



**NDIS Quality  
and Safeguards  
Commission**

# Candidate Information Pack

## Assistant Director - Investigations (EL1)

Operations Branch - North Central West Region

Ongoing and Non-Ongoing (temporary), Full Time

Brisbane, QLD - Darwin, NT - Perth, WA - Adelaide, SA



**Develop your future, at the NDIS Quality and Safeguards Commission, by helping to improve the quality and safety of NDIS supports and services.**



## JOIN OUR TEAM

The NDIS Quality and Safeguards Commission (the NDIS Commission) is an independent government agency established to improve the quality and safety of NDIS supports and services. Our purpose is to work with people with disability, providers and the community to deliver nationally consistent, responsive and effective regulation for NDIS supports and services. The NDIS Commission brings together various quality and safeguards functions into a single agency for the first time, and will have a suite of education and regulatory powers that apply across Australia. We are progressively rolling out nationally and by December 2020 will have a presence in every state and territory capital city. Our head office is located in Penrith, NSW.

The NDIS Commission presents an opportunity for you to join an organisation that actively works to improve outcomes for people with disability.

As an Assistant Director, Investigations with the NDIS Commission, you'll be leading a team responsible for investigating alleged contraventions of the *National Disability Insurance Scheme Act 2013*. Where contraventions can be substantiated, investigation outcomes will result in the generation of a variety of regulatory outcomes aimed at positively influencing the behaviour of providers of NDIS-funded supports and services.

The NDIS Commission is committed to building a diverse workforce and inclusive culture. We strongly encourage people with disability to apply for roles and to reach out to our recruiters if you require an adjustment to the recruitment process in order to participate on an equal basis with others.

### You can reach our recruiters at McArthur by:

Phone: 1300 McArthur (1300 622 784)

Email: [NDISCommission.jobs@mcArthur.com.au](mailto:NDISCommission.jobs@mcArthur.com.au)



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## A LITTLE BIT ABOUT WHAT WE DO

The NDIS Commission is the dedicated national regulator of NDIS service providers in Australia and a non-corporate entity under the *Public Governance, Performance and Accountability Act 2013*. The NDIS Commission commenced operations in New South Wales and South Australia on 1 July 2018, and expanded its operations to other jurisdictions (Tasmania, Queensland, Victoria, Northern Territory and ACT) on 1 July 2019. The NDIS Commission will commence operations in Western Australia on 1 December 2020.

The NDIS Commission's core legislative functions are to:

- uphold the rights of, and promote the health, safety and wellbeing of, people with disability receiving supports or services, including those received under the National Disability Insurance Scheme;
- develop a nationally consistent approach to managing quality and safeguards for people with disability receiving supports or services, including those received under the National Disability Insurance Scheme;
- promote the provision of advice, information, education and training to NDIS providers and people with disability;
- secure compliance with relevant legislation through effective compliance and enforcement arrangements, including through the monitoring and investigation functions conferred on the NDIS Commissioner by legislation;
- promote continuous improvement amongst NDIS providers and the delivery of progressively higher standards of supports and services to people with disability;
- develop and oversee the broad policy design for a nationally consistent framework relating to the screening of workers involved in the provision of supports and services to people with disability;
- provide advice or recommendations to the National Disability Insurance Agency (NDIA) and its Board in relation to the performance of the Agency's functions;
- engage in, promote and coordinate the sharing of information to achieve the objects of the relevant legislation, and
- provide NDIS market oversight, including:
  - monitoring changes in the NDIS market which may indicate emerging risk; and
  - monitoring and mitigating the risks of unplanned service withdrawal.



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## WHAT THE OPERATIONS BRANCH IS RESPONSIBLE FOR

The Operations Branch comprises North Central West and South East regions. These are responsible for State and Territory operations that deliver the NDIS Commission's complaints function; building provider capability to prevent and manage incidents affecting people with disability; building capability in positive behaviour support strategies; and undertaking compliance and investigation activities, and enforcement action.

The State and Territory Directors together with the Branch Heads responsible for the regions, are responsible for the efficient and effective delivery of the NDIS Commission regulatory functions in each Australian jurisdiction.

- **Reportable Incidents**
- **Complaints**
- **Compliance and Investigations**

The Operations Branch forms part of the Registrar's functions in the NDIS Commission, which also includes national provider registration, compliance and investigation strategy and policy, worker screening and market oversight.

## WHAT INVESTIGATIONS IS RESPONSIBLE FOR

Investigations is responsible for investigating alleged contraventions of the *National Disability Insurance Scheme Act 2013* (NDIS Act) and associated Rules. These investigations deal with allegations relating to the treatment of NDIS-funded participants. Investigations are also conducted regarding the suitability of persons to deliver NDIS-funded supports and services.

Investigators attend locations where services and supports are supplied, using statutory powers to obtain evidential material and achieve ongoing compliance and the prepare reports and briefs of evidence to support further action.

Investigation activities may result from complaints, reportable incidents affecting the safety and well-being of participants, audit reports, referrals or targets developed by the NDIS Commission. Investigators liaise extensively with internal and external stakeholders and share strategies, methodologies, techniques and learnings to contribute to effective investigation outcomes.

While Investigations is responsible for investigating alleged contraventions of the NDIS Act, the function works closely with the Compliance function, sharing intelligence and findings in order to be better informed and carry out their respective functions collaboratively.

The NDIS Commission does not investigate allegations of fraud against the NDIS. Such allegations are dealt with the National Disability Insurance Agency.

Where there is sufficient evidence to substantiate a contravention of the NDIS Act, the NDIS Commission function works collaboratively with other NDIS Commission functions to deliver the most appropriate regulatory outcome. The aim of those outcomes is to protect NDIS-funded participants and send strong regulatory messages to providers of NDIS-funded supports and services regarding behaviour and standards expected of them by the NDIS Commission.



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## YOUR OPPORTUNITY

Applications are sought from suitably qualified, professional and motivated investigators to lead a team of highly focused people responsible for investigating alleged or suspected contraventions of the *National Disability Insurance Scheme Act 2013*, and the Rules under it in accordance with the NDIS Commission's policy and procedures, the *Regulatory Powers (Standard Provisions) Act 2014* and other relevant Commonwealth legislative requirements.

Suitable candidates must meet the requirements of the role as outlined in this information pack.

There are multiple roles available at the E1 Classification.

The NDIS Commission is committed to building a diverse workforce and inclusive culture. We strongly encourage people with disability to apply for roles and to reach out to our recruiters if you require an adjustment to the recruitment process in order to participate on an equal basis with others.

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## ASSISTANT DIRECTOR, INVESTIGATIONS - EL1

(\$103,997 - \$118,049)

As the Assistant Director, Investigations you will provide leadership and direction to a state-based team.

**In doing so you will:**

- Lead investigations into disability service providers and their response to issues of safety, well-being and quality of support services for people with a disability. Investigations will be undertaken in accordance with the *National Disability Insurance Scheme Act 2013 (Cth)*, Rules, the Commissioner's policies and procedures, the *Regulatory Powers (Standard Provisions) Act 2014* (Regulatory Powers Act) and relevant Commonwealth legislative requirements.
- Ensure that investigation reports recognise the communication and support needs of people with disability, and where relevant to the investigation that people with disability are included and supported to participate. This includes the conducting of interviews, preparation of statements, affidavits and collection of evidence.
- Develop and maintain excellent working relationships with the General Counsel and the investigations team, the NDIS Commission more broadly, and with a variety of stakeholder groups.
- Collect, secure and manage evidential material and confidential information gathered during investigations and other compliance activities.
- Produce high quality investigation reports to help disability providers understand the reasons for decision and any remedial action required.
- Work collaboratively with legal officers and other advisers in the development of compliance responses and briefs of evidence.
- Prepare briefs of evidence to support administrative action, civil proceedings and criminal prosecutions.
- Undertake research and analysis, identify systemic issues for the disability sector from the investigation conducted, and provide strategic advice to the NDIS Commissioner.
- Make timely recommendations to disability service providers for improvement of services to people with disability as a consequence of investigation findings, giving consideration to capacity building in the disability sector.
- Work collaboratively with other agencies or authorities and where appropriate refer matters to them under the relevant jurisdictional law.
- Provide input to support the development of operational protocols for national consistency across investigations.
- Contribute to the development, delivery and continuous improvement of the national investigations function.
- Provide guidance to others at the NDIS Commission.
- Lead an environment where learning and information sharing is encouraged.
- Regular travel may be required.



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## Essential Requirements

To be considered for appointment to this role applicants must be able to demonstrate that they possess:

- The ability to communicate well with, relate to and see issues from the perspective of people from a diverse range of cultures, backgrounds and experiences.
- Well developed problem solving skills including the ability to analyse issues from different perspectives and draw sound inferences from available information and data.
- The capacity to collaborate, cooperate and work well with others in the pursuit of common objectives.
- Relevant experience in an investigations focused role.

## Skills, Knowledge and Personal Attributes

Ideal candidates will have experience in a similar role, or the ability to demonstrate that they possess:

- High level investigation skills including the ability to identify likely breaches, and gather, analyse and present evidence.
- Comprehensive understanding of contemporary investigations processes, practices, and experience in leading investigative reviews.
- Superior written and oral communication skills including the capacity to produce quality briefs, reports, and correspondence of a complex nature.
- The capacity to develop excellent working relationships with the General Counsel and the investigations team, the NDIS Commission more broadly, and with a variety of stakeholder groups.
- Significant experience in conducting interviews and preparing statements and affidavits.
- The ability to identify opportunities for continuous improvement to achieve quality outcomes.
- The ability, and the confidence, to make sound judgements and decisions based on thorough research, problem-solving, innovation and evidence-based practice, to achieve the objectives of the General Counsel and Investigations stream.

## Pre-Employment Requirements (apply to all roles)

- You will be an Australian Citizen
- Candidates employed by the NDIS Commission are required to undertake a Police Records Check. If the position involves working with children and/or vulnerable people, the relevant check will also be undertaken.
- You may also be required to obtain and maintain at least a baseline security clearance and must be willing to disclose all relevant and required information to fulfil this process.

To obtain a security clearance you must be able to establish your background as checkable to be considered eligible for a security clearance. Any gaps or periods of time spent overseas for 12 or more months (cumulative) that cannot be verified by an Australian referee are typically deemed uncheckable, rendering you ineligible for a security clearance. Background history must cover 5 - 10 years of employment, education, residential, criminal history and anything else specified by the Australian Government Security Vetting Agency (AGSVA).



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## Our ideal candidate will also have

- Five or more years' experience in an investigations role with a law enforcement agency or other government agency **is essential**.
- A Certificate IV in Government (Investigations); or completion of Detective training with an Australian Police Department or equivalent; or law, legal studies or justice studies degree; or a degree in criminology; or a degree in intelligence analysis, or intelligence and security **is essential**.
- Experience in using information and evidence gathering powers of the kind available to the NDIS Commission (sections 73ZE & 73ZF of the NDIS Act and parts 2 & 3 of the Regulatory Powers Act), and seeking outcomes (administrative; civil; criminal) of the kind available to the NDIS Commission **is essential**.
- Knowledge of the issues facing people with disability in the context of their rights, health, safety and wellbeing.
- Knowledge of the NDIS and an understanding of the role of the NDIS Commission.
- Experience working in a social service portfolio.
- Experience in a regulatory environment.
- In addition to the above, the successful applicant will be required to complete training relating to the NDIS Act and Regulatory Powers Act. This training will be delivered by the NDIS Commission after the successful applicant's commencement date.



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## WHAT TO EXPECT

This recruitment and selection process is being managed by McArthur, a recruitment and human resource consulting firm, on behalf of the NDIS Commission.

You must submit an application by **11.30pm Monday, 9th November 2020** as outlined in this information pack to be considered.

McArthur will shortlist applications by reviewing your application and by possibly contacting you by phone to discuss your application in more detail.

McArthur will provide a report, recommending candidates for further consideration, to the NDIS Commission.

Panel interviews will be conducted by the NDIS Commission in due course. COVID-19 Safe practices will be adopted at all times and you should expect your interview to be conducted by videoconference.

You may be asked to undertake one or two online psychometric, cognitive or skilled based assessments which McArthur will facilitate.

Your referees may be contacted by McArthur during the course of the selection process.

At the conclusion of the selection process you will be notified of the outcome and will be provided an opportunity to seek feedback on your application and/or performance at interview.

### RecruitAbility

The NDIS Commission participates in the Australian Public Service RecruitAbility Scheme to support the employment of people with disability. RecruitAbility applies to all roles. Applicants with disability who opt into the RecruitAbility Scheme, declare they have disability, and meet the minimum requirements of a job will be advanced to a further stage in the selection process. For more information please contact **McArthur** or visit: <https://www.apsc.gov.au/recruitability>

### Need Assistance?

You are encouraged to contact McArthur if you're seeking information, require assistance or an adjustment to the recruitment process in order to participate on an equal basis with others.

### You can reach McArthur by:

**Phone: 1300 McArthur (1300 622 784)**

**Email: [NDISCommission.jobs@mcArthur.com.au](mailto:NDISCommission.jobs@mcArthur.com.au)**



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## WHY CHOOSE THE NDIS COMMISSION

In addition to being able to assist the NDIS Commission to improve the safety and quality of NDIS services delivered to people with disability, you will have access to the following benefits under the terms and conditions of your employment:

- 4 weeks paid annual leave
- 18 days personal/carer's leave per year with 10 days personal/carer's leave credited to you on commencement
- Easter and Christmas closedown where employees are paid full pay
- Employer Superannuation Contribution of 15.4% (PSSAp or fund of choice)
- Flex time – employees up to APS6 can accrue flex time
- Part time work and home-based work can be applied for (subject to business requirements)
- Standard hours worked between 8.30 am to 5 pm or they can be worked between bandwidth between 7.00 am and 7.00 pm (with agreement of supervisor)
- Salary packaging (superannuation and vehicles)
- 4 weeks paid Defence Reserve leave
- 3 days paid Cultural and Ceremonial leave
- Community service leave
- 3 months Long Service Leave available after 10 years service
- 14 weeks maternity leave
- Unpaid parental leave
- 4 weeks supporting partner leave
- Up to 8 weeks purchased leave (paid for by fortnightly deductions over a period of 12 months).



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## HOW TO CONTACT MCARTHUR

If you require further information regarding these vacancies, or assistance to participate in the recruitment process, you can contact McArthur by:

Phone: **1300 McArthur (1300 622 784)**

Email: **[NDISCommission.jobs@mcarthur.com.au](mailto:NDISCommission.jobs@mcarthur.com.au)**

You will also find information at this website **[mcarthur.com.au/ndisqsc](http://mcarthur.com.au/ndisqsc)**

Remember applications close: **11:30pm , Monday 9th November 2020.**



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## RECRUITABILITY

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## ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLE

We recognise the richness of Aboriginal and Torres Strait Islander cultures and the unique knowledge Aboriginal and Torres Strait Islander employees bring to our workplace, policy development and service delivery. We welcome and encourage applications from Aboriginal and Torres Strait Islander people.

## HOW TO APPLY

Applications must be submitted through the McArthur website [mcarthur.com.au](http://mcarthur.com.au). It is recommended that you lodge your application via the link contained in the email you received along with this information pack.

Your application must include:

- A statement of claims addressing your suitability for the position, with an emphasis on recent work examples and their relevance to the key activities and responsibilities of the position. This statement should be no longer than 1000 words.
- A current Curriculum Vitae and the contact details for two referees, one of whom should be your current (or most recent) supervisor.

Please ensure that you upload all required documents via the McArthur website. Incomplete and late applications will not be considered.

If you experience difficulty, or require assistance, when submitting your application please contact **McArthur on 1300 622 784**.

**APPLICATIONS CLOSE 11:30PM, MONDAY 9th NOVEMBER 2020.**



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