

|  |
| --- |
| Social services regulatory scheme  |
| Staggered registration Information for existing social service providers |
|  |

Contents

[Staggered registration for the social services regulatory scheme – existing services 1](#_Toc156988186)

[Services that will automatically transition to the new scheme on 1 July 2024 2](#_Toc156988187)

[Services the regulator will invite to apply for registration from 1 July 2024 until 30 June 2025 2](#_Toc156988188)

[Registration timeline and sequencing for social services within scope of the scheme 4](#_Toc156988189)

[Providers that deliver more than one unregistered social service 6](#_Toc156988190)

[Providers that deliver a combination of registered and unregistered social services 6](#_Toc156988191)

[Provisional registration 6](#_Toc156988192)

[Conditions of registration 7](#_Toc156988193)

[Registration of new (not currently operating) social services 7](#_Toc156988194)

# Staggered registration for the social services regulatory scheme – existing services

The social services regulatory scheme will come into effect on **1 July 2024**.

The Victorian Government has planned a staggered registration process. This will streamline transition for the various social services in scope for the new scheme.

The following social services will transition automatically on 1 July 2024:

* social services currently registered with the Human Services Regulator
* some services operated by the Department of Families, Fairness and Housing (the department).

The Social Services Regulator will invite other existing services to apply for registration from 1 July 2024 until 30 July 2025.

Many existing social service providers will need to register. The staggered registration process allows:

* time for existing services that do not currently need registration, to prepare for the transition. This includes family violence and homelessness services
* the regulator to progressively assess registration applications
* services to continue to operate unregistered until they apply for registration – provided that application is made before the end of the relevant registration period.

These processes are for social services that are delivering services when the scheme commences on 1 July 2024. Entirely new services will be subject to a different process. We will provide further information about the registration process for new providers in the lead up to the scheme starting.

# Services that will automatically transition to the new scheme on 1 July 2024

On 1 July 2024, registration of the following social services currently registered with the Human Services Regulator and some services operated by the department will **transition automatically** to the Social Services Regulator:

* children, youth and family services registered under the *Children Youth and Families Act 2005*
* disability services registered under the *Disability Act 2006*
* supported residential services registered under the *Supported Residential Services (Private Proprietors) Act 2010*
* secure welfare services operated by the department
* community services operated by the department and established under s44 of the *Children Youth and Families Act 2005*.

These services do not need to take any action when the scheme commences on 1 July 2024. The regulator will contact them to confirm the transition of their registration under the social services regulatory scheme.

# Services the regulator will invite to apply for registration from 1 July 2024 until 30 June 2025

From 1 July 2024, the regulator will invite the services below **to apply for registration in the following order:**

1. child protection services and forensic disability services provided by the department
2. family violence services funded by the department
3. homelessness services funded by the department (excluding community and public housing)
4. sexual assault services funded by the department
5. disability services funded by the Transport Accident Commission or WorkSafe that are not registered under the *Disability Act 2006*.

Providers that are already operating these social services may **continue operating** once the social services scheme starts. They can do this without registering with the regulator. However, they must submit their application before the end of the relevant registration application period shown in **Figure 1** below.

The regulator must assess the provider’s registration application within 60 days of receiving it. This may take longer than 60 days if the regulator needs more information from the service provider. Providers can continue to operate the service while the regulator is assessing the application.

For existing service providers that are not currently required to be registered, the regulator will consider previous evidence of the provider’s compliance with the Human Services Standards.

This will include certification by an independent review body that a service is compliant with the Human Services Standards. This recognises that the Human Services Standards are broadly aligned with the Social Services Standards and corresponding service requirements and that a previous certification can provide the regulator with information about suitability for registration.

A service provider that has **not** submitted their registration application before the end of the relevant registration application period will be operating an unregistered social service. This is an offence under the *Social Services Regulation Act 2021*.

# Registration timeline and sequencing for social services within scope of the scheme

**Figure 1** shows when the regulator will invite social service providers to submit registration applications. Social service providers may also choose to apply for registration at any time from 1 July 2024, before the regulator invites them.

**Relevant period in which the regulator will invite providers to submit registration applications by category:**

* Community-based child and family services registered under the *Children Youth and Families Act 2005*: automatically from 1 July 2024
* Secure welfare services and community services established under section 44 of the *Children, Youth and Families Act 2005* to be provided by the department: automatically from 1 July 2024
* Supported residential services: automatically from 1 July 2024
* Disability services registered under the Disability Act 2006: automatically from 1 July 2024
* Social services provided by the department other than secure welfare services (e.g. child protection, forensic disability and Family Safety Victoria’s Orange Door activities): 1 July to 31 July 2024
* Family violence services funded by the department: 1 August to 30 September 2024
* Homelessness services funded by the department: 1 October to 31 December 2024
* Sexual assault services funded by the department: 1 January to 31 March 2025
* Disability services funded by Transport Accident Commission or Victorian Workcover Authority (WorkSafe): 1 April to 30 June 2025
* Any other social service operating prior to 1 July 2024 that is not registered, and is not a supported residential service, family violence, homelessness, sexual assault, Transport Accident Commission or WorkSafe funded disability service provider: 1 July to 31 July 2024

Figure 1: Relevant periods in which the regulator will invite providers to submit registration applications by category



The registration process and timing for providers that deliver more than one social service will vary depending on whether they deliver:

* more than one unregistered service
* a combination of registered and unregistered services.

## Providers that deliver more than one unregistered social service

Providers that deliver more than one unregistered service can choose one of these options:

* **Option 1:** submit one combined application to the regulator to register all their unregistered services. They must make this application when the regulator invites them to submit their first registration application. This is within the earlier of the relevant registration periods for the services they provide.

or

* **Option 2:** apply to register each unregistered social service in two separate time periods.

The example in **Table 1** below shows the registration process and timing options for a provider that delivers both family violence and sexual assault services.

Table 1: Example of a provider delivering more than one unregistered service

| Provider with more than one unregistered service | Period to apply for registration, invited by the regulator  |
| --- | --- |
| **Option 1** Combined registration application to the regulator for all services  | **1 July 2024 to 30 September 2024**As the registration period for family violence services ends before the period for sexual assault services, the provider should submit their combined application by 30 September 2024. |
| **Option 2**Separate registration applications to the regulator within the registration period for each unregistered service  | **1 July 2024 to 30 September 2024**Apply for registration period for family violence services**1 January 2025 to 31 March 2025**Apply for registration for sexual assault services |

## Providers that deliver a combination of registered and unregistered social services

The regulator will invite providers that deliver a combination of registered and unregistered social services to apply to register their **unregistered** service(s) within the registration application period for that service type **(see timeline in Figure 1)**. The registration of the currently **registered** service(s) will transition automatically.

For example, if a provider delivers an out-of-home care service and a homelessness service:

* the registration of the out-of-home care service will automatically transition to the new scheme on 1 July 2024
* the regulator will invite the provider to apply to register the homelessness service between 1 October 2024 and 31 December 2024. The provider may also choose to submit a registration application for the homelessness service any time from 1 July 2024. The regulator must determine their application within 60 days.

## Provisional registration

Provisional registration allows for registration in urgent circumstances where it may not be possible to go through the complete registration process. There must be a compelling reason to allow the provider to offer the relevant service without completing the registration process. For example, the regulator can grant provisional registration, for up to 88 days if:

* a service user urgently needs accommodation, and
* no other providers are able to provide the service, and
* not providing the service would increase a risk to the safety of the service user.

## Conditions of registration

The regulator can impose conditions on registration, including in relation to:

* the types of services that a registered service provider can provide
* operating hours or the premises where a service provider provides the services
* the number of service users receiving a service
* classes of service users that can receive services.

For example, the regulator registers a service provider to provide a ‘disability service’. However, the provider indicated in the application that they do not intend to provide any residential disability services. Therefore, the regulator would include a condition on the registration that they cannot provide any residential disability services as this is not enough information for the regulator to assess their suitability for providing residential disability services.

The service provider will be able to make a single application to the regulator to vary or revoke one or more conditions of registration.

## Registration of new (not currently operating) social services

Service providers that wish to offer a new social service(s) that is within scope of the scheme will need to apply to register that service with the regulator. They cannot operate a new social service until the regulator has decided their registration application. The regulator will provide more information about the registration process for new social services ahead of the scheme’s commencement. Entirely new providers can apply for registration at any time from 1 July 2024.

|  |
| --- |
| To receive this document in another format, email the Social Services Regulation Reform team regulationreform@dffh.vic.gov.auAuthorised and published by the Victorian Government, 1 Treasury Place, Melbourne.© State of Victoria, Australia, Department of Families, Fairness and Housing, January 2024.**ISBN**978-1-76130-461-3 **(pdf/online/MS word)**Available at [Social Services Regulation Reform](https://www.dffh.vic.gov.au/social-services-regulation-reform) https://www.dffh.vic.gov.au/social-services-regulation-reform(2401693) |