A guide to the
Disability Services Act 2006
Safeguarding rights and improving services
This document provides an overview of the key components of the Disability Services Act 2006 (the Act). It is designed to provide you with general information to assist you to understand the Act and what it means for you.

Disability Services Queensland advises that the summarised information in this guide should not be relied upon as a complete representation of the Act and that you should seek and rely upon your own legal advice about the legislation.

This document does not stand in the place of the Disability Services Act 2006. If there is a conflict between this document and the Act, the meaning of the Act will prevail. Disability Services Queensland disclaims all liability for all claims, loss damages, cost or expense of whatever nature, howsoever occurring as a result of reliance upon the information contained in this guide.

While every care has been taken in preparing this publication, the State of Queensland accepts no responsibility for decisions or actions taken as a result of any data, information, statement or advice, expressed or implied, contained in this document.

Further information about the legislation is available on the Disability Services Queensland website at: www.disability.qld.gov.au/key_projects/disability_services_act

The Disability Services Act 2006 is available in full at www.legislation.qld.gov.au

Published November 2007
Table of Contents

Message from the Minister .......................................................................................................................... 4

Background .................................................................................................................................................. 5
  How the new legislation was developed ......................................................................................... 5

Part A: Rights and Community Participation ......................................................................................... 6
  Purpose of the Act ........................................................................................................................................ 6
  Objects ....................................................................................................................................................... 6
  Definitions ................................................................................................................................................ 6
  Rights for people with a disability .......................................................................................................... 7
  Government and community involvement .......................................................................................... 9
    Ministerial advisory committees ........................................................................................................ 9
    Disability service plans ...................................................................................................................... 10
    Service delivery principles ................................................................................................................. 10

Part B: Service delivery ............................................................................................................................ 12
  Quality and accountability ...................................................................................................................... 13
    Quality System ....................................................................................................................................... 13
    Funding .................................................................................................................................................. 13
    Compensation ....................................................................................................................................... 17
  Strengthening safeguards ....................................................................................................................... 18
    Criminal history screening ............................................................................................................... 18
    Prescribed requirements, records and insurance ........................................................................... 24
    Confidentiality ....................................................................................................................................... 25
  Responding to concerns ......................................................................................................................... 26
    Complaints ............................................................................................................................................ 26
    Compliance ........................................................................................................................................... 27
    Reviews and appeals ............................................................................................................................ 30
    Legal proceedings .............................................................................................................................. 31
  A framework for accountability ............................................................................................................ 32
  Further information ............................................................................................................................... 33

Appendices .................................................................................................................................................. 34
  1. Definitions ........................................................................................................................................... 34
  2. Coverage of the Disability Services Act 2006 ............................................................................. 35
The past decade has brought significant change in the Queensland disability sector, with the development of new service approaches, community engagement processes and record increases in Queensland Government funding for disability services.

The Disability Services Act 2006 was developed in response to these changes and provides a contemporary framework for delivering services and meeting community expectations of quality and accountability.

The Act is the result of extensive consultation with the sector and detailed consideration of the changing nature and expectations of disability service delivery. It provides the strongest foundation Queenslanders have ever had for continually improving the quality of disability services across the State and strengthening the rights of people with a disability.

I believe it is an important statement of Queensland’s vision for a society that values people with a disability.

The Act aims to strengthen and enhance the infrastructure of the Queensland disability sector and wider community through the establishment of new processes which help ensure:

- better quality services
- increased accountability and risk management
- greater response to concerns
- streamlined funding and approval processes and
- safeguards for people with a disability, such as criminal history screening.

The legislation also encourages all Queenslanders to promote inclusiveness within their own communities, and this will further serve to strengthen the rights of people with a disability.

As a further measure, the Act will be reviewed after five years of operation so that the disability legislation remains contemporary.

The Disability Services Act 2006 marks an historic milestone for the Queensland disability sector.

I believe the Act will bring about a dynamic and positive change in disability services in Queensland. Measures have now been put in place to ensure that the people of Queensland receive services of a continually high standard and which are safer than ever before for those at risk of abuse, neglect or exploitation.

I trust you will find this guide a useful tool in understanding what the Disability Services Act 2006 means for you.

Lindy Nelson-Carr MP
Minister for Disability Services
Background

Disability Services Queensland is responsible for providing leadership in disability services and programs for people with a disability, their families and carers.

Disability Services Queensland provides funding for a range of programs and services for people with a disability in Queensland. Some services are delivered by Disability Services Queensland itself, while others are delivered by non-government organisations funded by Disability Services Queensland.

In 2005-06 more than 18 000 Queenslanders with a disability received services delivered or funded by Disability Services Queensland.

The past decade has brought significant change in the Queensland disability sector, with the development of new service approaches, an emphasis on community engagement processes and increases in funding for disability services. The Disability Services Act 2006 was developed in response to these changes. It provides a contemporary framework for delivering services and meeting community expectations of quality and accountability.

How the new legislation was developed


Through consultation, the Queensland community asked for legislation that:

• reaffirmed the rights of people with a disability
• set out requirements for disability service providers
• provided greater safeguards for people with a disability when they receive services.

In May 2005, the Queensland Government announced a package of legislative reforms to strengthen and safeguard the rights of people with a disability and support continuous improvement in the quality of services they receive. These reforms form the basis of the Disability Services Act 2006.

The Disability Services Act 2006 was introduced into Queensland Parliament on 1 December 2005, and was passed on 29 March 2006. It received assent from the Governor-in-Council on 4 April 2006 and took effect on 1 July 2006.
Part A: Rights and Community Participation

Purpose of the Act

Objects

The objects of an Act summarise its purpose, or what it aims to achieve. The *Disability Services Act 2006* seeks to:

- acknowledge the rights of people with a disability including by promoting their inclusion in community life
- ensure that disability services funded by the department are safe, accountable and respond to the needs of people with a disability.

The Act also acknowledges that there are limited resources for disability services and that these resources need to be allocated fairly.

Definitions

The *Disability Services Act 2006* introduces some consistent terminology relating to disability services for the purposes of the Act. These terms are used to clarify which parts of the Act apply to different people, organisations or groups.

The terms *disability* and *disability services* are used to assist in determining the allocation of funding under the Act:

A *disability* is a person’s condition that:

1. is attributable to:
   - (i) an intellectual, psychiatric, cognitive, neurological, sensory or physical impairment; or
   - (ii) a combination of impairments, and
2. results in:
   - (i) a substantial reduction of the person’s capacity for communication, social interaction, learning, mobility or self care or management; and
   - (ii) the person needing support.
3. The impairment may result from an acquired brain injury.
4. The disability must be permanent or likely to be permanent.
5. The disability may be, but need not be, of a chronic episodic nature.
Disability services, for people with a disability, means one or more of the following:

- accommodation support services
- respite services
- community support services
- community access
- advocacy or information services or services that provide alternative forms of communication
- research, training or development services.

Appendix One contains other key terms defined in the Act, while Appendix Two contains a table that identifies the different parts of the Act and who they apply to using these key terms.

Rights for people with a disability

The Disability Services Act 2006 reaffirms that all people, including people with a disability, have the same human rights as other members of the Queensland community. The Act states:

*People with a disability have the same human rights as other members of society and should be empowered to exercise their rights.*

The Act recognises that all Queenslanders have a role to play in supporting and promoting the rights of people with a disability. People with a disability have the right to:

- respect for their human worth and dignity as individuals
- realise their individual capacity for physical, social, emotional, cultural, religious and intellectual development
- live lives free from abuse, neglect or exploitation
- participate actively in decisions affecting their lives, including the development of disability policies, programs and services.

The Act also identifies some specific rights for people with a disability when they are receiving disability services. The Act identifies that people with a disability have the right to receive services that:

- support achieving quality of life within their family and community
- minimise restriction of their rights and opportunities
- respect the confidentiality of personal information
- are in a safe, accessible built environment appropriate to needs
- provide support to enable complaints to be made about services without fear of negative consequences
- provide support and access to information that enable them to participate in decisions affecting their lives
- are appropriate to their disability and cultural background.
The rights of people with a disability specified in the Disability Services Act 2006 are additional to, and do not diminish or limit, a person’s ordinary human rights.

The rights detailed in the Act are an important reflection of Queensland Government’s vision for a society that values people with a disability, upholds their rights and supports their equitable participation in everyday life.

The Act seeks to ensure that the services funded by Disability Services Queensland have sufficient regard to these rights. Services are required to demonstrate how they will have regard to these rights before they are eligible to apply for funding from Disability Services Queensland. Queensland Government departments must have regard to these rights when developing a Disability Service Plan (see page 10).

The Disability Services Act 2006 does not contain mechanisms for broader enforcement of these rights or for taking action if a person believes their rights are being breached. The mechanisms to enforce rights are available through other legislation:

- In Queensland, the Anti-Discrimination Commission administers the Anti-Discrimination Act 1991. This Act promotes fair treatment and equality of opportunity by making unfair discrimination unlawful. The commission handles allegations of discrimination and will attempt to resolve complaints, in some cases through a hearing of the Anti-Discrimination Tribunal. The Anti-Discrimination Commission can be contacted on 1300 130 670.

- The Human Rights and Equal Opportunity Commission (HREOC) also handles complaints of discrimination. The commission has functions under a number of pieces of Commonwealth legislation, including disability discrimination legislation. The commission has responsibility for inquiring into complaints of alleged infringements under the Disability Discrimination Act 1992 (Cth). The commission can be contacted on 1300 369 711.
Government and community involvement

Ministerial advisory committees

The Act recognises the importance of community input to shaping government policy on disability issues. It provides for community advice to the Minister through the establishment of ministerial advisory committees.

The Minister may establish committees to advise on disability issues as appropriate, including a committee to advise on the Complaints Management System.

Membership of these committees is determined by the Minister and may include people with a disability, family members, carers or another person that the Minister considers has relevant expertise. The Minister may determine how the committee functions and may dissolve committees.

Some ministerial advisory committees established prior to the commencement of the Act include:

• The Disability Council of Queensland, which provides advice to the Minister on a range of issues that affect the broader community in relation to disability services
• Ten regional disability councils, which provide advice to the Minister through the Disability Council of Queensland on issues impacting on people with a disability and their families at a local and regional level
• The Complaints Management Quality Committee, which provides advice to the Minister on the quality, efficiency and effectiveness of Disability Services Queensland’s complaints management system.

All members of ministerial advisory committees are required to undergo criminal history screening in the same way as other people working or volunteering with Disability Services Queensland.
Disability service plans

The Act requires every Queensland Government department to develop and implement a disability service plan.

Disability service plans focus on the services provided by Queensland Government departments. This recognises the need for people with a disability to be considered in all aspects of government service delivery, not just specialist disability services.

Disability service plans describe the way each Queensland Government department is working towards providing appropriate services and facilities for people with a disability, their families and carers, within their consumer group. Departments must consider how they provide services to people with a disability, with respect to the human rights and service delivery principles identified in the Disability Services Act 2006.

In these plans, departments identify:

• issues regarding service delivery by the department to people with a disability
• the way these issues will be addressed
• how the department’s plan complements the plans of other departments.

Plans must be published, reported on annually and reviewed every three years.

Service delivery principles

The Act provides guidance generally to organisations, businesses or groups in considering the way they develop and implement services for people with a disability through a set of 13 Service Delivery Principles.

These principles give direction on how services can be provided in order to better meet the needs of people with a disability. They aim to assist service providers to increase inclusiveness and encourage participation in and access to general community services by people with a disability.

The principles are intended to apply broadly to service providers in the community — profit and non-profit services, disability services, and general community services.

The service delivery principles are summarised below:

1. **Focus on the development of the individual**
   In particular, to increase a person’s opportunities to establish a quality life.

2. **Participation in planning and operation of services**
   To ensure that people with a disability are encouraged, and able, to have a say in the services they receive.

3. **Focus on a lifestyle the same as other people and appropriate for age**
   To ensure that everyday life for people with a disability is similar to everyday life for the general community, and appropriate to their chronological age.

4. **Coordination and integration of services with general services**
   To encourage disability services to be integrated and aligned with services generally available to all members of the community.
5. **Services to be tailored to meet individual needs and goals**
   To customise individual services for the benefit of the person with a disability.

6. **People with a disability experiencing additional barriers**
   To meet the needs of people with a disability who may experience extra obstacles because of their race, age, gender, cultural background or location.

7. **Promotion of competency, positive image and self-esteem**
   To promote the abilities and self-esteem of people with a disability and encourage positive images.

8. **Inclusion in the community**
   To promote the participation of people with a disability within the community.

9. **No single service provider to exercise control over life of a person with a disability**
   To ensure that no service provider has control over all or most aspects of the life of a person with a disability.

10. **Consideration for others involved with people with a disability**
    To recognise the needs of, implications for and demands on families, carers and advocates of people with a disability.

11. **Service providers to make information available**
    To ensure that information about services is readily available to consumers, their families, carers and advocates and others.

12. **Raising and resolving grievances**
    To make sure that there are suitable ways for people with a disability and their advocates to complain about services and have their issues resolved.

13. **Access to advocacy support**
    To ensure people with a disability have assistance if required, to participate in decision making about the services they receive.
Disability Services Queensland is committed to funding disability services that are safe, responsive, accountable and of a high quality.

The Act brings together a number of new and existing strategies for services provided and funded by Disability Services Queensland that aim to:

1. promote quality and accountability in service delivery
2. strengthen safeguards for people with a disability accessing services and
3. allow for quick and effective responses whenever concerns are raised about service delivery.

Together these strategies provide a comprehensive system for quality disability service delivery. Each of the components of this system is described in more detail in the following sections.
Quality and accountability

Quality System

The *Disability Services Act 2006* provides a basis for the establishment of the Disability Sector Quality System and the Queensland Disability Service Standards. It allows the Minister to make disability service standards and indicators to measure the standards. The Act also allows the Minister to approve a process for certification of service providers against the service standards.

The Minister may approve an organisation, group or person as an external certification body. External certification bodies conduct assessments to decide whether a service provider meets the service standards.

The Disability Sector Quality System is intended to achieve a culture of quality and continuous improvement across the disability sector in Queensland. The system provides for self-assessment, consumer assessment and external assessment of service delivery according to service standards.

The Disability Sector Quality System is a cyclical process that occurs within each service, with the input of consumers. The quality system facilitates continual improvement in organisational policies, processes and practices and the way they support service delivery.

The requirements and operation of the Disability Sector Quality System are not changed by the Act.

Funding

The approval and funding requirements detailed in the Act work together to create a three-step process for allocating funding for disability services.

The three-step process is described in the following sections.

1. **Step one: Approval**
   - Organisation seeks approved non-government service provider status to become eligible to apply for funding

   ◦ Approval given

   ◦ Approval not given

   ◦ Appeal

2. **Step two: Allocating funding**
   - Approved non-government service provider makes application for funding to be allocated

   ◦ Funding provided

   ◦ Funding not allocated

3. **Step three: Funding agreements**
   - Funded non-government service provider enters into a funding agreement with Disability Services Queensland and funding is provided
Step one: Approval

The Disability Services Act 2006 establishes a system where service providers must become **approved non-government service providers** before they are eligible to apply for recurrent funding from Disability Services Queensland. This system is designed to ensure that service providers have the capacity to provide accountable, sustainable and viable services to people with a disability.

Approved non-government service providers are eligible to apply for funding from Disability Services Queensland, but this does not guarantee that funding will be provided.

To be an **approved non-government service provider**, the organisation must be incorporated and must be certified under the Disability Sector Quality System or give a commitment to implement the system and work towards certification. They must also meet a number of other criteria, including demonstrating how the organisation intends to manage finances, promote human rights and manage complaints.

Once approved, the approval remains in force until it is cancelled, either by application from the service provider or by Disability Services Queensland.

Organisations can seek review and, if necessary, external appeal of some decisions relating to the approval process. For example, an organisation may appeal Disability Services Queensland’s decision to refuse an application for approval as an **approved non-government service provider**.

More information about the review and appeal process is provided on page 30.

Service providers who received recurrent funding from Disability Services Queensland prior to 1 July 2006 only need to seek approval if they wish to expand their service delivery to include additional service types and/or locations.

Case study

**Glendale Community Care** receives funding from Disability Services Queensland to provide support to people with a physical disability living on the northside of Brisbane to access the community and develop community networks. Glendale is already an approved non-government service provider under the Act.

Glendale has identified a need for accommodation support services for some people in that area and would like to seek funding to provide accommodation support to people in the community.

The requirements for providing this type of service (e.g. infrastructure, staffing, management etc.) are very different to those required for the services Glendale are already providing.

Glendale will need to demonstrate that their plans for expanding the service are sustainable and feasible before gaining approval to deliver. They will need to apply for approval for additional types of disability service from Disability Services Queensland. After obtaining approval, Glendale will be able to apply for additional funding for the new type of disability service.
Step two: Allocating funding

The Disability Services Act 2006 details requirements for receiving one-off and recurrent funding.

Funding can only be provided for the provision of disability services to people with a disability as defined by the Act. The Minister makes the decision to provide funding.

Service providers who receive funding from Disability Services Queensland are known as funded non-government service providers.

Recurrent funding

Recurrent funding is funding provided repeatedly or periodically for disability services. Organisations must have applied for and received approved non-government service provider status to be eligible to apply for recurrent funding. See page 14.

In urgent circumstances, recurrent funding may be provided prior to becoming an approved non-government service provider. In these cases the service provider must become approved within six months or funding will be ceased.

Case study

Justin lives in a small community north-west of Cairns with his older sister, Kerrine. Kerrine provided care and support for Justin in most aspects of his daily life. Kerrine has recently become ill and is no longer able to support Justin.

There are no disability service providers located in the small community. A local community care organisation indicated they would be willing to provide support to Justin if funding could be made available.

The local community care organisation does not receive funding from Disability Services Queensland. Generally, the service provider would be required to seek approval and enter into a funding agreement with Disability Services Queensland before recurrent funding could be provided.

As Justin and Kerrine’s circumstances are urgent, funding is able to be provided immediately and Justin’s needs are met in time and with minimal disruption. The service provider will need to complete the approval process as soon as possible (within six months) and enter into a funding agreement within a timeframe determined by the Director-General of Disability Services Queensland.

One-off funding

In some circumstances, a service provider may only wish to seek one-off funding, for example, to hold an event or produce a resource. In this case, the service provider does not need to seek approval before applying for funds.
Step three: Funding agreements

Funding can only be provided if the non-government service provider enters into a funding agreement with Disability Services Queensland. The *Disability Services Act 2006* specifies some things that must be included in funding agreements, for example:

- the amount and type of funding and the period of the agreement
- the type of disability services to be provided and the place they will be provided
- service delivery outcomes and performance measures
- policy and procedure requirements
- reporting requirements.

In particular, the funding agreements require services to maintain certification under the Disability Sector Quality System.

In urgent circumstances, funding may be provided prior to the funding agreement being finalised. However, the service provider must agree in writing to enter into a funding agreement within a timeframe determined by the Director-General of Disability Services Queensland or funding will cease.

General Service Agreements that were in effect prior to 1 July 2006 remain in place until they expire. Any future funding will be provided under a funding agreement.

Monitoring funding agreements

A funding agreement is a contract between Disability Services Queensland and the funded non-government service provider.

In general, officers in Disability Services Queensland’s regions are allocated to monitor funding agreements and assist service providers to meet the terms of the contract. Regional officers will work with service providers to identify and resolve any problems with the funding agreement.

All funding agreements specify how the agreement could be breached and the action that might be taken if a breach occurs. As a general rule, any breaches will be dealt with according to the arrangements detailed in the agreement. For more serious matters this may include conducting a formal review and if the breach is not remedied could lead to suspension or cancellation of funding under the agreement.

In some circumstances, a breach of the funding agreement may also constitute a breach of the Act. If this is the case, the matter could be managed through the compliance system. The functioning of the compliance system is discussed in detail on page 27.
Compensation

People who acquire a disability — for example, through an accident — may receive a compensation payment relating to their disability. The Act introduces a requirement to notify Disability Services Queensland of claims for compensation.

A person with a disability who is applying for or receiving services from a **funded service provider** (or a person applying for services on their behalf) must notify Disability Services Queensland about compensation relating to their disability.

The person must notify Disability Services Queensland:
- if they are claiming, eligible for, or receive a payment relating to their disability, and
- whether a component of that payment has been allocated to future care.

The compensation could be paid as a result of, for example:
- a court proceeding
- action taken under worker’s compensation legislation or
- an insurance claim.

The only requirement under the Act is that the person notify Disability Services Queensland about compensation. When a notification is made, this does not necessarily mean that the person will be asked to contribute to the cost of the services they receive. Disability Services Queensland will consider individual circumstances in deciding whether the person could or should contribute to the cost of the services they receive.
Strengthening safeguards

Criminal history screening

Under the *Disability Services Act 2006*, all people engaged by Disability Services Queensland or by funded non-government service providers must undergo criminal history screening. Screening will be conducted at least every two years.

This screening is the process by which an individual’s criminal history is obtained from Queensland Police Service and a decision made regarding whether a person can work or volunteer at a place where disability services are provided.

This decision is used to determine whether a person can be engaged either by Disability Services Queensland or at a place where disability services are provided (a service outlet). The paramount consideration in making a decision is the right of people with a disability to live free from abuse, neglect or exploitation.

The screening is conducted and paid for by Disability Services Queensland.

People who must be screened

Within Disability Services Queensland screening is required for:
- all public service employees in the department
- people contracted to provide disability services for the department
- members of ministerial advisory committees
- volunteers and students.

In funded non-government service providers, screening is required for any person who has an agreement (written or unwritten) with the funded service provider to work at a place where disability services are provided. This includes:
- employees
- volunteers
- people who have a contract with the funded service provider
- members of a board, management committee or other governing body
- executive officers
- students on work experience.

Screening is *not* required for:
- consumers
- tradespeople who are not employees
- relatives of a consumer *only* providing volunteer care for their relative.
**Case studies**

Glendale Community Care is a funded non-government service provider. Katherine, the manager of Glendale Community Care, is applying for criminal history screening on behalf of the people engaged by Glendale. She needs to determine who needs to be screened.

<table>
<thead>
<tr>
<th>Scenario</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Judith works with children in Glendale’s vacation care program and has a valid Blue Card issued by the Commission for Children and Young People and Child Guardian.</td>
<td>Katherine, the manager of Glendale, will still need to lodge an application for screening for Judith. The Blue Card is not the same as a Disability Services Positive Notice Card. Holding a Blue Card does not automatically mean a person can work for a Disability Services Queensland funded non-government service provider or vice versa.</td>
</tr>
<tr>
<td>Simon is employed to do general maintenance of buildings, gardens and equipment. He is not employed as a disability worker, but does work at the places where services are provided.</td>
<td>Criminal history screening is required for all people who are engaged at a place where disability services are provided. Katherine will need to lodge an application for criminal history screening for Simon.</td>
</tr>
<tr>
<td>Kitty attends vacation care at Glendale. Kitty’s sister Marg visits at lunchtime each day to assist Kitty with her meal. While she is there, Marg also takes a group of the children to play at the local park.</td>
<td>Marg is a volunteer at Glendale vacation care. While she is assisting with a relative she is also assisting with other people at vacation care. Katherine will need to submit a criminal history screening application for Marg. If Marg only assisted Kitty, then she would not need to be screened by Disability Services Queensland.</td>
</tr>
</tbody>
</table>

**Criminal history screening process**  
*(for people engaged by funded non-government service providers)*

**Applications**  
Service providers must apply to Disability Services Queensland for criminal history screening on behalf of all relevant people in their organisation. The service provider must gain the person’s consent and sight identification prior to lodging the application. The *Disability Services Regulation 2006* specifies the documents that are accepted as proof of identity. Applications must be made on the appropriate forms, available from Disability Services Queensland. There is no application fee.
Once an application has been made to Disability Services Queensland, the person can commence engagement with the service provider at a service outlet. However, continued engagement will be subject to the outcome of criminal history screening.

Service providers and individuals will receive a reminder notice from Disability Services Queensland when two yearly screening applications are due.

The screening is based on a national police check of all of the person’s criminal history. The Act overrides the Criminal Law (Rehabilitation of Offenders Act) 1986. This Act would usually prevent the need to disclose all but serious charges or convictions after a certain period of time. Information is obtained about:

- all charges or convictions in Australia
- in some circumstances, information on (current and past) investigations of serious sexual or violent offences against a person with a disability.

**Decision making**

Decisions on criminal history will be made by Disability Services Queensland. Decisions are made by the Director-General or his/her delegate.

In most cases, having a criminal history does not automatically affect a person’s engagement. In every decision, the overall consideration is the right of people with a disability to live lives free from abuse, neglect or exploitation.

Decisions are made based on a number of criteria. The Act lists ‘serious offences’ and ‘excluding offences’. These are the most serious of offences and include offences of a sexual or violent nature. If one of these offences appears in a person’s criminal history, the Act provides direction on how that offence is to be considered in decision making.

The way decisions are made is detailed in a set of decision-making guidelines. These guidelines are available on request from Disability Services Queensland.

Most decisions are made in consideration of a range of criteria including:

- nature of the offence
- whether the offence is a ‘serious offence’ as defined in the Act
- timing
- charge or conviction
- penalty imposed
- relevance to engagement.

The person being screened will always have the opportunity to have input into the criminal history screening decision in cases where a negative outcome is being considered. In these cases, Disability Services Queensland will contact the person, provide them with their criminal history information and invite them to make a submission.

All relevant information will be considered in making the final decision.
Issuing notices

As a result of criminal history screening a person will receive either a *positive notice* or a *negative notice*.

The notice is provided in the form of a letter to the person. The service provider will also be notified of the outcome of the screening. The service provider will not be provided with the details of a person’s criminal history or the reasons for the decision. They will be notified only of the positive or negative outcome.

Receiving a positive notice

A positive notice means that a person can be engaged by a funded non-government service provider in a place where disability services are provided.

The person will receive a positive notice and a *Disability Services Positive Notice Card*.

A positive notice is valid for two years from the date of issue, unless it is cancelled earlier because of a change in criminal history.

When a person is issued with a positive notice, they will also receive information detailing their responsibilities in relation to the positive notice, such as the need to advise Disability Services Queensland of any changes to their name or address and/or changes in their criminal history.

A person can use their *Disability Services Positive Notice Card* when seeking employment with a funded non-government service provider as evidence that they have undergone criminal history screening. However, service providers are encouraged to contact Disability Services Queensland to verify the validity of the card before engaging the person.

Receiving a negative notice

A negative notice means that a person *cannot* be engaged by a funded non-government service provider in a place where disability services are provided.

The person will receive a negative notice advising them of the decision, the reasons for the decision and if applicable, the process the person can use to appeal the decision. Appeals are heard by the Commercial and Consumer Tribunal, which is independent of Disability Services Queensland.

When a person is issued with a negative notice, they will also receive information detailing their responsibilities, including that the person must not apply for or continue engagement with a funded non-government service provider while they have a negative notice.

The service provider will also be advised of the decision, although they will not be advised of the nature of the person’s criminal history or the reasons for the decision. The service provider will be advised that the person cannot be lawfully engaged by the service.

A negative notice is valid indefinitely unless cancelled by Disability Services Queensland, or the decision is successfully appealed. The person may seek cancellation of the negative notice after a period of two years.
Changes in criminal history

A person’s criminal history changes if they are charged or convicted of an offence, whether or not a conviction is recorded.

If a person has a change in their criminal history they must immediately notify the service provider that engages them. The person must disclose that there has been a change, but does not need to disclose the details of the change. The service provider must immediately make a fresh application for criminal history screening. Disability Services Queensland will make a new decision based on the additional information.

Unless the person is charged with an excluding offence or convicted of a serious offence, the service provider can continue to engage that person until a decision is made.

If a person is charged with an excluding offence or convicted of a serious offence, they cannot begin or continue work at a service outlet of a funded service provider until further notice. Disability Services Queensland will advise the service provider if this is the case.

Case study

Gavin has been working for Glendale Community Care — a funded non-government service provider — for three years. He has a Disability Services Positive Notice Card. Last week Gavin advised Katherine, the manager of Glendale, that his criminal history had changed. Gavin does not need to tell Katherine the details of the change in his criminal history. Katherine will need to immediately lodge a new application for criminal history screening to be conducted again. Disability Services Queensland considered Gavin’s changed criminal history and decided that Gavin’s positive notice would remain valid. Both Gavin and Katherine were advised of this decision and Gavin continued to work for Glendale Community Care.

Risk management

Funded service providers must develop and implement a risk management strategy to promote the wellbeing of people with a disability and prevent abuse, neglect or exploitation.

A risk management strategy requires providers to adopt practices and procedures (beyond that of criminal history screening) to identify sources of harm and take steps to decrease or prevent it from occurring. For example, a risk management strategy could include ensuring the service provider puts arrangements in place to reduce risk in relation to:

- employees who have commenced work before the outcome of their criminal history screening is known; and
- employees who are not required to hold a positive notice.
Confidentiality

The Act contains strict requirements for maintaining the confidentiality of a person’s criminal history information. The information cannot be used for any other purpose apart from making a criminal history screening decision.

The information Disability Services Queensland receives is stored safely and securely in line with the department’s requirements for privacy of personal information.

Criminal history information can only be made available to those departmental officers responsible for making a decision. It is unlawful for these officers to disclose this information, except as required for consideration of the screening process.

The information can only be disclosed if it is required under the Act or another law or if the person gives consent.

Service providers will only be advised of the outcome of criminal history screening. They will not be provided with the details of a person’s criminal history or the reasons for the decision.

Criminal history screening enquiries

Enquiries regarding criminal history screening can be made to Disability Services Queensland by telephoning the criminal history screening hotline on 1800 183 690 or sending an email to criminalhistoryscreening@disability.qld.gov.au or by writing to the:

Misconduct Prevention Unit
Disability Services Queensland
PO Box 10179
Brisbane Adelaide Street QLD 4000

A guide to criminal history screening is also available as a complementary resource to this publication.

An example of a Disability Services Positive Notice Card
Prescribed requirements, records and insurance

Under the *Disability Services Act 2006*, funded non-government service providers are obliged to meet certain requirements in the way services are provided — prescribed requirements. The prescribed requirements are detailed in the *Disability Services Regulation 2006*. The Regulation includes matters which are essential to make the Act operational.

Generally, the prescribed requirements include:

<table>
<thead>
<tr>
<th>Topic Area</th>
<th>Description of Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Governance and accountability</td>
<td>• Have accounting and financial record-keeping systems and keep and implement policies regarding:</td>
</tr>
<tr>
<td></td>
<td>− election of executive officers</td>
</tr>
<tr>
<td></td>
<td>− induction of executive officers</td>
</tr>
<tr>
<td></td>
<td>− conflict of interest</td>
</tr>
<tr>
<td></td>
<td>− financial delegations</td>
</tr>
<tr>
<td></td>
<td>− budget.</td>
</tr>
<tr>
<td>Protecting people from abuse, neglect or exploitation</td>
<td>• Keep and implement a policy regarding abuse, neglect or exploitation consistent with Disability Services Queensland’s policy.</td>
</tr>
<tr>
<td>Deciding eligibility in relation to the delivery of disability services</td>
<td>• Keep and implement an eligibility policy consistent with Disability Services Queensland’s policy</td>
</tr>
<tr>
<td></td>
<td>• Consistently and fairly implement the policy.</td>
</tr>
<tr>
<td>Resolving complaints</td>
<td>• Keep and implement a complaints policy with certain features, for example, providing for a prompt response to complaints.</td>
</tr>
<tr>
<td>Register of policies</td>
<td>• Keep a register of the policies required under the Regulation including, for example, the date it was made and the date it is due to be reviewed.</td>
</tr>
<tr>
<td>Collecting and reporting data</td>
<td>• Report data necessary for the National Minimum Data Set (NMDS) quarterly as specified.</td>
</tr>
</tbody>
</table>
The Disability Services Regulation 2006 also details requirements for levels of insurance and record-keeping by service providers. Generally, these include:

<table>
<thead>
<tr>
<th>Topic Area</th>
<th>Description of Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Insurance</td>
<td>Public liability insurance for each service outlet of at least $10 million.</td>
</tr>
<tr>
<td>Records</td>
<td>Keep records including, for example:</td>
</tr>
<tr>
<td></td>
<td>• address of all service outlets</td>
</tr>
<tr>
<td></td>
<td>• contact details for consumers</td>
</tr>
<tr>
<td></td>
<td>• contact details for emergency contacts for consumers</td>
</tr>
<tr>
<td></td>
<td>• copies of criminal history screening applications</td>
</tr>
<tr>
<td></td>
<td>• documentation of complaints received</td>
</tr>
<tr>
<td></td>
<td>• documentation regarding incidents reported to Disability Services Queensland</td>
</tr>
<tr>
<td></td>
<td>• financial records required under the funding agreement.</td>
</tr>
</tbody>
</table>

Confidentiality

The Disability Services Act 2006 recognises the importance of respecting the confidentiality of personal information. This is balanced with the need to share information to allow coordinated services in order to best meet the needs of people with a disability.

Any person who acquires information through their involvement in administering the Act must not disclose that information unless it is specifically permitted. This applies to employees and contractors of Disability Services Queensland, authorised officers, interim managers and members of Ministerial Advisory Committees.

There are limited circumstances where confidential information may be disclosed, these are set out in the Act, and include:

• the person (an adult) provides written consent
• it is to protect the person with a disability from abuse, neglect or exploitation or
• it is required by law or ordered by a court or tribunal.
Information

The Act recognises that there are some situations where it is important for Disability Services Queensland to be able to provide and receive information in order to ensure that a person with a disability receives appropriate and coordinated services.

The Act allows for Disability Services Queensland to provide information to other Queensland Government departments. It also allows Disability Services Queensland to provide and request information from funded non-government service providers in order to provide for the needs of a person with a disability.

Information can also be provided where it is required by agreements between the Queensland Government and the Commonwealth Government. For example, information can be provided as required by the Commonwealth–State/Territory Disability Agreement (CSTDA).

The Act states that funded non-government service providers or people giving this information where required under the Act will not be in breach of any other law or professional standard.

Responding to concerns

Complaints

People have the right to make a complaint about services provided by Disability Services Queensland or funded non-government service providers. The Disability Services Act 2006 recognises the importance of creating an environment where complaints are welcomed and are resolved quickly and effectively. It does this by acknowledging that complaints may be made by people with a disability, their families, carers or advocates and by requiring Disability Services Queensland to maintain a system for dealing effectively with complaints.

The Disability Services Queensland Complaints Management System seeks to resolve complaints using the following principles:

• complaints are resolved locally and collaboratively wherever possible
• complaints can be made without fear of retribution
• the complaints system should be accessible, transparent and responsive
• complaints systems link with quality systems — issues arising from complaints can be used to improve services.

The Act also ensures that, where a complaint raises issues that relate to more than one organisation, there can be communication and coordination across complaints agencies. The Act ensures that:

• liaison, referral and coordination can occur across agencies such as the Queensland Ombudsman, the Office of the Adult Guardian and the Commission for Children and Young People and Child Guardian
• communication occurs between the agencies about the way the matter is being dealt with or how the matter was resolved.
Investigating complaints

Where Disability Services Queensland receives a complaint relating to a funded non-government service provider, the matter is usually dealt with in cooperation with the service provider and the complainant.

In some cases, a complaint issue may also constitute a possible breach of the Act, for example, a breach of a prescribed requirement. Where this is the case, Disability Services Queensland may also continue the investigation utilising an authorised officer. The function and authority of authorised officers is discussed on page 28.

In this way, Disability Services Queensland can ensure that very serious complaints are fully investigated and dealt with, even where a collaborative approach has been unsuccessful.

Compliance

The Act contains processes for investigating and correcting possible breaches of the Act.

Disability Services Queensland may become aware of a possible breach through routine reporting or monitoring of a funding agreement, through a complaint, by the identification of a notifiable issue during a certification assessment under the Quality System or by other means.

Investigating breaches

Under the Act, Disability Services Queensland will have the authority to investigate and resolve suspected breaches of the Act. Where possible, Disability Services Queensland will work together with people with a disability, their families and carers and service providers to resolve issues.

If the matter is very serious or involves possible criminal action the matter will immediately be referred to appropriate agencies such as the Queensland Police Service.

Where Disability Services Queensland has been unable to fully investigate a suspected breach of the Act collaboratively, or where an immediate response is required in order to protect a person with a disability, an authorised officer may conduct an investigation.

Under the Act, authorised officers have the authority to enter premises, seek information and ask questions in order to investigate and monitor a suspected breach of the Act (see the powers discussed in detail on page 28).
Appointment of authorised officers

Authorised officers must be appointed in writing by the Director-General of Disability Services Queensland. An authorised officer may be a public service employee or, for a particular matter, another person. The person must be appropriately qualified and experienced.

A person may be appointed as an authorised officer:

• for a particular matter or for a period of time
• with the full authority of the Act or limited authority as determined by the Director-General.

The person must hold a card that identifies them as an authorised officer under the Act. The card must include a photograph, signature and expiry date.

Functions of authorised officers

Authorised officers have the authority to enter places in order to investigate a possible breach of the Act if:

• consent is given by the occupier
• the place is open to the public
• it is the premises of a funded non-government service provider that is open for business
• the entry is authorised by a warrant issued by a Magistrate, or
• in limited circumstances without a warrant, for example, if there is an immediate risk of harm to a person with a disability.

Upon entering a place, an authorised officer may have the authority to do a range of things, including:

• search and inspect the place
• gather, copy or take things, such as documents
• talk to a consumer or person engaged by a funded non-government service provider
• require help from a person
• ask questions and require answers.

If an authorised officer enters a home, they must try to minimise the impact on any people with a disability living there and maintain their privacy as far as possible.

Responding to breaches of the Disability Services Act 2006

The process of rectifying any problems will be undertaken cooperatively by Disability Services Queensland and funded non-government service providers wherever this is achievable.
Compliance notices
A compliance notice may be issued by Disability Services Queensland to notify the service provider that they are breaching the Act and are required to remedy the situation. The compliance notice will include:
- which provision of the Act is being breached and how
- the time the service provider has to remedy the problem.

It may also include:
- the steps required to remedy the situation or avoid further breaches
- requirements for the service provider to report back on the steps they have taken.

If necessary, authorised officers may use their authority to monitor that a service provider has made the changes required by the compliance notice. This includes entering a place, seeking information and asking questions.

Appointment of interim manager
In very serious and complex matters the Act allows for the Director-General of Disability Services Queensland to appoint a person as an interim manager of a funded non-government service provider. This option can only be used where it is necessary to protect people with a disability from abuse, neglect or exploitation or to ensure the proper use of funds.

An interim manager works with the service provider to keep the service operational and functional while the issues of concern regarding the service are investigated and remedied. Interim managers do not conduct investigations. Their function is to:
- protect consumers of a funded non-government service provider from abuse, neglect or exploitation
- ensure the proper and efficient use of funds under the funding agreement, and
- provide disability services to consumers that the funded non-government service provider has agreed to provide under the funding agreement.

An interim manager is only appointed in exceptional circumstances. The Act lists a number of factors to be taken into consideration by the Director-General in deciding whether to appoint an interim manager. These include the consequences that may arise for people who access the service and others.

The service provider and consumers must be notified of the appointment of an interim manager.

The interim manager only manages those services receiving funding from Disability Services Queensland. An interim manager can only be appointed initially for a period of up to three months and only to a maximum period of six months. This ensures that the interim manager role is only temporary and that any changes required are made quickly.

A service provider can appeal the decision to appoint an interim manager. More information regarding the review and appeal process is provided on page 30.
Reviews and appeals

Some decisions made by Disability Services Queensland under the Act can be appealed. These include matters regarding:

• applications for approved non-government service provider status:
  – the decision to refuse approved non-government services provider status
  – the decision to refuse to cancel an approval as an approved non-government service provider (where the corporation applied for cancellation)
  – the decision to cancel an approval as an approved non-government service provider (where the corporation did not apply for cancellation).

• funding:
  – the decision to cancel or suspend funding because a service did not comply with a compliance notice

• breaches of the Act:
  – the decision to appoint an interim manager.

These decisions are subject to a two-tiered review process:

1. **An internal review will be conducted by Disability Services Queensland.**
   
   An application for a review must be submitted within 28 days of receiving notification of the decision. A new decision will be made by someone other than and independent from the original decision maker.
   
   Once the decision has been made it is called the review decision. The review decision will be provided to the applicant in writing and will detail the reasons for the decision. The applicant will also be notified of the opportunity to appeal the decision.

2. **External appeal through the Commercial and Consumer Tribunal**
   
   If the applicant is not satisfied with the outcome of the review, they can lodge an external appeal within 28 days to the Commercial and Consumer Tribunal.
   
   The Commercial and Consumer Tribunal will conduct a hearing that will reconsider all the information. The tribunal may uphold or reverse the decision made by Disability Services Queensland.
   
   The Tribunal operates under the Commercial and Consumer Tribunal Act 2003. The processes for lodging applications and conducting hearings are set out under this Act. More information about the operation of the Tribunal is available at the Tribunal’s website: http://www.tribunals.qld.gov.au or contact (07) 3247 3333.

   Some criminal history screening decisions can also be appealed. These appeals are heard by the Commercial and Consumer Tribunal.
Legal proceedings

The Disability Services Act 2006 contains a range of offences — some relating to the actions of organisations, and some relating to the actions of individuals, either alone or as a part of an organisation.

Some offences under the Act may also constitute a criminal offence. If this is the case, the matter may be referred to the Queensland Police Service for investigation and action.

If an offence has been committed or suspected to have been committed under the Disability Services Act 2006, Disability Services Queensland may seek to commence legal proceedings. The Act specifies time limits for commencing legal proceedings.

The decision to commence legal proceedings is carefully considered by Disability Services Queensland. All information is considered, including any actions that have already been taken to rectify the situation e.g. issuing a compliance notice, whether there is sufficient evidence that would be admissible in a court, and whether the action would be in the public interest.

If legal proceedings are pursued, the person or organisation would receive formal notification of the charge(s), for example, a summons. This document would detail the particulars of the offence including when the matter would come before a court.

It is an established legal rule that a person or organisation can be responsible for the acts or omissions of someone who is their agent. For example, an employer may be responsible for the actions of an employee.

In line with this rule, the Disability Services Act 2006 allows for a person or organisation to be charged with an offence even if they did not directly commit the offence.

Executive officers (for example, board members, management committee members or chief executive officers) of funded non-government service providers are responsible for ensuring the service provider complies with the Disability Services Act 2006.

If a service provider is charged with committing an offence, the executive officers could also be charged (as individuals) with an offence — the offence of failing to ensure the service provider complies with the Act.

The executive officer may not be liable for the offence if they are able to demonstrate that they:

• exercised reasonable diligence to ensure that the service provider complied with the Act, or
• were not in a position to influence the conduct of the service provider in relation to the offence.

If a person is found guilty of an offence, the Act specifies a maximum penalty that can be imposed by a court. The court will determine the level of penalty to be imposed. A small number of more serious offences also specify that a term of imprisonment could be applied if the court considered it appropriate.
A framework for accountability

New and existing service systems work together to form a framework for accountability in disability service delivery. Together these systems seek to support good governance and quality so that services provided to people with a disability safeguard them and their families and carers. The framework is described in the diagram below. The framework comprises four complementary systems:

- the Disability Sector Quality System
- contract management system (funding agreements)
- Disability Services Queensland Complaints Management System
- the compliance system.

**A framework for accountability in disability service delivery**

<table>
<thead>
<tr>
<th>Disability Sector Quality System</th>
<th>The focus of the Quality System is on continuous improvement in service delivery against the Disability Service Standards.</th>
<th>The Quality System operates independently of the Disability Services Act 2006.</th>
<th>The ongoing Quality System cycle includes self-assessment, consumer assessments, three yearly certification and annual maintenance assessments.</th>
<th>Very serious (notifiable) issues identified by an external assessor may constitute a breach of the Act and are managed through DSQ’s compliance system.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Complaints Management System</td>
<td>The Complaints Management System receives, investigates, and resolves complaints about disability services.</td>
<td>The Compliance System investigates and takes action to remedy suspected breaches of the Disability Services Act 2006.</td>
<td>Funding agreements are contracts detailing terms for use of government funding.</td>
<td>Proper functioning of the agreement is supported and monitored locally. Issues are resolved collaboratively.</td>
</tr>
<tr>
<td></td>
<td>Complaints are resolved locally and cooperatively where possible.</td>
<td>If necessary, authorised officers may use powers of entry and inspection in order to conduct a full investigation.</td>
<td>Breaches of contract are dealt with according to the terms of the contract. Breaches could result in suspending or cancelling funding.</td>
<td>A possible breach of the Disability Services Act 2006 may be identified through monitoring of a funding agreement. These matters may be managed through the compliance system.</td>
</tr>
<tr>
<td></td>
<td>Complaints that may also be a breach of the Disability Services Act 2006 may be managed through the compliance system.</td>
<td>A compliance notice may be issued requiring a service provider to remedy possible breaches of the Act.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>In exceptional circumstances an interim manager may be appointed to ensure services continue to operate while concerns are addressed.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Further information

For more information about the Disability Services Act 2006, contact the Disability Information Service:

**Phone:** 1800 177 120 (toll-free)* or (07) 3224 8444  
**Fax:** (07) 3896 3467  
**Telephone typewriter (TTY):** 1800 010 222 (toll-free)*  
**Email:** disabilityinfo@disability.qld.gov.au  
**Web:** www.disability.qld.gov.au  
* Calls from mobile phones are charged at applicable rates.

**Need help making phone calls?**  
Contact the National Relay Service (NRS) on 1800 555 677. This service is free.

**Other languages and formats**  
If you need the assistance of an interpreter, please contact the Translating and Interpreting Service, TIS National, on 131 450 and ask to be connected to the Disability Information Service on 1800 177 120.

For information in alternative formats, phone 1800 177 120 or email disabilityinfo@disability.qld.gov.au
Appendix 1:

Definitions

Some of the key terms defined in the Disability Services Act 2006 are provided below. This is not an exhaustive list of the terms used in the Act. The Act contains additional definitions for some other terms used in the Act.

Service provider
1. A service provider is a person providing services for people with a disability.
2. The service provider may provide the services —
   a) specifically to people with a disability; or
   b) generally to people in the community, including people with a disability.
3. The service provider may provide the services with the intention of making a profit.

Funded service provider
1. A funded service provider is a service provider that receives funds from the department to provide disability services.
2. A funded service provider includes the department to the extent it provides disability services.
3. However, a funded service provider does not include another department receiving funds from the department.

Non-government service provider
1. A non-government service provider is a service provider, other than the State, providing disability services.
2. A non-government service provider may be a local government.

Approved non-government service provider
An approved non-government service provider is a non-government service provider that is a corporation approved by the chief executive under part 6 as eligible to receive recurrent funding under part 7.

Funded non-government service provider
1. A funded non-government service provider is a non-government service provider receiving recurrent or one-off funds from the department to provide disability services.
2. It is immaterial whether other funds or resources are also used by the non-government service provider to provide disability services.
Appendix 2:
Coverage of the Disabiity Services Act 2006

<table>
<thead>
<tr>
<th>Part name</th>
<th>Part applies to:</th>
<th>References in this guide</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Preliminary</td>
<td>Not Applicable</td>
<td>pp 6, 7</td>
</tr>
<tr>
<td>2 Disability Rights</td>
<td>All Queenslanders; Funded service providers</td>
<td>pp 7, 8, 10, 11</td>
</tr>
<tr>
<td>3 Disability Service Standards</td>
<td>Funded service providers</td>
<td>pp 13</td>
</tr>
<tr>
<td>4 Process for certifying whether service providers meet service standards</td>
<td>Funded service providers</td>
<td>pp 13, 23</td>
</tr>
<tr>
<td>5 Complaints about the delivery of disability services by funded service providers</td>
<td>Consumers; Funded service providers</td>
<td>pp 26, 27, 32</td>
</tr>
<tr>
<td>6 Approved non-government service providers</td>
<td>Non-government service providers</td>
<td>pp 13, 14</td>
</tr>
<tr>
<td>7 Funding of non-government service providers</td>
<td>DSQ; Non-government service providers; Approved non-government service providers; Funded non-government service providers</td>
<td>pp 13, 14, 15, 16, 32</td>
</tr>
<tr>
<td>8 Prescribed requirements for funded non-government service providers</td>
<td>Funded non-government service providers</td>
<td>pp 24</td>
</tr>
<tr>
<td>9 Screening of persons engaged by the department</td>
<td>DSQ</td>
<td>pp 18</td>
</tr>
<tr>
<td>10 Screening or persons engaged by funded non-government service providers</td>
<td>Funded non-government service providers</td>
<td>pp 18 - 23</td>
</tr>
<tr>
<td>11 Monitoring and Enforcement</td>
<td>Funded non-government service providers</td>
<td>pp 27, 28, 29, 32</td>
</tr>
<tr>
<td>12 Appointment of Interim Manager</td>
<td>Funded non-government service providers</td>
<td>pp 29</td>
</tr>
<tr>
<td>13 Legal Proceedings</td>
<td>Engaged by funded service providers; Funded non-government service providers</td>
<td>pp 31</td>
</tr>
<tr>
<td>14 Reviews and Appeals</td>
<td>Approved non-government service provider; Funded non-government service provider</td>
<td>pp 30</td>
</tr>
<tr>
<td>15 Miscellaneous</td>
<td>Disability service plans — Queensland Government Departments</td>
<td>pp 10</td>
</tr>
<tr>
<td></td>
<td>Ministerial advisory committees — DSQ</td>
<td>pp 9</td>
</tr>
<tr>
<td></td>
<td>Confidentiality — DSQ and funded non-government service providers</td>
<td>pp 25, 26</td>
</tr>
<tr>
<td></td>
<td>Records — Funded non-government service providers</td>
<td>pp 25</td>
</tr>
<tr>
<td></td>
<td>Compensation — Consumers</td>
<td>pp 17</td>
</tr>
<tr>
<td>16 Repeal and transitional provisions</td>
<td>DSQ; Non-government service providers; Funded non-government service providers</td>
<td></td>
</tr>
</tbody>
</table>