

Independent Advisory Council Equity and Inclusion Reference Group Meeting Bulletin 6 December 2021

The National Disability Insurance Scheme (NDIS) has an Independent Advisory Council (Council). Council gives advice to the National Disability Insurance Agency (NDIA) Board. This is part of the NDIS Act 2013.

Council's advice takes the participant's voice to the heart of the NDIS. Council uses its Reference Groups to inform and improve its advice. Reference Groups have members with expertise and experience in different areas of disability.

The Equity and Inclusion Reference Group (Reference Group) gives advice to Council and the NDIA about diversity, inclusion, equal opportunity and fairness in the NDIS.

This Bulletin summarises the 6 December 2021 Reference Group meeting, led by:

- Robyn Kruk AO, Council Principal Member and Reference Group Co-Chair
- Adjunct Associate Professor Jennifer Cullen, Council Member and Reference Group Co-Chair

The meeting included NDIA Representatives and Council's Secretariat.

Update from Reference Group Co-Chairs

Robyn Kruk talked about the formal advice the Reference Group has been working on. The Council will send the advice *'Equity in the NDIS: improving access and outcomes for diverse communities'* to the NDIA Board and Disability Ministers in 2022.

The Reference Group's recent consultations with diverse leaders will inform this advice and provide a strong voice for:

- Aboriginal and/or Torres Strait Islander people
- Culturally and linguistically diverse (CALD) communities; and
- Lesbian, Gay, Bisexual, Transgender, Intersex, Queer, Asexual Plus (LGBTIQ+) communities.

Jennifer Cullen said leaders from the consultations have shown a strong commitment to engagement.

Update on Council & Reference Group work

Belinda Epstein-Frisch AM is Council's Independent Consultant. Belinda updated on recent efforts by Council and the Reference Group to progress work with the NDIA. This work includes ways to help the NDIA:

- engage and communicate effectively with diverse communities
- in the development of a Remote and Very Remote Strategy.

Belinda noted members are assisting the NDIA with its policies on [support for decision making](#) and [home and living](#). She acknowledged the NDIA will [co-design priority work](#) with the disability community.

She thanked Council and Reference Group members that advised the Department of Social Services about improving the [Information Linkages and Capacity Building \(ILC\) Program](#).

Members said:

- Operational guidelines should explore home and living models for diverse communities, encouraging innovation from culturally diverse providers.
- [Home and living demonstration projects](#) should include people from Aboriginal and/or Torres Strait Islander and CALD communities.
- The NDIA should support people with psychosocial disability make their own decisions throughout NDIS access and planning.
- People with disability should have equity and choice in home and living supports.
- The NDIA should explore the role of family in the NDIS, acknowledging that the concept of family is unique for people from diverse communities.
- The NDIA should offer participants information that is easy to understand or available in accessible formats, like Easy Read.

Reference Group member reports

Reference Group members reported on matters for Council's and the Agency's attention.

Members said:

- There are challenges with NDIS access and planning. This includes inconsistencies with plan reviews and [reasonable and necessary](#) decisions.
- Delays in reviews mean participants have disruptions in services and find it harder to achieve their NDIS goals. The review process fatigues participants, and some feel let down by the lack of transparency about their review.
- There is an opportunity for [Local Area Coordinators](#) to improve cultural awareness and other associated skills through training. This will enable better supports and connections for diverse communities.
- Recent positive consultations by the Victorian Government on the [Victorian State Disability Plan](#) and [Disability Act 2006 review](#) have been inclusive of diverse communities.
- The NDIA should consider culturally-appropriate supports as part of its home and living service offering, including Specialist Disability Accommodation, Supported Independent Living and Individualised Living Options.
- Workforce issues make it harder for NDIS participants to get supports. Variability in service quality and lack of workforce training causes them trauma or safety issues.
- People who are in hospital or awaiting hospital discharge find it hard to get NDIS supports.
- The NDIA should explore research about restrictive practices and intersectionality.
- Audits of registered NDIS providers must comply with [NDIS \(Approved Quality Auditors Scheme\) Guidelines 2018](#). Specifically, *Part 2 – 30.1a 'Competence Requirements for Auditors'*, around cultural awareness.

- Some unregistered providers do not allow advocacy services for participants in their care.

Update on Reference Group advice development

Council and the Reference Group are developing formal advice, '*Equity in the NDIS: improving access and outcomes for diverse communities*'. The advice will:

- guide the NDIA about ways to improve equity of access and outcomes for people with disability from diverse communities
- use discussions with leaders in the Indigenous, CALD and LGBTIQ+ communities to explain their experiences with equity
- use current data and research to show equity issues
- comment on and inform future work on the NDIA's [Aboriginal and/or Torres Strait Islander Strategy](#), [CALD Strategy](#), and [LGBTIQ+ Strategy](#)
- consider lessons learnt and why a fresh approach, using intersectionality, will help achieve equity for diverse communities in the NDIS.

Members noted the need:

- for extra time to hear from leaders and engage with them respectfully to create trusted and safe relationships
- to capture the cultural differences across diverse communities
- for full inclusion of diverse communities that may feel marginalised
- for trauma informed advice that uses intersectionality
- for cultural competency and safety among NDIA staff, especially planners.

Update on NDIA emergency preparedness

Chris Faulkner PSM is Branch Manager for Hospital Discharge/Young People in Residential Aged Care and former Incident Leader at the NDIA. Chris updated members about:

- the NDIA's emergency preparedness policy and plans.
- the '[National COVID Vaccine Campaign Plan](#)' and its targeted implementation plans. These plans seek equity of access to COVID-19 vaccines for Aboriginal and/or Torres Strait Islander and CALD communities.

Members made the following comments:

- There were delays in providing personal protective equipment for participants and providers during the pandemic.
- There were delays in COVID-19 vaccine rollout to participants and providers in Phase 1A. This priority group included Residential Aged Care and Disability Residential Settings with two or more people.
- There is a need for unity across Commonwealth, state and territory governments to protect citizens fairly. Together, they should be accountable for emergency management.
- The importance of local communities and councils in emergency management should be recognised.

- Positive feedback has been received about [Victorian Government's Disability Liaison Officers](#). They help people with disability access health services, including COVID-19 vaccinations.

More information on the Reference Group

The Reference Group will work out of session to progress priorities before it formally meets again in 2022. You can find out more about Council meetings at the [Council's website meeting page](#). You can access advice from the [Council's website advice page](#).

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