
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Submitted via: <https://engage.pc.gov.au/page/make-a-submission>

Response to the Productivity Commission's interim report: *Delivering quality care more efficiently*

September 2025

Inclusion Australia is the national peak organisation representing the rights and interests of Australians with an intellectual disability and their families. Founded more than 70 years ago in 1954, our mission is to work to make sure people with an intellectual disability have the same opportunities as people without disability.

Our strength is in our national representation and our connection to our community. We have a member organisation in every state and territory across Australia, collectively reaching many thousands of people with an intellectual disability and their families:

- ACT Down Syndrome and Intellectual Disability (ACT DSID)
- Council for Intellectual Disability (NSW)
- Developmental Disability WA (DDWA)
- Inclusion Northern Territory (Inclusion NT)
- Parent to Parent (P2P, Queensland)
- South Australian Council on Intellectual Disability (SACID)
- Speak Out Advocacy (Tasmania)
- Victorian Advocacy League for Individuals with Disability (VALID).

Thank you for the opportunity to respond to this consultation.

Regulatory reform is a significant and nuanced issue for our community, and one we have consulted on widely and shared expertise with several parts of government. For example, we were engaged by the [NDIS Provider and Worker Registration Taskforce throughout their activities to provide expertise from our community](#), especially on behalf of those who use self-directed supports, such as [the service-for-one model](#). This cohort is likely to be significantly impacted by changes to regulatory settings. We also continue to have significant and consistent engagement with the NDIS Quality and Safeguards Commission on its registration reform agenda.

Our submission responds to Draft Recommendation 1.1:

The Australian Government should pursue greater alignment in quality and safety regulation of the care economy to improve efficiency and outcomes for care users.

We welcome efforts to align regulation across sector while at the same time strongly urging caution, targeted consultation with people with disability inside and outside the NDIS, and gradually phased transitions.

While harmonisation of regulatory environments may deliver administrative efficiency, it also poses significant risks. If reforms are not carefully designed, we are concerned they will dilute specialist disability knowledge, undermine innovation, and leave people with an intellectual disability – especially those with complex support needs – worse off.

In addition to the points we raise below, we support the principles expressed in the submission to this inquiry made by Young People in Nursing Homes National Alliance. Their submission emphasises the importance of social service regulation being 'driven by the values and outcomes that the system exists to

achieve' rather than prioritising processes, and it cautions against a 'one size fits all' regulatory approach that is efficient and agile and can 'encourage cross-system communication and learning'.

The need for targeted, accessible consultation on regulatory reform

The Disability Royal Commission made clear that violence, abuse, neglect and exploitation are frequently and disproportionately experienced by people with an intellectual disability. These harms most often occur in segregated settings, where people experienced increased isolation and have limited power to choose or change their supports, [as shown in this infographic on Inclusion Australia's website](#).

This evidence shows that people with an intellectual disability are:

- Less likely to receive good and safe services, even within regulated systems with oversight measures
- More reliant on effective safeguards, particularly when they do not have strong informal or family supports
- At greatest risk of being left worse off if reforms prioritise administrative efficiency over quality and safety.

Any reform to the regulation of care sectors must therefore start from a recognition that people with an intellectual disability face the highest risks, and regulation must lift protections for them first.

We welcome and value the opportunity to contribute to this consultation. However, the current process is not accessible to people with an intellectual disability. Our community has not yet been properly consulted or informed of potential changes alignment may bring about. We strongly recommend that:

- People with an intellectual disability and families are directly engaged in consultation on proposed changes
- Consultative processes are accessible, trauma-informed and culturally safe – including the provision of Easy Read materials.

Principles for regulatory alignment

We believe the intended outcomes of greater alignment in quality and safety regulation of the care economy should be to:

- Optimise outcomes for people who direct and manage their NDIS-funded supports and services, including those with complex needs and their families
- Support the development and sustainability of a diverse and innovative disability services market, including highly individualised models such as services-for-one
- Ensure compliance with regulatory frameworks while keeping the focus on outcomes for all people with disability inside and outside the NDIS.

Registration requirements should therefore promote continuous improvement, education, and accessible information, rather than functioning only as a compliance exercise.

Support for national screening clearance and register

We support the development of a national screening clearance for workers across care sectors. A consistent, streamlined process will strengthen oversight and improve safety.

Registration of services and individual support workers is particularly important for people with an intellectual disability, many of whom rely on workers they have not chosen themselves and may not know well. For people who do not have strong informal supports or family involvement, a worker register can provide a critical safeguard.

In line with Recommendation 10.8 of the Disability Royal Commission, a national worker registration scheme should:

- Allow people with disability, families and support networks to view worker profiles, including qualifications, skills and experience
- Track requirements for ongoing professional development
- Improve transparency and accountability across the workforce.

Maintaining specialist disability knowledge in an aligned regulatory system

Merging regulatory functions across NDIS, aged care and veterans' care risks eroding sector-specific expertise. Unlike aged care, which largely addresses end-of-life needs, disability services span the entire lifespan. Regulation must reflect this reality, especially for people with complex or high communication support needs.

There are also stark differences in the resourcing available to people. Many people with disability have had limited opportunities to work and build financial reserves. By contrast, aged care often serves people who are self-funded retirees. Regulation must account for these socioeconomic divides, or risk compounding inequality.

Processes to align standards must therefore be co-designed, trauma-informed and culturally safe. This should include deliberate retention of innovative, disability-specific practices. For example, the VALID8 program, funded by the Victorian Government as part of the transition to the NDIS, employed people with an intellectual disability to assess the quality of service delivery in group homes. National rollout of this model is now being explored with funding from the NDIS Commission. Such models improve quality while platforming lived experience – they must not be lost in pursuit of alignment.

Risks in aligning regulation of restrictive practices

There is potential benefit in aligning requirements for the use and authorisation of restrictive practices across the care economy. Shared learning between NDIS and aged care could strengthen oversight.

At the same time, reform must proceed cautiously. Regulation must establish safeguards without reducing flexibility for people to access the supports they need. The strongest protections currently in law should set the benchmark. For example, Victorian legislation requires that all least restrictive alternatives are explored before restrictive practice is authorised – this should be adopted nationally.

Inclusion Australia has developed a model for the elimination of restrictive practice, [which can be found on our website](#). Our model shows that when the following enablers are in place, there is often a demonstrated reduction and at times elimination of restrictive practices:

- Supported decision-making
- Communication support
- Trauma-informed care
- Community belonging

Evidence from our Complex Needs Reference Group – families running services-for-one for their relatives – shows these models reduce reliance on restrictive practices. Regulatory reform must support, not inhibit, such innovative approaches.

Conclusion

We support the Government's goal of greater efficiency and consistency in regulation across the care economy. At the same time, we strongly believe reforms must be driven by outcomes for people with disability, not administrative convenience. They must:

- Maintain specialist disability knowledge and safeguards.
- Directly involve / consult with people with an intellectual disability, families and advocates.
- Ensure that regulatory alignment lifts protections, rather than diluting them.

Thank you again for the opportunity to take part in this consultation. We warmly welcome further conversations about any of the issues raised in this submission.