

29 May 2026

Dorinda Cox
Chair
Senate Community Affairs Legislation Committee
Parliament House
Canberra ACT 2600



Via: community.affairs.sen@aph.gov.au

Dear Senator Cox,

RE: INQUIRY INTO THE SECURE THE NDIS FOR FUTURE GENERATIONS BILL 2026

On behalf of the Australian Services Union (ASU), I thank you for the opportunity to participate into this important review of the NDIS for Future Generational Bill (the Bill).

The ASU is one of Australia's largest unions, representing approximately 135,000 members. ASU members work in a wide variety of industries and occupations in both the private, public and community sectors. ASU members work as disability support workers, sole traders, caseworkers, social educators, advocates, team leaders, carers, trainers, coordinators, managers, counsellors, CEOs and admin workers at thousands of disability providers across Australia.

ASU members also work in local government, the social and disability workforce, aviation and the not-for-profit sectors, and many of whom have disabilities, or members of their families have disabilities, and they rely on the NDIS. Working together in union, the ASU advocates alongside members with disabilities to resolve workplace issues like disability discrimination.

The ASU walks side by side with NDIS participants and people with disabilities. The rights of people with disabilities and their right to choice and control within the NDIS must be respected and protected.

a. Building the best NDIS

In his second reading speech, Minister Butler outlined how the NDIS, as currently structured, is subject to substantial risk of fraud. Unscrupulous providers, motivated by substantial public funds to support people with disabilities, are ripping off participants and workers.

Ensuring the NDIS provides the highest quality services, and the best possible supports by a well-supported workforce should be the focus of reforms to the NDIS.

The ASU welcomes the Government's moves to combat these issues by expanding NDIS registration and for new powers for the NDIA to be able to crack down on fraudulent behaviours. Appropriate checks and balances are necessary. Registration will bring certainty to workers to know what is expected of them to commence and maintain employment in the sector.

Dodgy providers are ripping off our members by stealing their wages; paying them under the wrong Award or misclassifying them and refusing to work with the union to rectify payment issues. Exploitation of workers is often a precursor to or occurs alongside the mistreatment of NDIS participants.

Dodgy providers motivated by defrauding the scheme have little care for the standards of service provided. Measures to combat workforce exploitation and fraud within the NDIS must work hand in hand.

b. The workforce is the backbone of the NDIS

The NDIS workforce is women dominated, low paid and highly casualised. These workers must be respected and supported. They do important and high skilled work that people with disabilities rely on, but workplace structures make it more difficult for them to do this quality work. Reforms to the NDIS must not come at the expense of workers. Job security, hours of work, or increased workload, particularly in a sector already under pressure and facing workforce shortages, must not be compromised.

Workforce churn is a key issue that needs to be addressed in the NDIS. Currently, 1 in 4 workers are leaving the industry.¹ This churn is driven by wage theft, unsustainable workloads, a lack of support and other industrial issues. The workforce is also highly fragmented and relies on casual staff and independent contractors. Part-time and casual jobs are the norm which means workers take on multiple jobs to make ends meet, without having access to basic entitlements like sick leave or meaningful training.

Ultimately, this churn harms participants. The skills, knowledge, rapport and connection built with participants, and tailored experience vanishes when workers leave the sector, and it can take years for it to be re-built. Constant recruitment is also extremely costly to the scheme. Poor retention leaves participants worse off, but it also impacts the overall sustainability of the NDIS.

The ASU calls on the Albanese Government to undertake detailed workforce mapping and development. The last NDIS workforce plan expired in 2025, and an updated Commonwealth Workforce Plan until 2030 is needed. It must outline that no job will be lost in the implementation of these reforms; how the workforce will be retained; and the wages and conditions necessary to support retention. The Plan should consider how to implement recommendations from the Disability Royal Commission and NDIS Review, both of which backed calls to trial and implement portable leave and a portable training entitlement. Good jobs and training should be built into the scheme. A respected workforce, underpinned by a detailed plan is key to supporting people with disabilities.

This Bill provides the Minister with the power to set maximum NDIS pricing. However, there is no reference to minimum pricing, compliant with industrial minimums. Provider employers undercutting wages is far too common in the NDIS. Pricing is a powerful tool that can help ensure workers are paid properly. Pricing must reflect minimum standards like Award compliant wages, conditions, relevant allowances, and time to meet administrative and OHS obligations. Pricing mechanisms need to establish that industrial minimums must be complied with.

¹ National Disability Service (NDS) Quoting the Behavioural Economics Team of the Australian Government (BETA), 2023, accessed: <https://nds.org.au/resources/all-resources/disability-sector-workforce-retention>

This Bill and further reforms to the NDIS should not increase the workloads of NDIS workers. Workers cannot be expected to do more with less. Workers and the people they support deserve better. Instead, reforms should address that workers are already overworked, undervalued and underpaid.

c. Workers and people with disabilities need certainty

People with disabilities have a right to dignity, autonomy and care. Services that provide these supports must be guaranteed. No one should be left without the support they need, whether inside or outside the NDIS. Any changes must ensure continuity of care and maintain access to quality supports.

While this Bill establishes processes to determine the details of NDIS reforms, it is evident these changes will have real and far-reaching consequences for participants and the workforce alike.

Any alternative models like Thriving Kids or other foundational supports need to be urgently scaled up. People can't be left without support. They can't be moved onto alternative streams that don't yet exist. These programs need urgent resourcing to be established, built on the skills and expertise on the workforce and the lived experience of people with disabilities to ensure there are proper supports in place for those who need them.

The Bill outlines processes to consult on the delivery of support coordination and connection services. The ASU expects the Government to meaningfully embed the voices of people with disabilities, and the workforce who supports them, in these consultations.

d. Conclusions and recommendations

ASU members stood alongside people with disability to win the NDIS. We will continue to advocate for a system that is codesigned by people with disability and properly values the work of those who deliver support.

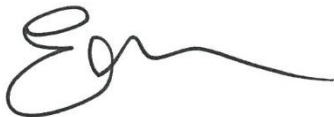
The ASU will continue to advocate for a fair, sustainable NDIS — one that delivers quality services, secure jobs, and ensures no one is left behind. In response to the inquiry into this Bill, the ASU recommends that the Government:

1. Expand NDIS provider registration and target reforms to ensure the NDIS provides high quality supports and services delivered by a skilled and respected workforce, supported to access secure, well-paid jobs.
2. Introduce a universal, graduated risk proportionate model of NDIS registration for all NDIS providers. Appropriate worker clearance checks, relevant to risk level, should form part of this system of registration.
3. See exploitation of workers such as wage theft as an indicator of fraudulent behaviour within the NDIS. Regulation of the NDIS that targets fraudulent behaviour should include immediate triggers to investigate where wage theft is reported.
4. Continue to consult with the ASU, people disabilities and advocates about NDIS reforms, including the application of registration in the form of the appropriate level, depending on risk.

5. Where complaints are made against registered NDIS providers, the NDIS Commission must investigate systems of work as a matter of priority. There should be safeguards in investigation processes to only dismiss or de-register workers as a last resort.
6. Set minimum prices for NDIS pricing, that reflect the enforcement of industrial minimums. This will help ensure providers do not undercut wages and conditions.
7. Implement a Commonwealth Workforce Plan for the NDIS. This should also implement workforce recommendations from the Disability Royal Commission and NDIS Review.
8. Work with the disability community to build and co-design systems of support both within the NDIS and any additional supports outside the NDIS that are fit for purpose and properly funded, so that no one is left behind due to reforms to the NDIS.

Thank you once again for the opportunity to provide a submission to this important inquiry. Please do not hesitate to contact Tiarne Crowther, ASU National Advocacy and Policy Lead via tcrowther@asu.com.au if we can provide any further details.

Sincerely,

A handwritten signature in black ink, appearing to read 'Egaske', with a long horizontal flourish extending to the right.

Emeline Gaske
National Secretary, Australian Services Union