

Independent Advisory Council Meeting Bulletin 15 October 2020

The Independent Advisory Council (Council) to the National Disability Insurance Scheme (NDIS) was established to bring the participant's voice to the heart of the NDIS. The Council provides independent advice to the National Disability Insurance Agency (NDIA) Board, as outlined in the NDIS Act 2013.

This Bulletin provides an overview of the Council's 15 October 2020 meeting, chaired by Ms Robyn Kruk AO, Principal Member. The meeting was attended by the Hon. Stuart Robert MP, Minister for the NDIS, Dr Helen Nugent AO, NDIA Board Chair, Mr Martin Hoffman, NDIA Chief Executive Officer, Council Members and Expert Adviser.

Minister for the NDIS

The Principal Member presented Council's 2020-21 Work Plan to the Minister for the NDIS, advising that it would be publically released later this month, after NDIA Board endorsement. The Minister thanked Council Members for their service and focus on the most important issues affecting NDIS participants.

Minister Robert said that over the last 18 months, there have been significant achievements and improvements made to support the Scheme to reach its full potential, operating in a manner more consistent with the original intent of the Productivity Commission.

Council Members presented three items for the Minister's attention including:

- Council's advice '[NDIS supports for participants who are parents](#)' (PDF 831 KB), which aims to inform the role of the NDIS, and state and territory government agencies, in supporting NDIS participants who are also parents to fulfil their goals and develop resilient families. The advice was formally presented to the NDIA Board in April 2020. The NDIA Board fully supported the advice and endorsed an Agency response for the implementation of the advice by the NDIA.
- Council's submission to the National Disability Strategy (NDS) Position Paper, which highlights that the outcomes for people with disability, and the efficacy of the NDIS, are highly dependent on a strong and effective NDS. The submission proposes strategies aimed at putting citizens with disability at the heart of the National Disability Strategy, around themes of leadership, accountability, engagement and data.
- Matters that require further consideration in relation to Independent Assessments (IA), such as the mandatory nature of IAs, acknowledging the fear that they may bring to existing participants, the skills and experience of the assessors, and the need to provide clear information to the community and disability sector. Council reaffirmed their willingness to work with the NDIA to address some of these issues.

The Minister expressed his full support for Council's advice on participants who are parents and stressed its alignment with the NDIS principles of choice and control. He said that he has started working with child protection services across Australia to enhance cooperation and connection between them and the NDIS.

The Minister supported Council making a strong submission on the NDS, noting the importance of State and Territory Government support for the NDS. He highlighted that there are more than four million Australians with disability and the NDIS is only estimated to cover under half a million.

In relation to IAs, the Minister acknowledged the issues raised and thanked the Council for its support. He expressed his interest to remain involved with Council to work on these matters.

NDIS Quality and Safeguards Commission

Commissioner Graeme Head AO, NDIS Quality and Safeguards Commission, provided an update on the Commission's work and national roll out. The Commission will be fully operational in all states and territories by 1 December 2020, with the transition of providers estimated to be completed by late 2021.

Commissioner Head provided an overview of the complaints received, with the vast majority made by people with disability or their families or friends. He noted that the transition process has limited the handling of complaints by the Commission in some jurisdictions.

Commissioner Head also noted that the Commission is looking at individual cases to identify areas for systemic improvement in the Commission's response to complaints and broader compliance actions.

Council Members raised the issue of complaints of abuse by families and carers, noting that the only way to currently report such complaints was to police. Commissioner Head indicated that this is outside the Commission's remit but that the Royal Commission terms of reference allowed it to examine such matters.

Independent Assessments (IAs) update

Dr Sam Bennett, General Manager Policy, Advice & Research, presented the NDIA's Consultation Plan for IAs, seeking Council's feedback and input.

The Consultation Plan aims to address stakeholder and sector concerns around the changes to IAs and enhance community understanding. The NDIA will seek feedback on specific matters that need to be resolved, involving stakeholders in a co-design process around key policy and service design matters ahead of the IAs progressive roll out from February 2021. The Consultation Plan will be finalised end of October 2020, with public release soon after.

Council members affirmed their interest and willingness to support the NDIA with the implementation of IAs including appropriate engagement with participants and key groups. Council committed to having IAs as a regular item on Council meeting agendas and to develop a subgroup of Council and Reference Group Members to meet monthly with the NDIA to provide feedback and advice.

Dr Bennett responded to Council Members and Expert Advisor feedback, with discussions on:

- State and territory engagement through their respective Ministerial Advisory Councils and peak bodies.

- Adequate communications with the broader community as the key factor in addressing concerns, stressing that NDIA communications to date have not been effective at dispelling the underlying fears of participants.

Dr Nugent, NDIA Board Chair, acknowledged the fear and concern expressed by members on behalf of participants. She reported the overwhelmingly positive experience of participants and families during the trial phase of the IA, and suggested that using the voice of participants involved in trials may assist to address some concerns.

Next meetings

The Council will next meet on 12 November 2020. You can find out more about Council meetings at the [Council's website meeting page \(external\)](#).

You can access previous papers and advice from the [Council's website advice page \(external\)](#).