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# Meeting bulletin – 21 September 2022

This bulletin summarises the Independent Advisory Council's (Council) recent meeting. Ms Leah van Poppel, who is [Council's Principal Member](#), chaired the meeting held on 21 September 2022.

## Update from Council's Principal Member

The Principal Member welcomed The Hon Bill Shorten, Minister for the National Disability Insurance Scheme (NDIS), to the meeting. Council Members presented information to the Minister about the development of its advice for the National Disability Insurance Agency (NDIA) Board, work on co-design, and the pending review of the NDIS. The presentation included updates on the Council's advice on equity and inclusion and behaviour supports, and work on co-design. Council then held a closed session with the Minister.

## Update from the NDIA

Ms Liz Neville, NDIA Acting Deputy Chief Executive Officer (CEO) Government, Engagement and Legal, represented the Acting CEO at the meeting. She provided a general update to Council about work the NDIA is doing to improve hospital discharge, reducing Administrative Appeals Tribunal (AAT) cases, and using a dedicated taskforce to help address NDIS fraud.

Council Members noted there are increased reports that people with disability, especially those with complex support needs, cannot access essential supports while they are in hospital. Members also voiced the need to reduce the number of young people in residential aged care.

## Council Members' community reports

[Council Members](#) and the [Expert Adviser](#) reported on matters for the NDIA's attention. Members provides these reports on behalf of people with disability in their communities. The reports give the NDIA CEO and staff understanding about issues from the ground. They also give the NDIA the opportunity to respond to themes, concerns, and opportunities raised by Members. Council welcomed Donna Purcell, NDIA Participant Advocate, to observe this session.



Key things Members noted this month related to access and planning, service and supports, providers and the disability network:

## NDIS access and planning

- Reports that plan managers are denying claims and cite reasonable and necessary criteria in their decision making. Members are concerned this is not a part of a plan manager's role and will limit participant's choice and control.
- Some people are reporting of a decrease in support coordination in their plans, which impacts on overall participant outcomes.
- Members reported they are seeing marked improvements in the NDIA hospital discharge process.
- Positive reports that some participants are receiving early settlements and/or resolution at AAT.

## NDIS service and supports

- Reports that it is difficult to access Justice Liaison Officers (JLO). This is due to misunderstanding between states and territories about the role of a JLO and how to contact them.
- Mixed sentiment in the community about the ceasing of the Partners in the Community (PITC) Request for Tender, and the potential impacts to the disability community. Members would like the NDIA to consider including remote and very remote communities, should they open the Tender in the future
- There is a need support both younger people with disability and older people with disability find meaningful employment.

## Disability community

- Concern about the future of Western Australian Individualised Services (WaiS). WaiS has indicated they will close by the end of June 2023 due to funding issues.
- Reports that disability advocates cannot meet the demand to support participants using the AAT, particularly in the Northern Territory.
- Growing impatience in the disability community about the announcement about the Terms of Reference for the planned NDIS review.
- There has been positive collaboration by Northern Territory government services and the NDIS to create a policy and framework for specialist education.
- Some providers report concerns with a higher uptake of Short Term Accommodation (STA) and not supports for specialist disability accommodation (SDA) or supported independent living (SIL).

## Providers

- Concerns amongst some participants about limiting use of unregistered providers and the impact this may have on participant choice and control.
- Reports that some providers or businesses are moving away from offering support coordination services.

Members continue to report that:

- Public information about the NDIS should be easy to understand, accessible, translated when appropriate, and fully accessible.
- Some people with disability find it hard to access the NDIS, including those from lower socio-economic backgrounds and women.
- General workforce issues, including lack of employment progression and low pay, leading to limited markets of care. Especially with complex supports.
- Inconsistent decision making during the NDIS plan review process resulting in too many people using the Administrative Appeals Tribunal.
- Investment in Tier 2 or the [Information, Linkages and Capacity Building \(ILC\)](#) program is vital for organisations to deliver projects in the community that benefit and support people with disability.
- The NDIA's work should emphasise the voice of children in the NDIS and improve the early childhood pathway.
- SDA policy and supply needs to improve to ensure safety and choice and control for participants, as well as market integrity.
- Some businesses use sharp practice, charging a higher fee for NDIS participants.
- The NDIA's policy for STA should be clarified. Recent information that states STA is not for holidays has caused angst for participants.

## From the NDIS Quality and Safeguards Commission

Council was updated on the NDIS Quality and Safeguards Commission's work on provider registration, including potential improvements to registration rules to address emerging market trends. Council Members said:

- Improvements should consider the regulatory burden and costs associated with registration for people with disability or small providers.
- Registration and audit processes should consider the unique support needs for early childhood, so that children and young people in the NDIS have choice and control to access quality service.
- Some people with disability want to learn more about potential compulsory registration to additional higher risk categories of support, which would make participants need to use a registered provider, regardless of plan management status.
- There are challenges in limited markets, where smaller providers are disadvantaged compared with corporate providers who have the resources to outsource auditing.



- The Commission should consider diversity and ensure that people with disability are a part of registration audit process.
- The Commission should consider choice and control and a person with disability's capacity to engage registered or unregistered providers, as well as the ways different providers impact the market.
- Care is needed to understand the business model that exists in a registration heavy system dominated by private equity. There is a need to understand provider funding arrangements.

## Update on NDIA co-design work

Ms van Poppel asked for feedback on the [progress of co-design projects](#) that Council Members are engaged with. Council Members involved with the co-design for participant safety had mixed views about the progress of their work. Members raised that:

- They do not want different cohorts to be segregated as part of the participant safety co-design. Members said that understanding about participant safety comes from sharing information and listening to all voices in a room, as well as focusing on autonomy and dignity of risk.
- The participant safety co-design requires a different approach for children and adults, and consideration of gender.
- The participant safety co-design is important and will have life-saving impact on participants.

## More information on Council

Council will next meet on 17 October 2022. Find out more about Council meetings and bulletins at the [Council's website](#). You can also access advice from the [Council's website](#).

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