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Reference Group meeting bulletin – 10 November 2022

Equity and Inclusion Reference Group

This Bulletin summarises the recent meeting of the [Equity and Inclusion Reference Group](#) (Reference Group). The Reference Group met on 10 November 2022.

The Reference Group gives advice to the Independent Advisory Council (Council) to the National Disability Insurance Scheme (NDIS) about diversity, inclusion, equal opportunity, and fairness in the NDIS.

[Leah van Poppel](#), Council Principal Member and Reference Group Co-chair led the meeting. [Adjunct Associate Professor Jennifer Cullen](#), Council Member and Reference Group Co-Chair, supported Ms van Poppel at the meeting.

From the Reference Group Co-chairs

Ms van Poppel noted the work the Reference Group Members have done [since their last meeting](#). Adjunct Associate Professor Cullen gave an update on the NDIA's work on co-design. Members noted that NDIA engagement initiatives should boast diverse membership.

Reference Group Members' community reports

Reference Group Members reported on matters for the NDIA's attention. Members provide these reports on behalf of people with disability in their communities. The reports give the NDIA 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:

NDIS access and planning

- There continues to be emphasis on proving functional impairment or deficit. The NDIS should promote a strengths-based approach to disability.

- The NDIS is still not meeting the needs of participants with psychosocial disability. For example, NDIS access is challenging and evidence gathering is expensive.
- First Nations people face challenges to access NDIS services and other services and programs that give supports. There is not enough available housing, interpreters and local area coordinators. It is hard for them to get supports in the justice system.

NDIS service and supports

- There are challenges around supported decision making in some disability communities. This confirms the importance of the NDIA's Supported Decision Making policy.
- Reports that it is getting harder to get positive behaviour support plans. There are concerns that some participants are being shifted to therapeutic supports.
- It is getting harder to find experienced support workers, which minimises choice and control for people with disability. There is an increase in unskilled support workers moving into the sector. They are demanding full pay rates while delivering a substandard service.
- Some participants find it hard to engage with the NDIA. This is because staff are not trained in trauma, cultural safety and psychosocial disability.
- People are unsure about what allied health services the NDIS funding gives people with a psychosocial disability. They are also unsure about when the NDIS funds these supports.
- Participants want to access allied health professionals most suited to their circumstances. They don't want to only see occupational therapists.
- Many in my community feel that there is inadequate lived experience in the leadership at the NDIA. Especially when it comes to psychosocial disability.
- Psychosocial support providers say the current NDIS pricing arrangements make it hard for them to stay in business.
- Concerns that when service providers set up meetings with various specialists for participants, they then become the focal point for making decisions for the participant.
- Some good quality psychosocial providers cannot offer support workers under current pricing models. This opens risk that poor quality providers will attempt to fill that void.
- Some providers no longer offer supports under core, only under capacity building. This creates issues for participants who have their support worker funding in core.
- The disability community welcomes research and evaluation by the NDIA. But some people question if the NDIA can deliver innovative supports and services. Especially given the need to prove that supports are evidence based; value for money; and reasonable and necessary.
- People in regional and remote areas need to have access to adequate and appropriate supports. Especially those who are affected by natural disasters such as floods etc.
- Some private boarding houses charge high rates for accommodation. This especially affects those on the disability support pension.
- Challenges for people with hidden disability. Some of these people feel the NDIS focuses on people with visible disability.



- Challenges in the post-COVID environment. This includes not enough employment and education supports for people with disability.

Other services and programs that give support

- NDIS participants living in congregate care settings need the right safeguards. Especially those in Special Residential Services in Victoria.
- There continues to be a lack of psychosocial support services for people not eligible for the NDIS. Especially services from Information Linkages and Capacity Building programs (ILC) and other community supports.
- Work is being done by the Disability Innovation Institute to develop guidelines for people with intellectual disability for research in co-design.
- Australian Disability Enterprises (ADE) are important organisations that employ people with disability. But the disability community is advocating more for inclusive employment and income equity. ADEs often promote segregated employment settings.

Council's principles about intersectionality

Council is drafting principles about intersectionality. These principles will guide Council's advice and priority work. This will improve the quality of Council's work and will allow the NDIA to better respond to complex issues. This work came about from Council's 'Equity in the NDIS' advice. Council asked for Members' feedback on its proposed principles. Members noted:

- Intersectionality is a big idea. Council needs to define and better explain what it means so that everyone can understand it.
- The goals that make up each principle should be properly defined and explain what the goals want to achieve.
- The principles need to be achievable for Council and the NDIA. At the same time, the principles should seek to make change across other services and programs that give support.
- NDIA should improve its systems and training around trauma and cultural safety. This will help make the NDIS inclusive, safe and responsive. The NDIA should develop training for practitioners on intersectionality.
- People with disability should be able to bring all parts of their identity to the NDIS, not just their disability.

Update on the NDIS Review

The Reference Group got an update about the progress of the NDIS Review, its Terms of Reference, and co-chairs. The co-chairs will be engaging with Council as part of the Review. Members noted:

- The NDIS Review leadership team should include people with disability, especially women.
- Concern that there is not enough diversity of people with disability involved in the Review.



- Some people in sector worry about whether the right people are in place to lead the Review.
- Concerns that NDIA improvement projects will be on hold while the Review happens.
- The Equity and Inclusion Reference Group should be consulted as part of the Review.
- The Review should use an intersectional approach. It should also give the public information about what the Review will not include.
- The Disability Discrimination Act is now 30 years old and based on a medical model of disability. This should also be reviewed and updated.

Update on NDIA inclusion strategies

The Reference Group got an update on the NDIA's inclusion strategies.

Reference Group Members gave the following feedback about the First Nations Strategy:

- The First Nations Advisory Council should have diverse membership. It should also include Council and Reference Group Member representatives.
- The Terms of Reference should include intersectionality. It should also acknowledge the diversity of First Nations people's experiences and membership should reflect that.
- The Strategy should have representation of people who identify as First Nations Lesbian, Gay, Bisexual, Transgender, Intersex, Queer, Asexual (LGBTIQ+).

Reference Group Members gave the following feedback about the Cultural and Linguistic Diverse (CALD) Strategy:

- People want to know about the membership of the Strategy's expert advisory group.
- The NDIA should reflect on the recent Disability Royal Commission hearings. Especially the hearings about CALD experiences.

Reference Group Members gave the following feedback about the LGBTIQ+ Strategy:

- The NDIA should progress the establishment of an advisory group for LGBTIQ+ people.
- Thanks to NDIS participants who helped develop the equity and inclusion paper for LGBTIQ+ communities.
- The NDIA should engage with the [Victorian Government LGBTIQ+ Taskforce](#).

More information on the Reference Group

The Equity and Inclusion Reference Group will next meet in 2023. The Reference Group will submit its 'Equity in the NDIS' advice to the NDIA Board in early 2023. Find out more about Reference Group meetings and bulletins at [Council's website](#). You can also access [Council's advice here](#).

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