



Modern Slavery Statement

2023-24

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Acknowledgement of Country

The National Disability Insurance Agency (NDIA) acknowledges the Traditional Owners and Custodians of country throughout Australia, and their continuing connection to land, sea, and community. We pay our respects to them and their cultures, and to Elders past, present, and emerging, and extend that respect to other Aboriginal and Torres Strait Islander people.

Introduction

The National Disability Insurance Agency (NDIA) is committed to upholding the highest standards of ethical conduct and human rights in all aspects of its operations. Recognising that modern slavery is a complex and pervasive issue, we are dedicated to a proactive and collaborative response.

In supporting more than 650,000 Australians with disability, we work with our stakeholders, including suppliers, partners, and the broader community, to promote ethical practices across all levels of our organisation. This Modern Slavery statement outlines our ongoing focus on improving systems and practices to protect vulnerable people from the impacts of modern slavery.

The NDIA remains deeply committed to working with the NDIS Commission and the Department of Social Services to ensure the National Disability Insurance Scheme market and disability support sector is providing quality services that are safe for both participants and for workers. This includes incorporating insights gained from the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability to promote fair and safe working conditions for participants and the disability workforce that supports them.

Prepared in accordance with the requirements of the Modern Slavery Act 2018 (Cth) (the Act), this statement details the actions taken to identify and minimise the risk of modern slavery for 2023-24.

This statement has been endorsed by the NDIA Board.

Signed,

A handwritten signature in black ink, appearing to read 'K Fearnley', with a stylized flourish at the end.

Mr Kurt Fearnley AO, Chair

16 December 2024

Executive Summary

At the NDIA we continue our commitment to upholding the highest standards of integrity and human rights in all aspects of its operations. As part of this commitment, we recognise the importance of addressing modern slavery and ensuring that our practices do not contribute to the exploitation of vulnerable individuals.

This Statement highlights our progress, describes our efforts to monitor the effectiveness of these actions, and outlines our plans for the coming year.

Over the 2023-24 period, the NDIA has enhanced its understanding of risks, and actions to address and manage modern slavery risks in business operations and supply chains. We evaluated our exposure to Modern Slavery risks this reporting period and determined it to be low, contributed by the following initiatives:

- **Building vigilance and awareness** - training for procurement advisors involved in procurement activities on the complexities of Modern Slavery.
- **Introducing safeguards** - improved procurement policies and procedures that facilitate best practices to identify modern slavery risks early in the procurement process.
- **Leveraging on Australian Government supports** - leveraging on whole-of-government arrangements and panels in accordance with the Commonwealth Procurement Rules.
- **Monitoring and reporting** – continuously improve data collection and reporting to better report on the effectiveness of our actions to address modern slavery risks.

While we have not identified any instances of modern slavery in our supply chain this year, ongoing attention and monitoring will occur.

Mandatory Criterion 1 & 2: Covered Entities Structure, Operations and Supply Chains

Who we are

The NDIA is a Corporate Commonwealth Entity responsible for managing the National Disability Insurance Scheme (NDIS) as outlined under the Public Governance, Performance and Accountability Act 2013 (PGPA Act), with statutory authority under the National Disability Insurance Scheme Act 2013 (NDIS Act). Improving participants' independence, economic and social participation, is at the core of the NDIS, while delivering a financially sustainable NDIS that builds genuinely connected and engaged communities and stakeholders.

As of 30 June 2024, we provided direct supports nation-wide to 661,267 participants. Importantly, more than 444,310 participants are receiving supports related to their disability for the first time¹.

Our key role is to:

- provide funding for reasonable and necessary supports to people living with a disability to maximise their independent lifestyles and inclusion in the community
- support people with disability in their dealings and communications with the NDIA to ensure that it is appropriate to their circumstances and cultural needs
- support service providers with clarity and transparency so they can grow their business and respond to the community's needs
- empower and inform participants to be confident consumers

NDIA Structure

The NDIA Board is the accountable authority of the NDIA and sets the objectives, strategies and policies to be followed by the Agency ([s124 NDIS Act \(External\)](#)). The Board is responsible for:

- setting the strategic direction of the NDIA
- developing and maintaining relationships with stakeholders, including the Minister for the National Disability Insurance Scheme (NDIS), the Disability Reform Ministerial Council (DRMC) and the Independent Advisory Council (IAC)
- ensuring statutory compliance and risk management
- monitoring the performance of the NDIA and reporting to the DRMC as set out in the NDIS and PGPA Acts and [intergovernmental agreements](#), and
- developing an annual Corporate Plan for the NDIA.

¹National Disability Insurance Agency, [NDIA Quarterly Report Q4, National Dashboard as at 30 June 2024 \(External\)](#)

The Board has three Board Committees assisting it to meet its statutory requirements, manage risk and ensure the Agency achieves best-practice governance:

- Audit and Risk Committee
- Strategic Direction and Participant Outcomes Committee
- Sustainability Committee.

The Chief Executive Officer (CEO), Ms Rebecca Falkingham, is responsible for the day-to-day administration of the NDIA.

NDIA Operations

All Australian governments are involved in decisions relating to NDIS policy, funding, and governance.

- The [Commonwealth Minister \(External\)](#) is responsible for administering the NDIS Act, and exercises statutory powers with the agreement of States and Territories, including a power to make the NDIS Rules and direct the NDIA.
- The [Disability Reform Ministerial Council \(External\)](#) is the decision-maker on NDIS policy issues. It is made up of Ministers responsible for disability from the Commonwealth, States, and Territories.
- The NDIA administers the scheme. It is governed by a Board.
- The NDIA Board is advised by the [Independent Advisory Council \(External\)](#).
- The NDIA holds all funds contributed by the Commonwealth, States and Territories in a single pool, manages scheme funds, administers access to the NDIS and approves the payment of individualised support packages.

The NDIA's performance and operations are detailed in the Annual Report which is tabled in Parliament and is publicly available on the NDIS website and the [Commonwealth Government's Transparency Portal \(External\)](#).

The NDIA does not own or control other entities.

NDIA Supply Chains

Our supply chains encompass a diverse range of products and services provided by various suppliers through contractual agreements. Most of NDIA's procurement leverages existing government panel arrangements, focusing primarily on services rather than goods. Our suppliers provide goods and services that:

- enable the NDIA's corporate functions to support the implementation of the NDIS
- allow the NDIA to fulfil its obligations under the NDIS Act via outsourced staffing and service agreements, and

- deliver reasonable and necessary supports to NDIS participants to pursue their goals.

In addition, the NDIA provides significant funding to NDIS participants not under contractual agreement, who engage providers directly for reasonable and necessary supports. This Statement reports on procurement activities from suppliers engaged through procurement approaches.

Our Values

We are proud of our values-driven culture, based on those of the Australian Public Service (APS). These values are supplemented by our own, which underpin our actions and reflect our commitment to human rights and a socially inclusive culture.

NDIA Values



We Value People

We put participants at the heart of everything we do



We Grow Together

We work together to deliver quality outcomes



We Aim Higher

We are resilient and always have the courage to do better



We Take Care

We own what we do and we do the right thing

We acknowledge the crucial role that all our staff and partners play in identifying and managing various risks, including those associated with modern slavery. Our commitment to mitigating modern slavery is reflected in our actions, which include:

- developing a skilled workforce through continuous training and professional development;
- collaborating with our partners and suppliers to adopt best practices in procurement;

- implementing ethical procurement practices in line with NDIA's legislative framework and Commonwealth Procurement Rules; and
- embedding checks and guidance in our procurement and contracting procedures for a more effective risk management.

Mandatory Criterion 3: Risks

Our Risks

We consistently maintain a structured approach to identifying, managing, escalating, and communicating key organisational risks. We utilise resources such as Commonwealth Government's toolkit '*Addressing Modern Slavery in Government Supply Chains*²' to assess our risks across the categories of:

- ❖ Sector and Industry
- ❖ Products and services
- ❖ Geography
- ❖ Entity

Most goods and services procured by the NDIA are sourced from suppliers and contractors based in Australia. Our main categories of procurement are for the provision of:

- ❖ Service delivery of the NDIA functions to NDIS participants
- ❖ Information and communication technology
- ❖ Property and operational supports
- ❖ Professional services
- ❖ Human resources

Our three potential risk areas in this reporting period remains consistent with previous period:

Risk 1

Offshore sub-suppliers

Information and Communications Technology hardware and software and furniture are essential for the NDIA's function and operations. These goods and services are

² Commonwealth Government of Australia, Australian Attorney-General's Department, *Modern Slavery Register*. Accessed 17 September 2024: [Modern Slavery Toolkit for Government Procurement Officers \(External\)](#)

identified as high-risk products, with significant exposure to Modern Slavery practices.

The Asia-Pacific region, a global hub for ICT hardware production and has the highest concentration of people exposed to slavery-like conditions.

Similarly, the furniture industry often involves complex supply chains that include raw material extraction, manufacturing, and assembly, all of which can be susceptible to exploitative labor practices.

Risk 2

Providers of supports

The NDIA's core function is to deliver the NDIS. Where we engage providers to deliver support services to NDIS participants, they are required to abide by the NDIS Code of Conduct. This Code requires providers to uphold the human rights of every individual. Registered providers must also meet the NDIS practice Standards.

Risk 3

Facilities Management services

Facilities Management services typically employ unskilled workers from low socio-economic backgrounds and vulnerable populations including migrants, culturally and linguistically diverse individuals and other vulnerable groups. The NDIA consistently engage with our facilities management suppliers and remain committed working towards mitigating exposure to Modern Slavery practices within this high-risk industry sector.

Risk Exposure

NDIA applies a 'high risk' lens to monitor its supply chain particularly when conducting high value and high-risk procurement activities and through life cycle of contracts. This transparency is achieved with use of established Commonwealth panel arrangements, and open tender procurement approaches for all goods and services procured by the NDIA.

Our first-tier suppliers are primarily Australian based organisations. Within the 2023-24, the risk of Modern Slavery exposure for the NDIA is **low** due to the following measures:

Procurement from Australian Suppliers



Almost all NDIA contracts are held with **Australian suppliers**, with **0.15%** by volume of contracts held with overseas suppliers. Additionally, **82%** of these contracts were awarded to **small and medium enterprises (SME)**.

Panel Approaches for Procurement



60% of NDIA goods and services contracts were awarded under panel arrangements established by Australian Government agencies bound by the Commonwealth Procurement Rules. By leveraging on panel procurements, risks are often mitigated by the structured oversight and regulatory frameworks in place.

Risk Screening

Over the reporting period, the NDIA has focused on improving the way we identify and mitigate modern slavery risks early in the procurement planning process. We have delivered this through:

Strategic application of risk screening tools - the NDIA Procurement Policy mandates that procurement staff to apply risk screening tools at different stages when undertaking procurements to:

- confidently assess and mitigate modern slavery risks across the supply chain during the planning stage. This involves using a risk assessment tool to evaluate potential risks, such as suppliers' labour practices and ethical standards, during the procurement planning process.
- deliver a procurement process that minimises risks, requiring suppliers to complete the 'Supplier Self-Assessment Questionnaire' and incorporate NDIA contract terms and conditions into their response templates as part of the procurement evaluation process.

These safeguards enable us to effectively assess early signs of poor working conditions, unethical recruitment practices, or questionable subcontracting policies, before formalising contracts.

Building vigilance and awareness - As 82% of NDIA contracts are with SMEs, many of which may not be obligated to publish Modern Slavery Statements, it is important that procurement specialists are trained in identifying modern slavery risks and can minimise these risks for the NDIA.

Oversight and management - The NDIA Board continue to provide oversight and management of risk in the NDIA through the Audit and Risk Committee. The

committee's duties include reporting mechanisms for breaches of regulatory and legislative obligations, including Modern Slavery legislation.

Mandatory Criterion 4: Actions

Staff Training and Awareness

Modern Slavery training is a requirement for all NDIA procurement specialist employees and staff in the Procurement Branch. The training is offered by the Australian Government's online training modules, accessible via the Australian Attorney-General's Department's *Modern Slavery Register* webpage⁴ for the following modules:

- *Modern Slavery in Public Procurement*
- *Identifying and Assessing Modern Slavery*
- *Managing Modern Slavery Risks*

The NDIA is dedicated to ensuring all Procurement staff complete the Modern Slavery online training modules offered by the Australian Attorney-General's Department. Procurement Officers play a crucial role in assisting NDIA delegates and their colleagues to conduct procurements in accordance with Commonwealth Procurement Rules. The NDIA undertakes due diligence to maintain a **100% compliance rate** in Modern Slavery training. Compliance is managed through an internal registration that is updated when staff have completed the online training courses. Procurement staff and officials are also encouraged to access this online training annually to keep their knowledge of Modern Slavery up to date.

Monitoring Compliance in High-Risk Areas

The NDIA has assessed exposure to Modern Slavery risks within our major procurement activities this reporting period. Consistent with previous period, categories of concern in this reporting period are labour hire, Information and Communications Technology (ICT), services delivery, property services and capital works.

Human Resources



The NDIA continue to conduct the majority of its labour hire engagements conducted through established panel arrangements. We remain committed to utilising panel arrangements as our preferred procurement method.

During this reporting period, **99.63%** of labour hire engagements occurred under a panel approach. All labour hire contracts exclusively utilise Australian-based companies. The NDIA's labour hire supplier base has been consolidated, enabling us to efficiently manage workforce contracts and strengthen relationships with the providers of workforce labour to the NDIA.

Information Communications Technology (ICT)



The Commonwealth identify ICT Hardware as a high-risk area. The Digital Transformation Agency (DTA) manages the online marketplaces that connects governments with ICT industry suppliers. The NDIA continues to leverage this arrangement. The actions to minimise risks in this area are detailed in the Commonwealth Modern Slavery Statement³.

Whilst ICT is considered a 'high risk' category, the NDIA conducted most of its procurements through online marketplaces. Leveraging government established panel arrangements enhances safeguards against modern slavery risks.

Property, Operational Supports and Capital Works



Our property services continue to be delivered by Jones Lang LaSalle (JLL) through the Whole-of-Australian-Government property services coordinated procurement arrangements.

Under the agreement with the Commonwealth, JLL is required to undertake risk assessments, audits, training, annual reporting and routine compliance checks to ensure adherence to the overarching agreement with the Government and the Modern Slavery Act 2018.⁴

JLL demonstrates a strong commitment to eradicating Modern Slavery instances within its operations and supply chains. Their supplier framework provides guidance to each supplier through the entire contract lifecycle. JLL publishes current Modern Slavery statements on global statement registers.

Service Delivery



The **National Call Centre** is the agency's largest service delivery output in this reporting period. Outsourcing and compliance of the centre is managed by the NDIA Contact Centre Branch, and the centre

³ Commonwealth Government of Australia, Commonwealth Modern Slavery Statement 2022-23, accessed 19 September 2024, pg27-31, modernslaveryregister.gov.au/statements/commonwealth-modern-slavery-statement-22-23.pdf (External)

⁴ Commonwealth Government of Australia, Commonwealth Modern Slavery Statement 2022-23, accessed 19 September 2024, pg32-33, modernslaveryregister.gov.au/statements/commonwealth-modern-slavery-statement-22-23.pdf (External)

is operated by Serco Citizen Services, part of the Serco Group (UK). This supplier consistently submits annual Modern Slavery statements to the Commonwealth Government's public register.

In managing the contract with this major supplier, the Agency has implemented various assurance plans and compliance mechanisms.

Improved Procurement Policy, Documentation and Process

The Agency has integrated a number check points in its procurement and contract management processes to improve detection of risks and implement mitigation strategy early in the procurement process.

Procurement Planning – the Procurement Policy mandates for modern slavery risks to be considered in all procurements. For high-value procurements there is a requirement for modern slavery considerations and mitigations to be included in the risk register.

Approach to Market and Contract Award – For procurements in the high-risk sectors there is a requirement for potential suppliers to provide details on how it will identify, assess and address risks of Modern Slavery practices in the operations and supply chains. A supplier Self-Assessment Questionnaire has been integrated into high value, high risk procurements documentation to measure and control modern slavery risks based on recommendations in “Modern Slavery Toolkit for Government Procurement Officers”⁵.

Contract Management – the NDIA additional contract terms contain Commonwealth’s model modern slavery contract clauses with graduating obligations suited to the risk profile of the procurement. The NDIA Contract Management Guide provide guidance to contract managers on the compliance requirements in the NDIA additional contract terms, including modern slavery.

Mandatory Criterion 5: Effectiveness

Assessing Our Effectiveness

The NDIA’s approach to combating modern slavery is commensurate with the identified level of risk. By focusing on targeted risk areas, streamlining policies and efficient monitoring, this strategy ensures that resources are used wisely and that potential vulnerabilities are addressed without unnecessary complexity. This

⁵ Commonwealth Government of Australia, Attorney-General's Department, *Australian Government's Response to Modern Slavery, including Procurement Toolkit*, accessed 19 September 2024: [Modern Slavery Toolkit for Government Procurement Officers \(External\)](#)

approach also allows for proactive identification, efficient resource allocation and continuous improvement.

Assessment of 2023 Commitments

In our 2023 Statement we committed to improving our operational policies to address modern slavery and its associated risk factors. We have successfully completed these activities and integrated them into our core business practices, as detailed in Table 1 below.

Table 1: Table of Commitments for 2023-24

Commitment	Status	Comment
Policy and framework		
Improve our procurement policy and process to encourage early identification of modern slavery risks.	Completed	Procurement policy includes a mandate on applying risk screening tool at different procurement stages. Procurement templates, NDIA General Terms and Conditions, and Contract Management Guide have been updated to address modern slavery risks. Supplier Self-Assessment Questionnaire has been integrated into high value, high risk procurements documentation to measure and control modern slavery risks based on recommendations in “Modern Slavery Toolkit for Government Procurement Officers ⁶ ”.
Training		
All Procurement Staff are to complete the Modern Slavery training to ensure awareness of this issue.	Completed	100% of Procurement Branch staff have completed the training.
Monitoring and Mitigation		
Conduct a modern slavery risk assessment for NDIA operations and supply chain.	Completed	We have completed our assessment for this Financial Year and concluded our risk remains as ‘low’. We have also expanded our review to include the top 10 high value contracts in ICT and property services categories for potential risks.
Monitoring	Completed	We continue to monitor our reporting channels for allegations, concerns, and supplier feedback.

End of Table 1

⁶ Commonwealth Government of Australia, Attorney-General's Department, *Australian Government's Response to Modern Slavery, including Procurement Toolkit*, accessed 19 September 2024: [Modern Slavery Toolkit for Government Procurement Officers \(External\)](#)

Forward Commitments

The NDIA has significantly evolved since the last reporting period to consider modern slavery risks and integrate mitigation measures across its procurement processes. The Agency is committed to refining the processes and improvements that have been embedded within procurement processes. We will monitor the effectiveness of modern slavery risk management initiatives throughout business operations and supply chain in 2024-25, as detailed in Table 2 below.

Table 2: Table of Commitments for 2024-25

Commitment	Status	Comment
Training		
All Procurement Staff are to complete the Modern Slavery training to ensure awareness of this issue.	In Progress	We will continue to encourage training to all procurement staff and contract managers managing contracts in high-risk sector. This ongoing commitment will be actioned and reported each year.
Monitoring and Mitigation		
Monitor the effectiveness of our updated policy and templates and identify areas for improvement.	New	Effectiveness will be assessed through reviewing a select sample of procurement and contracts in high risk/high value areas.
Monitor and update modern slavery risk assessment for NDIA operations and supply chain.	In Progress	This ongoing commitment will be reviewed and updated throughout the year, for reporting in the next Modern Slavery Statement.
Monitor for incidence.	In Progress	This ongoing commitment will be reviewed for effectiveness and continuous improvement each year.
Collaboration		
Engage other Commonwealth entities to leverage on initiatives in combatting modern slavery.	In Progress	Participate in the Department of Social Services Portfolio Cross Agency Procurement Working Group to keep abreast of developments and share experiences in the Commonwealth combating modern slavery.

End of Table 2

Mandatory Criterion 6: Consultation

The NDIA is not required to report on the **Mandatory Criterion 6** (the Act, section 16.1(f)) due to its status as a Corporate Commonwealth Entity that does not control or own other entities⁷.

Mandatory Criterion 7: Other Information

The NDIA has **no other information** to supply under Mandatory Criterion 7 (the Act, section 16.1(g)).

⁷ Commonwealth Government of Australia, Modern Slavery Act 2018, Accessed 19 September 2024: <https://www.legislation.gov.au> (External)