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National Disability Insurance Agency

Modern Slavery Statement

December 2021

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Introduction

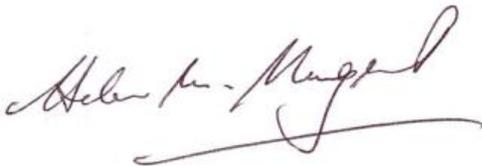
This Modern Slavery Statement is prepared in accordance with the requirements of the Australian Government *Modern Slavery Act (2018)*. This Statement describes the actions taken by the NDIA during 2020-21 in order to prevent modern slavery, or encouragement of such behaviour.

Since our last statement issued on the 31 March 2021, we have reviewed our business operations and identified areas of high risk to elements of modern slavery. In this reporting period we have focused on increasing awareness and reviewed our procurement policies and procedures to ensure modern slavery practices are effectively identified and do not go unaddressed in our supply chains.

As an Australian Government Agency, we will continue to support the global effort to combat modern slavery. We have zero tolerance to any kind of modern slavery across our operations and we are committed to building capability and transparency in our supply chain to mitigate modern slavery risks.

This statement has been endorsed by the NDIA Board.

Signed

A handwritten signature in black ink, appearing to read 'Helen Nugent', with a long horizontal flourish underneath.

Dr Helen Nugent AO
Chairman
8 December 2021

Who we are

The NDIA is a Corporate Commonwealth Entity under the *Public Governance, Performance and Accountability Act 2013* (PGPA Act) with statutory authority under the *National Disability Insurance Scheme Act 2013* (NDIS Act). The NDIA has responsibility for implementing the National Disability Insurance Scheme (NDIS) providing funding for Australians who have permanent and significant disability.

The NDIS has been established to provide specialist disability supports that complement mainstream services provided by the Commonwealth, state and territory governments.

All states and territory governments are involved in decisions on NDIS policy, funding and governance.

Our structure, operations and supply chain

The NDIA Board is the accountable authority of the NDIA, with the NDIS Act setting out the corporate governance framework for the Board, including matters such as selection principles, eligibility criteria, tenure and remuneration.

The Board is responsible for ensuring the proper, efficient and effective performance of the NDIA's functions and is also responsible for monitoring the performance of the NDIA and reporting to Commonwealth, State and Territory Disability Ministers, as set out in the NDIS Act, the PGPA Act and the relevant Intergovernmental Agreements.

Further information about NDIA governance arrangements is available on our website (www.ndis.gov.au).

Our performance and operations are detailed in our Annual Report which is tabled in Parliament and is publicly available on our website and the Commonwealth Government's Transparency Portal (www.transparency.gov.au).

The NDIS does not own or control other entities.

Our supply chains involve diverse products and services provided by a wide variety of suppliers through contractual agreements or via grant funding. Our suppliers provide goods and services that:

- enable the NDIA's corporate functions to support the implementation of the NDIS
- assist the NDIA to perform its functions under the Act via outsourced staffing and service agreements
- in limited cases, deliver the reasonable and necessary supports to NDIS participants to pursue their goals.

In addition, we provide significant funding to participants, not under contractual agreement, who in turn engage providers to provide them with reasonable and necessary supports, albeit in many cases we pay the provider directly on behalf of the participant.

Our Values

Our core Agency values, in addition to the Australian Public Service values, underpin our actions and reflect our commitment to human rights and a socially inclusive culture.

In line with our values, all our staff and partners are recognised as having an important role to play in identifying and managing all types of risks, including those related to modern slavery.

We value people – by managing our own risks and helping our suppliers and partners manage their risks. We recognise a skilled workforce plays a critical role in managing risk and are taking an active approach to build our understanding of modern slavery and our capability to recognise and address risks.

We aim higher – by recognising and escalating risks openly, honestly and quickly. Any amount or type of modern slavery is unacceptable. Protecting the integrity of the NDIS, its participants and their families is paramount and we will embed policies and processes underpinned by legislative framework to ensure fair and equitable outcomes for all.

We grow together – by sharing and learning with our partners and suppliers we will incorporate best practice to identify and address modern slavery risks in our operations.

We take care – by understanding and applying our modern slavery risk management principles and processes. We value our relationships with suppliers and partners building trust and confidence by working respectfully with them and responding to concerns.

Our Risks

We have a structured approach to identifying, managing, escalating and communicating key risks. We use resources such as *Commonwealth Modern Slavery Act 2018 Guidance for Reporting Entities* and *Addressing Modern Slavery in Government Supply Chains* to assess our risks across the categories of:

- sector and industry
- product and services
- geography
- entity

Our first-tier suppliers are primarily Australian based organisations, and in this reporting period we have not identified connections with modern slavery practices amongst these suppliers.

Coronavirus and increased vulnerability

As an agency with staff in over 150 locations across Australia, we acknowledge the impact coronavirus has had across Australia, and indeed the world, including on our staff and our suppliers. During this reporting period we have targeted our efforts on improving our systems and policies to develop capability in our procurement teams and support our long-term commitment to human rights.

Our supply chain risks

Most goods and services procured by the NDIA are sourced from suppliers and contractors based in Australia.

Our major categories of procurement are for the provision of:

- human resources
- service delivery of the Agency functions under the NDIS Act to NDIS participants
- professional services
- property and operational supports.

Our three potential risk areas in this reporting period remain:

Risk 1 – Offshore sub-suppliers

We are inherently reliant on computing and telecommunication products to conduct our business. The Asia-Pacific region is recognised as having the highest concentration of people being exposed to slavery like conditions and is the primary source of laptops, computers and phones. These are high risk products that are sourced from high-risk locations.

Risk 2 – Facilities Management Services

We procure a variety of facilities management services including cleaning, security, information technology and general maintenance. The facilities management supply chain typically engages workers from vulnerable populations. This includes worker who have base skills and those from low socio-economic, migrant, or culturally and linguistically diverse backgrounds. We will engage with our suppliers to identify and reduce risks in this area.

Risk 3 – Providers of supports

Our core function is to deliver the NDIS. To the limited extent that the NDIA enters into contractual arrangements with providers for the provision of supports to participants (for examples, coordinated commissioning approaches in thin markets), we will seek to ensure that providers have appropriate policies and practices in place in relation to modern slavery.

As part of our policy of providing choice and control to participants, in most cases the participants engage a provider directly for the provision of their supports, and as such providers are not considered part of the NDIA's supply chains.

Progress and Next Steps

We recognise that our policies need to address the issue of modern slavery and its associated risk factors. In this reporting period we have focused on ensuring the issue of modern slavery is widely recognised within the organisation and improving capability within our procurement teams by:

- leveraging existing Commonwealth best practice resources and training modules to provide training for NDIA procurement staff utilising resources and training module developed by [Australian Border Force](#).
- reviewing policy gaps and updating relevant templates with the recommended [Modern Slavery Model Contract Clauses](#) recommended by the Australian Border Force, and included in the Department of Finance's Commonwealth ClauseBank.

We have reviewed our procurement policies, code of practices and procedures. We are currently updating them to align with procurement guidance issued by the Department of Finance and the Australian Border Force. We envisage our new framework and guidance for the NDIA will be implemented in early 2022.

Assessing Our Effectiveness

We recognise that the effectiveness of our actions is reliant on implementing a structured whole-of-agency approach that is supported at the highest level of our organisation and engages our people, our partners and our suppliers.

Positive relationships with our partners and suppliers are essential to being able to share our learning and grow a more equitable society. As many of our suppliers are required to provide their own modern slavery statements, we are presented with a greater opportunity for a shared development in identifying and addressing risks, as well as collaboratively implementing effective strategies.

We will continue to seek to procure goods and services from suppliers who meet high standards for business practices, comply with all applicable laws and regulations, and adhere to internationally recognised standards in their dealings with their employees and work environment. We will be able to identify current suppliers that meet these criteria through their performance under current contractual arrangements and potential new suppliers through the application of our supplier assessments and research about their organisation.

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Based on our procurement processes review we have identified opportunities to improve our ability to identify risks, report and monitor issues in relation to modern slavery practices.

Over the next year we will focus on:

- improving Modern Slavery awareness across the Agency
- improving our ability to report and monitor on this issue as part of a new procurement tracking system
- implementing a revised procurement framework, guidance documents and templates to further align our processes with the Department of Finance's [BuyRight](#) and leverage on the work that have been delivered by the Australian Border Force for the public service through the [Modern Slavery toolkit](#).

We aim to ensure modern slavery is understood and that human rights are upheld by our partners and suppliers through the inclusion of modern slavery in our procurement processes, policies, contract documentation and the distribution of resources.