

Independent Advisory Council Meeting Bulletin 26 May 2022

This Bulletin summarises the recent meeting of the Independent Advisory Council (Council) to the National Disability Insurance Scheme (NDIS). Leah Van Poppel, who is [Council's Principal Member \(external\)](#), chaired the meeting held on 26 May 2022.

From Council's Principal Member

The Principal Member acknowledged [National Sorry Day \(external\)](#), and the strength and resilience of Aboriginal and Torres Strait Islander peoples.

Ms Van Poppel also acknowledged the change of government after the weekend's Federal Election. Once appointed, Ms Van Poppel will invite the new Minister for the NDIS to a future Council meeting.

Ms Van Poppel thanked the previous Minister for the NDIS, Senator the Hon Linda Reynolds CSC, for supporting Council.

From the NDIA Board Chairman & NDIA CEO

Dr Denis Napthine AO, NDIA Board Chairman, acknowledged the change of government and that there will be a new NDIS Minister soon. Dr Napthine said the NDIA Board welcomes the Labor Government's [policy to better support people living with disability \(external\)](#). He said the NDIA Board remains committed to:

- ensuring the NDIS works for people with disability, and their families, carers, disability service providers and workers.
- understanding the current barriers and opportunities for improving outcomes for people with disability.

Martin Hoffman, NDIA Chief Executive Officer (CEO), said he has been meeting with a range of disability organisations and communities across Australia to better understand their needs.

Council Members' community reports

[Council Members \(external\)](#) and the [Expert Adviser \(external\)](#) reported on matters for the NDIA's attention, on behalf of people with disability in their communities, including:

- COVID-19 continues to be an issue for people with disability accessing daily living supports. There is a risk that support issues will worsen in winter and with COVID-19 case increases. NDIA should strengthen its emergency response plans to respond.
- Increased delays in accessing paediatricians and child psychologists. This results in delays to early intervention.
- The removal of plan management in children's plans is putting stress on families.
- There is misinformation in the community that NDIS participants who are 65 years and over must transition to aged care.

- Some participants say builders they contact about home modifications give higher quotes to NDIS participants.
- Mixed reactions in the community that a major Australian Disability Enterprise (ADE) will exit from providing supported employment to NDIS participants in Western Australia.
- The need to keep government and ministers accountable for past promises [about the NDIS and Independent Advisory Council \(external\)](#).
- Confusion about the NDIS news article, [supporting more participants with longer plans and fewer reviews \(external\)](#). It is not clear if the article refers to automatic plan extensions or plan renewal.
- People with intellectual disability and their families say the quality of supports and local area knowledge from local area coordinators (LAC)/planners should improve.
- Continued challenges in early childhood, with families associating high levels of one-on-one therapy with best practice when group-based programs and the application of strategies in natural settings can also assist a child's development.
- Continued challenges with NDIS access, plan reviews, and funding:
 - Increased reports the NDIA is doing reviews without planning with a participant first. Especially with people who get supports for individualised living options (ILO).
 - Increased reports of large plan reductions after a review.
 - Increased delays with funding approval for assistive technology (AT).
 - Some people need to give the NDIA lots of proof/assessments about their disability, which is costly.
 - Some people with intellectual disability say that it is hard to understand their NDIS plan because it is not available in Easy Read.
 - NDIA participants would like to see a draft plan after their planning meeting.
 - Challenges when a participant with an Administrative Appeals Tribunal review also has a change of circumstances review.
 - Lack of education/training for participants about ways to manage their NDIS funds, especially those that self-manage and plan-manage.
 - NDIS information and language is not inclusive for First Nations participants and families that do not speak English as a first language.
- Continued challenges around home and living supports:
 - Reports of long delay to complete a request for plan review/changes and additions to existing plans with home and living supports.
 - Reports that the NDIA sometimes removes supports for specialist disability accommodation (SDA) and supported independent living (SIL) immediately after a plan approval.
 - Ageing parents, whose children have unstable home and living supports, find it hard to plan for their child's future with confidence.
 - Some people with supports for SDA will not report inappropriate provider behaviour because they fear repercussions.
 - Reports that some participants are in at-risk situations because of the NDIA's home and living funding decisions and decision-making processes.
 - Delays in SIL approvals where there is a change in circumstance.
 - Some best-practice SDA providers face financial stress due to many factors, including NDIA service booking delays.

- Concern some SDA providers give accommodation places to people on condition they receive SIL and other services from specified providers, which may breach the *Competition and Consumer Act 2010*.

Update on NDIA co-design work

Ms Van Poppel noted productive meetings held with the Co-design Steering Committees during April/May. She said [co-design projects \(external\)](#) and activity schedules for each project are moving at different pace, and it is important that the NDIA engages widely.

Work continues to develop four key policies for:

- Information Gathering for Access and Planning
- Home and Living
- Support for Decision Making
- Participant Safety.

Council Member, Dr George Taleporos, updated on the work of the Participant Safety Co-design Steering Committee. He highlighted the need to work carefully, and use lived experience in a way that is safe for all and allows for the dignity of risk.

Council Members noted the project(s) should:

- Address women's safety, especially women who identify as First Nations, Culturally and Linguistically Diverse (CALD), or LGBTIQ+.
- Address the key role that friendship and supported employment play in keeping people with disability safe.
- Reference Council's past advice, ['Choice and control to safely live a good life of belonging and citizenship' \(DOCX 1MB\)](#).
- Consider ways to engage people without retraumatisation.

NDIS Quality and Safeguards Commission

Tracy Mackey, NDIS Quality and Safeguards Commissioner, discussed the NDIS Quality and Safeguards Commission's work, including its five-year strategic plan. The Commissioner asked for feedback about the plan and Members noted:

- People with disability need to understand what makes a quality service and skilled worker. They also deserve support from workers who have the right attitude and values too.
- People with disability have the right to self-determination, including making informed choices and access to capability building supports.
- Australian governments and private enterprise can improve the way they regulate by having regulation strategies and focusing on work they do in the development phase.
- People with disability need training to understand their consumer rights.
- There are sometimes more disadvantages to being a registered provider than being an unregistered provider. For example, the auditing process and cost.
- The strategy should include all people with disability, including children and creating links with organisations like [SNAICC National Voice for our Children \(external\)](#).

Update on NDIA reporting

Sarah Johnson, Scheme Actuary and Deputy CEO of Design, Digital and Strategy at NDIA, discussed the latest [Quarterly Report: Q3 2021-22 \(external\)](#). Council Members noted:

- The NDIA's fulsome reporting about gender but would like more data on women exiting the NDIS.
- The need for data around therapy supports or plan sizes for children under seven years.
- The need for more data on ways the NDIA measures employment outcomes.
- The NDIA's use of data from the [2017 Productivity Commission Report \(external\)](#) in the Quarterly Report is out of date.
- Information from the Report should be accessible for all people with disability, including those with intellectual disability.

Ms Johnson also discussed the NDIA's plans for tracking and reporting on the implementation of Council's Formal Advice. Mr Johnson asked for Council's feedback on ways it can improve this work. Council Members noted:

- The use of a traffic light system to show that Council advice recommendations are progressing or held up.
- The way the NDIA has captured some advice recommendations needs improvement and Members would like to guide the NDIA on this.
- Reporting on the advice ['Promoting best practice in early childhood intervention in the NDIS' \(PDF 4MB\)](#) needs improvement to reflect the ongoing communications and work Council and Reference Groups have with the NDIA.
- They would like to work with the NDIA out of session to improve this work.

More information on Council

Council will next meet on 15 June 2022. Find out more about Council meetings and Bulletins at the [Council's website \(external\)](#). You can also access advice from the [Council's website \(external\)](#).

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