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# Meeting bulletin – 22 February 2023

This bulletin summarises the Independent Advisory Council's (Council) recent meeting. The Council gives advice to the National Disability Insurance Agency (NDIA) Board. Council's advice aims to improve the National Disability Insurance Scheme (NDIS). Ms Leah van Poppel, who is [Council's Principal Member](#), chaired the first meeting for the year, held on 22 February 2023.

## Update from Council's Principal Member

Ms Leah van Poppel noted the NDIA Board will table Council's advice about equity and inclusion at their March meeting. The Board will then forward the advice to the Ministerial Council.

## Update from the NDIA

Kurt Fearnley AO, NDIA Board Chairperson, highlighted the NDIS will celebrate its 10<sup>th</sup> year of legislature later in July. He is pleased that new staffing changes at the NDIA's senior executive level include a person with a disability. He wants the NDIA to be an employer of choice for people with disability. He noted the NDIA's supported decision making policy, which will be released soon, is an exemplar in co-design.

Ms Rebecca Falkingham, NDIA Chief Executive Officer (CEO), noted recent structural change and recruitment at the NDIA. She said more will be done to employ more people with disability at the NDIA and to replicate the work model for hospital discharge in other interface work. She also noted the elevation of co-design, market stewardship, Individual Capacity Building (ILC) outcomes, planning practice, accessibility and technology, as part of the NDIA's recent structural changes.

## 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. Key matters Members noted this meeting included:



## Disability community

- Positive feedback about the NDIA's work to improve hospital discharge and data dashboards about acquired brain injury.
- Optimism about the new NDIA Board Chair and CEO may be sustained with more proactive media relations.

## NDIA operations

- Streamlined NDIA operations and process for planning and internal review/review of a reviewable decision may avoid the need to use the Administrative Appeals Tribunal (AAT).
- Reports from some culturally and linguistically diverse (CALD) communities that the NDIS access request form is not available in any language other than English.

## NDIS supports

- General issues around local area coordination (LAC) and support coordinator service/planning quality, ability to train staff, and planning support.
- The need for specialists (or reintroduction of case managers) to support people with cognitive disabilities and/or complex situations.
- Some providers report that they continue to face skilled disability worker shortages.
- Risk that some NDIS providers cannot provide services that are not covered as part of their insurance policies.

## NDIS planning

- Ongoing concern for those participants who face plan reductions, especially those who are not warned or receive a step-down approach.
- Reports some participants with modest needs get excessive funding.
- Concern about the way planners write participant plans, including misquoting participants.
- Families of participants with high needs want two year plans due to the administration needed to get NDIS supports. Administration is worse for supported independent living (SIL) or change of circumstance.

## Home and living

- General issues around SIL, individualised living options (ILO) and short-term accommodation funding, administration and decision making.
- Concerns around the lack of choice and control for people to get supports to live alone.
- Delays in specialist disability accommodation (SDA) decisions are leaving some participants at risk.
- Issues around hardening rental accommodation for NDIS participants.



## Interface

- Reports of inadequate private mental health in-patient facilities to assist people with physical and ambulatory disabilities.
- NDIS participants and the community are unable to lodge complaints with the NDIS Quality and Safeguards Commission. Some people do not believe the Commission cares for participant safety and wellbeing.
- Some providers say the Commission's regulatory framework is too hard for them to comply with and there is no interaction between the national commission and states/territories.
- NDIS access issues for young First Nations people in the justice system in the north of Australia, especially those in detention.

## Measuring Participant Service Charter recommendations

The NDIA Scheme Actuary updated Council about the way it reports on the principles that underpin the Participant Service Charter. Council Members said:

- The Scheme Actuary should simplify the way it reports and measures performance. All reports should be easy to understand and in plain English.
- Intersectional groups and disability classifications should be included to understand trends.
- Data should capture service provision against where a person lives, especially for rural and remote participants. This will help understand service gaps.
- Some people with intellectual disability prefer face to face surveys with support workers present.
- The disability community wants to know who responds to the participant satisfaction surveys – people with disability or their families – and how data is captured.
- The NDIA should better engage with participants to help them understand what is done with the information they give the NDIA.

## NDIA reporting on Council's advice

The NDIA reported to Council about how its advice recommendations are being progressed. The discussion related to Council's advice on early childhood early intervention. Council Members said:

- A success factor for consideration is the number of children that access the NDIS against those children who exit the NDIS.
- NDIA operational guidelines should reinforce to parents of young children that development does not mean high levels of therapy, and families and children have a right to say no to some therapies.
- NDIA should encourage connections with peers/other families, not only connections with best practice early childhood providers/partners.
- Supports for children are needed in natural environments and should include families and others who are close to them to build a child's capacity.
- NDIA should look at other ways aside from the market approach model to give supports.



- There is a need to look at how the NDIS works with out of home care and child protection services, so no child with disability is left behind.
- The early childhood approach should ensure an evaluation approach is used.
- It is important to note that the early childhood approach does not include all recommendations from Council's advice.

## Council's engagement with the NDIS Review

The Council discussed ways to engage with the NDIS Review and priority NDIS improvement areas they want to highlight through their engagement. Council Members said:

- Clear and transparent progress reports/updates are needed from the NDIS Review. The updates should include communications about its interactions with the Disability Royal Commission.
- The NDIS Review should consider Council's previous advice to understand issues/recommendations which are still current today.
- The NDIS Review should consider trends from Council and Reference Group Members' community reports.
- The NDIS Review should engage with Council on complex matters they are considering.
- There needs to be greater promotion of the NDIS Review, especially amongst people with intellectual disability.
- There is a need for early understanding of what the NDIS Review is considering to enable improvements for the Scheme.

## More information on Council

Council's next meeting will be on 13 April 2023. The hybrid meeting will be held in Tasmania. 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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