

Independent Advisory Council Meeting Bulletin 16 December 2021

The Independent Advisory Council (Council) to the National Disability Insurance Scheme (NDIS) brings the participant's voice to the heart of the NDIS. The Council gives independent advice to the National Disability Insurance Agency (NDIA) Board, as part of the *NDIS Act 2013*.

This Bulletin summarises Council's 16 December 2021 meeting, chaired by Robyn Kruk AO, Principal Member, and co-chaired by Leah Van Poppel, Deputy Chair.

Helen Nugent AO, NDIA Board Chair, and Martin Hoffman, NDIA Chief Executive Officer (CEO), also attended the meeting with:

- Council Members
- Council Expert Adviser
- NDIA Representatives; and
- Council Secretariat.

From Council's Principal Member & Deputy Chair

Robyn Kruk noted this meeting would be her last as Council Principal Member and member of the NDIA Board. She will step down from the Board on 31 December 2021.

Robyn acknowledged Council's work in 2020-21 to deliver frank and trusted advice to the Board has driven ongoing improvement and stability. She said Council has influenced Scheme improvements by bringing the participant's voice to the heart of the NDIS.

Robyn noted Council will take more time to consult with leaders from diverse communities, before sending the advice *'Equity in the NDIS: improving access and outcomes for diverse communities'* to the Board in 2022.

Robyn congratulated Ben Gauntlett, Council Expert Adviser, and Liz Reid AM, Council Member, on their appointments to Australia's Disability Strategy Advisory Council.

Robyn noted this meeting was Judy Huett's last, acknowledging her valued contribution to Council and her continued membership in the Intellectual Disability Reference Group. Robyn noted Gavin Burner, Intellectual Disability Reference Group member, will represent the interests of people with intellectual disability at forthcoming Council meetings until the Minister for the NDIS announces a replacement member for Judy.

Leah Van Poppel said the NDIS works better when it listens to people with lived experience of disability. She thanked the Board Chair for respectfully considering Council's collective voice and advice. She thanked Robyn for her leadership as Principal Member.

From the NDIA CEO & NDIA Board Chair

The NDIA CEO noted the release of the 2021-22 Mid-Year Economic and Fiscal Outlook (MYEFO), which outlines government funding for the NDIS. He noted an additional \$26.4 billion had been provided by government to fund the NDIS over the next four years. This is in line with the cost estimates of the Scheme Actuary.

The CEO stressed that co-design with the disability community remains critical for the NDIA. He noted positive feedback on work to progress co-design priority work.

The NDIA Board Chair, who will step down from the Board on 31 December 2021, reflected on the Scheme's growth and continuous improvement during her time as Chair. She said it has been an honour and privilege to work with Council, acknowledging the role Council and the Board have played in giving the Scheme stability over the years.

From the Minister for the NDIS

The Minister for the NDIS, Senator the Hon Linda Reynolds CSC, reflected on her nine months as Minister. She thanked Council members for their commitment and engagement, noting their collective achievement to advise the NDIA Board about Scheme improvements.

She signalled Leah Van Poppel, Council's Deputy Chair, will be appointed to the NDIA Board. She commended Leah's impressive leadership, especially shown throughout Council's consultations and advice on Scheme improvements. The Minister thanked outgoing members of the NDIA Board, including Helen Nugent and Robyn Kruk, noting their guidance has been pivotal to Council's success.

The Principal Member said the Minister's genuine engagement with Council has given the voice of people with disability reach and action. She acknowledged the strong working relationship that has developed between the Minister and Council.

From Council members

The Principal Member reflected on Council's work for the year, noting their [advice on Scheme reforms](#) was both brave and transformative. She thanked all members for their resilience, through increased out of session engagement and the coronavirus pandemic.

Members said:

- Council has delivered quality advice and work under pressure, to make the Scheme better for participants and people with disability.
- While they may not always unanimously agree on matters, Council is a safe space where they can openly share ideas and collaborate.
- The NDIA Board Chair, Board and NDIA staff have upheld the spirit and essence of the NDIS. They have helped support people with disability.
- Council's Principal Member, Independent Consultant and Secretariat have shown leadership and delivered quality work.

- Honest and open consultations with state and territory government stakeholders has nurtured relationships and trust, progressing their mutual cause to improve the NDIS.

Feedback on the Co-design Advisory Group work

Council's Deputy Chair talked about the work of the Co-design Advisory Group, as part of the NDIA's [next steps for co-design](#). Leah acknowledged that co-designing priority work takes time, but it allows for deeper engagement and the rebuilding of trust with the community. She led discussions about the Co-design Advisory Group's proposed terms of reference, engagement framework and roadmap.

Members said:

- They unanimously endorse the terms of reference of the Co-design Advisory Group, noting that is a living document subject to review.
- Disability and Carer Representative Organisations want the Agency to commit to genuine sector consultation.
- The NDIA's engagement framework should consider co-design for known issues and use more practical examples.
- They want further understanding on the 'discovery' stage of the engagement framework.
- While the engagement timelines may be tight, the Advisory Group should remain responsive to external sector pressures.
- The roadmap should include details on 'cultural safety' instead of 'cultural competency' and consider the need to reference 'cultural responsiveness'.

Update on NDIA work on information gathering for access and planning

Dr Sam Bennett, General Manager Policy, Advice and Research, NDIA, discussed the Agency's information gathering for access and planning project. The project will be co-designed with the disability community.

Sam talked through the creation of a steering committee for the project and external reviews on current information gathering processes. He noted that Council will be asked for two Council members to be nominated for the project's steering committee.

Members said:

- This project is incredibly important for participants and the NDIS, and the Agency must ensure it gets the work right.
- The NDIA should consider the complexity of disability and information gathering as part of the project.
- While the NDIA's documentation to date is thorough, it should carefully and clearly communicate its plans for the project with the disability community and sector.

Update on NDIA work on support for decision making

Dr Sam Bennett also discussed the Agency's support for decision making consultation. He noted the NDIA will co-design the support for decision making policy with the disability community.

Sam briefed Council on the Agency's support for decision making project. He noted that Council will be asked for two Council members to be nominated for the project's steering committee.

Council said:

- The Agency is doing comprehensive work and widely consulting experts in support for decision making.
- Funding for advocacy services to support decision making for people with intellectual disability, along with more training for NDIA staff about people's rights, are critical to the project's success and empowering participants.
- Support for decision making is not just about funding but finding solutions to systemic issues.
- There is a need for state and territory governments to come together on a unified approach on support for decision making.
- The NDIA needs to give people with disability information they understand, especially people who have little choice/decision-making opportunities.
- The NDIA should add public advocates and public guardians to the policy's stakeholder list.
- The NDIA should ensure any learnings from the [Disability Royal Commission](#) help inform its work on support for decision making.

More information on the Council

This was the Council's last meeting for the year. Council will next meet on 25 February 2022. Find out more about Council meetings at the [Council's website meeting page \(external\)](#). You can access advice from the [Council's website advice page \(external\)](#).

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