**NATIONAL DISABILITY INSURANCE SCHEME CODE OF CONDUCT**

**1.3 Who should be covered by the Code of Conduct.**

1.3 of The Code of Conduct states that this code will apply to all providers and workers who are funded under the NDIS, regardless of whether they are registered, or whether they receive funding through individual plans or contracted services.

However nowhere is there any detail as to how such private operators will be held accountable, now how any consequences of non-compliance will, or can be applied to private, non registered providers.

**2.3 Act with integrity, honesty and transparency**

2.3 of the Code of Conduct states that Providers and workers must not ask for, or accept, money or gifts from participants, or other clients, including carers, that will benefit the worker directly or indirectly.

It will be important for the clause to be clearer about how “material benefit” is defined, as it would not be appropriate for a code such as this to result in people with disabilities not being able to, for example, give a Birthday or Christmas gift to staff. While this may not be an intended consequence of such a clause it would be open to be interpreted as such is “material benefit” is not more clearly defined.

**2.4 Provide supports in a safe and ethical manner with care and skill**

2.4 of the Code of Conduct states “When a person with disability seeks supports, they expect providers and workers to have expertise in providing the relevant services. It is essential that providers and workers maintain competence in their field and recognise the limits of their competence.”

While there is a clear need to ensure a competent and capable workforce, care also needs to be taken not to over professionalise the sector particularly in the areas of support. People with Disabilities are increasingly seeking staff that match their age, culture, interests, etc, rather specific qualifications. Any Code of Conduct needs to safeguard the right People with Disabilities choose support people well matched to themselves, rather than people with specific qualifications.