

The NDIA Terms of Business — what you need to know

The **NDIA Terms of Business** set out protocols and requirements that must be complied with by Registered Providers in States/Territories which have not yet transitioned to full scheme NDIS. If a Registered Provider does not comply with the Terms of Business, the NDIA may consider revoking the Registered Provider's registration.

Originally effective from 1 July 2016, the Terms of Business were revised and updated on 30 March 2017.

If your organisation has registered, or is intending to register, with the NDIA as a Registered Provider, then **it is vital that you are aware of, and comply with, your obligations set out in the Terms of Business.**

Registered Providers of Specialist Disability Accommodation (SDA) must also be aware of, and comply with, the additional requirements set out in the **SDA Addendum to the Terms of Business.**

What requirements are in the Terms of Business?

The Terms of Business set out a number of requirements, practices, and processes that all Registered Providers must meet under the transitional quality and safeguarding arrangements. These sit under the following headings.

- **Compliance**
The relevant legislative and regulatory framework that applies.
- **Business Practice & Service Delivery**
The requirements for written service agreements and what they should contain, including contracting in accordance with the [NDIA Price Guide](#) and insurance requirements.
- **Identification as an NDIS Scheme provider and use of the NDIS logo**
The NDIS logo and colour scheme may not be used in any publicity material, but a Registered Provider may identify itself as a 'Registered NDIS Provider'.
- **Conflicts of Interest**
Management of perceived and actual conflicts of interest, including those relating to gifts, benefits, and commissions.
- **Payments & Pricing**
Adherence to the [NDIA Price Guide](#), declaration of pricing, and timing of charging.
- **Specialist Disability Accommodation**
Registered Providers of SDA must also comply with the **SDA Addendum to the Terms of Business** (see below for details).
- **Maintenance, Records & Audit**
Maintenance of records, provision of information to the NDIA, and requirements to cooperate with the NDIA, if reviewed.
- **Complaints**
Complaint handling and resolution process requirements.



What additional requirements are in the SDA Addendum to the Terms of Business?

In addition to complying with the Terms of Business, all Registered Providers of Specialist Disability Accommodation (SDA) under the transitional quality and safeguarding arrangements must also comply with the **SDA Addendum to the Terms of Business**.

The major compliance headings in the SDA Addendum are as follows.

- **Service Agreements**
Detailed requirements of what terms must be included in an SDA service agreement are set out in the SDA Addendum.
- **SDA Prices**
Adherence to the [NDIS Price Guide for SDAs](#).
- **Reasonable Rent Contribution (RRC)**
Detail and requirements relating to the maximum RRC payable, voluntary payments above RRC, and payments for board.
- **Other Requirements**
Requirement to notify the NDIA in the event of a vacancy, no preference of participants, exceptions for registered providers who are relatives of the participant, records and audit requirements, and requirements for all officers, employees, agents, and subcontractors.

Completing the Terms of Business in Standards & Performance Pathways

The Terms of Business and the SDA Addendum are both available as self-assessments in Standards & Performance Pathways (SPP).

Completing the self-assessments is a great way to understand the requirements, while at the same time assessing how your organisation measures against them and whether there are any gaps that need to be addressed.

All the requirements in the Terms of Business are transformed into straightforward questions grouped under the headings set out under the terms themselves. As you answer the questions, SPP ticks off those requirements you've met and, where a requirement is not met, it specifies what further action is required.

Policy templates, information guides, and links to relevant NDIA resources are recommended along the way to help you fully meet the requirements.

By completing the Terms of Business in SPP, you'll be a step ahead in preparing your organisation for the NDIS.

Need further assistance?

If you have any questions about the NDIA Terms of Business on SPP, send an email to our friendly support team at team@bngonline.com.au or phone 02 9569 1704. We're here to help!