ONLINE MASTERCLASS

NDIS Reforms, Risks and Realities: An Online NDIS Law Masterclass

Thursday 12 November 2026

Vic, NSW, ACT, Tas: 9:00am to 4.40pm
QLD: 8:00am to 3.40pm
SA: 8:30am to 4:10pm
NT: 7:30am to 3:10pm
WA: 6:00am to 1:40pm

- What Providers Need to Change Before the New Framework Begins
- SDA and SIL Under Pressure: Funding Protections and Design Disputes
- The Audit Is Coming: Claims Compliance and the Code of Conduct
- Complaints Handling: Before It Becomes a Commission Matter
- Restrictive Practices: Authorisation, Reporting and Provider Risk
- Managing Unsafe Workers in an NDIS Environment

The Education Network

9.00 – 9.10am	**Morning Theme: Registration, Pricing and Funding** **Introduction and Welcome** **Morning Chair:** ***Georgia Davis, Special Counsel, Mills Oakley, Brisbane, Qld***
9.10 – 10.00am	**Session 1: SDA and SIL Under Pressure: Funding Rules, Design Disputes and Provider Risk** SDA and SIL continue to attract some of the most complex funding, pricing and eligibility disputes in the NDIS. Recent reforms, together with evolving Tribunal decisions, are reshaping how supports are assessed, funded and challenged, requiring providers to take a more strategic approach to negotiations, documentation and service delivery. This session covers: • What's changed in SIL funding and pricing under the recently passed reforms, and the policy objectives behind it • Design category disputes, including Fully Accessible versus High Physical Support, and the evidence that determines classification • SDA eligibility and the SDA needs requirement, including applying the comparative test in practice • Pricing issues, including the On-Site Overnight Assistance parameter and avoiding double-counting with passive overnight supports • How the new funding-category protections affect SDA and SIL funding decisions, negotiations and review rights • Common weaknesses in SIL service agreements that later become the subject of disputes • Recent Tribunal and court decisions shaping SDA and SIL funding, eligibility and service delivery • Practical strategies for reducing dispute risk and strengthening provider decision-making ***Speaker: Victor Harcourt, Principal, Russell Kennedy, Melbourne, Vic.***
10:00 – 10.10am	**Questions and Discussion**

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10.10 – 11.00am	**Session 2: The NDIS Reform Wave: Integrity, Eligibility and Funding - What's Changed and What Providers Need to Do Now** The NDIS has been remade twice in the past five months. The NDIS Amendment (Integrity and Safeguarding) Act 2026 delivered the most significant shift in provider compliance obligations since the NDIS Commission was established. And the new NDIS Amendment (Securing the NDIS for Future Generations) Act 2026 went further still, giving the Minister power to reduce funding for specified supports and rewriting how eligibility and plans work. This session brings providers up to date on both Acts and what needs to change now, including: • The tiered civil penalty framework under the amendments and the introduction of criminal penalties. • The expansion of banning order powers to cover not only registered providers but others involved in service delivery or support. • New anti-promotion orders and the Commission's power to restrict misleading marketing and promotional activity. • Mandated electronic claims processes and the associated documentation and systems changes. • The implication of the 90-day cooling-off on providers' service delivery models. • The Future Generations Act's new ministerial power to reduce funding for specified support groups, and what it means for providers' pricing and planning certainty. • The redefinition of functional capacity for eligibility purposes, and the tightened rules around plan reassessment and suspension. • How providers can assess their organisation's current compliance posture, service agreements and pricing against both Acts together. ***Speaker: Luke Geary, Partner, Mills Oakley, Brisbane, Qld***
11.00 – 11.10am	**Questions and Discussion**
11.10 – 11.30am	**Morning Break**

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11.30am – 12.20pm	**Session 3: The Audit Is Coming: Claims Compliance and the Code of Conduct** The NDIA's claims-checking program is moving from targeted reviews to a more structured compliance regime, with providers facing increasing scrutiny of historical claims and supporting documentation. At the same time, the NDIS Code of Conduct continues to shape how providers deliver services, maintain records and respond to regulatory concerns. This session examines what providers should be doing now to prepare for an audit, strengthen their compliance systems and reduce the risk of enforcement action. This session covers: • The staged rollout of the NDIA's claims-checking program, including the initial focus on older claims and the planned expansion of the audit regime • How claims compliance intersects with providers' obligations under the NDIS Code of Conduct • The records, evidence and documentation providers should have available before a compliance review begins • Common compliance failures emerging from recent NDIA and NDIS Commission compliance activity • Responding to an audit notice, including key process requirements, timeframes and practical strategies • Managing identified compliance issues, including when self-reporting, remediation or system changes may be appropriate • A practical checklist to help providers review historical claims and strengthen their audit readiness ***Speaker: Danielle Gilby, Senior Associate, Commercial & Legal, Adelaide, SA***
12.20 – 12.30pm	**Questions and Discussion**
12.30 – 1.15pm	**Lunch Break**

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1.15 – 1.20pm	**Afternoon Theme: Risk, Compliance and Workforce - Running the Service Day to Day** **Introduction and welcome** **Afternoon Chair:** ***Campbell Hudson, Partner, Dentons, Sydney, NSW***
1.20pm – 2.10pm	**Session 4: Complaints Handling: Before It Becomes a Commission Matter** The way a provider responds to a complaint in its earliest stages often determines whether it is resolved internally or escalates into a reportable incident, regulatory investigation or enforcement action. Using a practical case study, this session examines how providers should assess, investigate and respond to complaints from the moment they arise. This session covers: • The legal distinction between a complaint and a reportable incident, and the risks of misclassifying either • Triage decisions: what requires an immediate response, what should be investigated, and what can be resolved informally • Conducting fair and defensible internal investigations, including when and how to communicate with participants, families and workers • Worked case study: responding to a serious participant safety incident, from the initial response through to investigation, family communication and reporting decisions • Where complaints handling intersects with worker conduct, supervision and Code of Conduct obligations • Common mistakes that turn an internal complaint into a Commission investigation ***Speaker: Helene Lee, Partner, Dentons, Melbourne, Vic.***
2.10 – 2.20pm	**Questions and Discussion**

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2.20pm – 3.10pm	**Session 5: Restrictive Practices: Authorisation, Reporting and Provider Risk** Restrictive practices remain one of the most closely scrutinised areas of NDIS regulation. As the Commission increases its compliance focus, providers need to be confident not only that restrictive practices are properly authorised, but also that they can recognise when a practice requires authorisation, meet their reporting obligations and maintain documentation that withstands regulatory review. This practical session examines the areas where providers most commonly get it wrong, and the steps they can take to reduce compliance risk. This session covers: • Recognising when a practice is a restrictive practice requiring authorisation • Current authorisation requirements and the circumstances most likely to trigger Commission scrutiny • Reporting obligations for restrictive practices and reportable incidents, and the most common compliance failures • Preparing behaviour support documentation and authorisation records that withstand review • How restrictive practices fit within the Commission's broader safeguarding and compliance priorities • Practical scenarios comparing compliant practice with common provider mistakes • Lessons from recent Commission compliance and enforcement activity ***Speaker: Luke O'Kane, Partner, Clyde & Co, Sydney, NSW***
3.10 – 3.20pm	**Questions and Discussion**
3.20 – 3.40pm	**Afternoon Break**

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3.40 – 4.30pm	**Session 6: Who's on your Books? Managing Unsafe Workers in an NDIS Environment** NDIS providers have dual obligations: to protect participants while also meeting their responsibilities as employers. When concerns arise about a worker's conduct, performance or fitness for duty, providers often need to make difficult decisions quickly, balancing participant safety against procedural fairness and employment law obligations. Get it wrong, and the consequences can include Fair Work claims, discrimination complaints, regulatory scrutiny and reputational damage. This practical session examines how providers can confidently manage workforce issues while meeting both their employment law and NDIS obligations. This session covers: • Managing allegations of misconduct involving support workers, including participant complaints and safeguarding concerns • When it is appropriate to suspend, stand down or remove a worker from participant-facing duties while concerns are investigated • Conducting fair and legally defensible workplace investigations • Managing workers who may no longer be fit for duty due to illness, injury or psychological impairment • Balancing participant safety with procedural fairness and employers' obligations under the Fair Work Act and anti-discrimination laws • Terminating employment lawfully where serious misconduct, incapacity or ongoing performance issues cannot be resolved • Lessons from recent Fair Work Commission and court decisions relevant to NDIS providers • Practical strategies for reducing employment law risk while maintaining safe, high-quality participant care ***Speaker: Emily Harvey, Partner, Hall & Wilcox, Brisbane, Qld***
4.30 – 4.40pm	**Questions and Discussion**
4.40pm	**Masterclass Close**

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The registration fee includes attendance at the live online masterclass.

Masterclass Papers

Access to the papers and PowerPoints will be available online to all delegates in the lead-up to the masterclass (as they become available). The materials will be available in .pdf format for easy download.

CPD

Lawyers: 6 CPD units/points (substantive law)

CPD Certificate	All delegates will receive a CPD certificate confirming registration and the CPD units applicable

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Registration Form

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Address: Level 4, 90 William Street, Melbourne, Vic 3000 **Phone** (03) 8601 7700
Enquiries: Contact our Event Manager, Jenna Pickrell (jenna@tved.net.au) – phone: 03 8601 7729
Register online: **www.tved.net.au** – go to Masterclasses

Please register me for the **NDIS Reforms, Risks and Realities: An Online NDIS Law Masterclass** to be held online on Thursday 12 November. [code: MNRNOV26]

[ ] **Early Bird Registration – for registrations paid on or before 16 October 2026 - $880** ($800 + $80 GST)

[ ] **Discount Registration – for registrations paid on or before 30 October 2026- $1089** ($990 + $99 GST)

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