

Independent Advisory Council Meeting Bulletin 18 October 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 18 October 2021 meeting, chaired by Ms Robyn Kruk AO, Principal Member, and co-chaired by Ms Leah Van Poppel, Deputy Chair.

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

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

From Council's Principal Member

The Principal Member noted the increase in out of session work for Council and its Reference Groups. She thanked members for their leadership in progressing priority work from [Council's 2021-22 Work Plan](#).

She thanked Council members, who worked with the NDIA to launch the Sue Salthouse Scholarship. The scholarship, for NDIA staff with disability, honours Sue's work and legacy. Sue, [who died last year](#), was a valued Council member and respected leader for disability rights.

The Principal Member noted [next steps for the NDIA's co-design work](#). She said Council's steering committee members, Leah Van Poppel, Sharon Boyce, Jennifer Cullen and Leighton Jay, are working with the NDIA and Disability Representative Organisations (DRO) to help form a co-design advisory group and confirm priority work for co-design.

From the NDIA CEO and Board Chair

The NDIA CEO noted the [release of the Annual Financial Sustainability Report \(AFSR\)](#). The NDIA will hold AFSR workshops with Council and DRO. Workshops will build understanding of the NDIS' financial position, and provide feedback to the NDIA about the AFSR data.

The CEO said the Agency continues to deliver support and resources in response to the coronavirus (COVID-19) pandemic. This includes supports for participants who are awaiting hospital discharge, using supported independent living (SIL), and other supports to ensure participant safety.

The CEO noted work had ramped up on the [NDIA's Annual Pricing Review](#). There has also been increased input from state and territory governments at recent [Disability Reform Ministers' Meetings](#) to drive national reform in disability policy, including work on the [NDIS legislation review](#).

The CEO re-stated the Agency's genuine commitment to co-design and early engagement to improve the way it works with the disability community, honouring outcomes from the July 2021 [Disability Reform Ministers' Meeting](#).

The Board Chair noted the importance of the AFSR, co-design and the Agency's COVID-19 response, as well as the release of the [NDIA Annual Report](#).

Council Members' community reports

Council Members and the Expert Adviser reported on matters for the Agency's attention, on behalf of people with disability in their communities, including:

- Continued challenges with home and living supports provided by the NDIS and states and territories. This includes issues with:
 - social and community housing
 - younger people living in and moving out of residential aged care
 - medium term accommodation or transitional housing supports
 - home and living modifications
 - Specialist Disability Accommodation (SDA), Individualised Living Options (ILO) and SIL.
- The ongoing impacts of the COVID-19 pandemic and lockdowns on the health, safety and wellbeing of people with disability, including:
 - continued low vaccination rates and vaccine hesitancy among some people with disability and disability workers
 - lack of resources to help support coordinators support COVID-positive participants in their care
 - providers needing advice about disability workers moving between sites or different health services
 - support for children, young people and their families to transition to school and find work, as COVID restrictions ease
 - the need for the NDIA to increase communications about the benefits and value of telehealth to families who need childhood supports. Most early childhood early intervention (ECEI) providers are currently meeting with families via telehealth.
 - continued issues delivering supports for participants awaiting hospital discharge. The NDIA should release data about this, and may find solutions to hospital discharge issues by learning from the United Kingdom's experience.
- The need for further understanding about the:
 - Department of Social Services' (DSS) work to progress the [Young People in Residential Aged Care Strategy 2020-25](#)

- AFSR, noting that some people with disability do not understand complex or data-driven information. The AFSR should be delivered in multiple accessible formats.

Update from the NDIS Quality and Safeguards Commission

Samantha Taylor, Acting Commissioner, [NDIS Quality and Safeguards Commission](#), updated Council on its work to regulate and improve the quality and safety of NDIS supports and services.

The Acting Commissioner acknowledged Council's formal advice, '[Choice and control to safely live a good life of belonging and citizenship](#)', and provided an update on the Commission's work. She noted recent work on [NDIS Amendment \(Strengthening Banning Orders\) Bill 2020](#), [national worker screening arrangements](#) and [NDIS Workforce Capability Framework](#).

She spoke about the reviews that will inform future reform of the NDIS. These include the Quality and Safeguarding Framework Review, [Robertson Review](#), [Joint Standing Committee into the NDIS](#), and the [Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability](#).

Council Members said they would like to inform 'what good practice looks like' for the NDIS Workforce Capability Framework. They raised the following points:

- Providers need to understand how to prevent the escalation of behaviours of concern and the use of restrictive practice.
- The need for audits around the quality of behaviour support plans for people receiving NDIS services. This is very important within Aboriginal and Torres Strait Islander communities, where their culture and behaviour are not well understood.
- People with disability should have peer-led training to learn about inappropriate behaviour and their safeguards.
- There should be a focus on building capacity and social networks that keep people with disability safe, given that it is often friends who provide safeguards.
- Concern around using pharmacological interventions to manage behaviours of concern.
- Thin markets or inadequate service availability result in safety issues for some NDIS participants. This is particularly serious within Aboriginal and Torres Strait Islander communities and rural and remote areas.
- Concern that some ECEI providers do not use a best practice, strengths-based, family centred, approach to support children's development in natural settings.

Update from the Minister for the NDIS

Senator the Hon Linda Reynolds CSC, Minister for the NDIS, joined Council for the second time since her appointment in March 2021. She listened to updates from Council members about their co-design work, 2021-22 Work Plan, and feedback on the [NDIS legislation review](#).

The Minister thanked Council for its formal advice '[Strengthening Scheme Reforms to Access and Planning](#)' and work on co-design matters. She said that co-design and rebuilding trust with the disability community will benefit both the Agency and Scheme.

The Minister noted the need for holistic home and living supports, strong markets and ECEI supports for children and young people. She noted the Government will be working with National Aboriginal Community Controlled Health Organisations to improve rural and remote workforce issues.

The Minister stressed that her priority is to gain bipartisan agreement for the [NDIS legislation review](#), and progress the proposed Bill through parliament. She welcomed Council's further input to the proposed Bill.

Council Members also raised the following points:

- The importance of the [Information Linkages and Capacity Building Program](#) to support people who are ineligible for NDIS through inclusive mainstream services.
- The consultation period for the [NDIS legislative review and the Participant Service Guarantee](#) was too short.
- The importance of plan management and choice and control for participants, especially reasonably available treatments for people with psychosocial disability.
- The importance of co-design to both the disability community and states and territories.

More information on the Council

The Council's last meeting for 2021 will be on 16 December. 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 \(external\)](#).

Council publishes an Easy Read version of this Bulletin. This is part of its commitment to accessibility.