



The contents of this document are OFFICIAL

# Meeting bulletin – 21 September 2023

This bulletin provides an overview of the recent meeting held by the Independent Advisory Council (IAC). The IAC's role is to provide advice to the National Disability Insurance Agency (NDIA) Board with the goal of improving the National Disability Insurance Scheme (NDIS). The meeting was chaired by Ms Leah van Poppel, [the Principal Member](#) of the IAC, and took place in Melbourne on 21 September 2023.

## Update from the IAC's Principal Member

Ms van Poppel thanked representatives from the Victorian Disability Advisory Council (VDAC) and NDIA for joining the IAC on the previous day to discuss emergency management. She also appreciated the involvement of representatives from [Disability Advocacy Resource Unit \(DARU\)](#) in addressing critical NDIS issues from an advocacy perspective.

Ms van Poppel acknowledged that some members' terms ended on 30 June 2023 and that the full complement of IAC membership is still being determined. She acknowledged that appointment delays have affected IAC members.

Ms van Poppel also provided an update on the IAC's advice and other important work since their last meeting on 10 August 2023. The IAC's advice on behaviour supports for the NDIA Board will be endorsed at the IAC meeting once the membership is complete. Additionally, all [4 IAC Reference Groups](#) have met since their membership was refreshed. They have been focusing on finalising their Work Plan, which outlines priority tasks over 18-months. The IAC will soon appoint Co-chairs for each Reference Group following its established procedures.

Ms van Poppel acknowledged the [NDIS Review](#) and [Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability](#) (Royal Commission) will release their reports soon. The IAC plans to organise meetings to discuss these reports once they are released, to align recommendations with their Work Plan.

Ms van Poppel expressed appreciation for the commitment of NDIA senior leadership, including Ms Rebecca Falkingham, the Chief Executive Officer (CEO), and Ms Corri McKenzie, Deputy CEO, in engaging with the IAC.



## Update from the NDIA

[Mr Kurt Fearnley AO](#), NDIA Board Chair, thanked the IAC for their patience regarding membership appointments. Mr Fearnley noted work on PACE, the NDIS' new computer system, and the efforts of Ms Donna Purcell, the NDIA's Participant Advocate, on a recent report on the experiences of people with disabilities working at the NDIA. He noted that the NDIA will collaborate with the Royal Commission to understand how their recommendations align with the NDIS.

Ms Rebecca Falkingham, NDIA CEO, explained that the NDIA is actively engaged in the NDIS Review. She also acknowledged the recent release of the ['Redesigning the NDIS' report \(external\)](#) commissioned by the Disability Advocacy Network Australia (DANA).

## What Members have heard in their community

[IAC Members](#) reported on matters for the NDIA's attention, related to:

### NDIS access and planning

- Reports indicate that families sometimes receive a participant's plan even if the participant is an adult.
- Concerns have been raised about children with disability and developmental delay in out-of-home care and the justice system, as they seem to be in need of the NDIS but are not participating in the Scheme.

### NDIS service and supports

- Reports families have expressed satisfaction that the early childhood partners will now support children with disability up to 9 years old but there are challenges in transitioning to the use of a local area coordinator (LAC).
- Reports suggest difficulties in planning and transitioning into adulthood within the NDIS, including a lack of communication from the NDIA on Supported Independent Living (SIL).
- Continual reports highlight delays in making decisions about home and living arrangements.

### Disability community and other government services

- Concerns have arisen regarding disability worker screening, which may prevent individuals, especially those with disabilities, who have a low-level criminal history from pursuing support work.
- Reports indicate that some individuals are unable to change service providers due to restrictions imposed by their state guardians.



- Concerns have been voiced about caregivers in remote areas and suggestions have been made that caregivers should receive support proactively rather than waiting for them to identify their needs.
- Reports highlight challenges within the justice system in understanding and identifying disability.
- Concerns exist about new industrial relations laws that may make it more difficult to engage a disability support worker outside of a platform and could render short-term support worker arrangements impractical.
- Members express concerns about Information Linkages and Capacity Building (ILC) grants, as they were expected to undergo a refresh but have instead reopened this year without an explanation of the changes made.

## Providers

- Reports that some providers selectively choose individuals and families with disability who are easier to support then charge them the highest possible fees.
- Concern raised about the viability of not-for-profit NDIS providers if insurance costs become too high.
- Reports that restrictive practices can lead to excessive paperwork, which in turn limits the time providers have to support people with disabilities as well as they want.
- Challenges have been identified in finding support workers for activities such as bathing and toileting.
- Members spoke of unregistered providers targeting First Nations people to increase their earnings.
- There is optimism among members for improved participant outcomes in rural areas following reports that smaller providers with a deep community understanding are returning to these areas.

## NDIA employment report, 'Disability Deep Dive'

Ms Donna Purcell, the NDIA's Participant Advocate, discussed her recent report on the experiences of NDIA staff with disabilities, known as the 'Disability Deep Dive'. Members learned that negative experiences were often caused by cultural issues in the NDIA. The IAC expressed satisfaction that the NDIA's senior leadership has endorsed and commenced work on all the report's recommendations. Ms Purcell said the recommendations would be implemented through collaborative design efforts and that work has commenced to enhance technology accessibility at the NDIA.

## NDIS Quality and Safeguards Commission Update

Ms Tracy Mackey, NDIS Quality and Safeguards Commissioner, provided updates on [inquires](#), changes in complaints handling, and the work address restrictive practices and price issues. Members commended the NDIS Commission's work engaging participants and providers through their inquiries. They also discussed the NDIS Commission's inquiries related to [support coordination and plan](#)



[management \(external\)](#). Members expressed their full support to the NDIS Commissioner on the need to address the use of restrictive practices in disability supports including holding providers to account in accordance with their obligations. Members emphasised the need for ongoing work to reduce and ultimately eliminate these practices through the use of positive behaviour support strategies.

## Update on NDIA co-design work

Members shared updates on initiatives the NDIA is co-designing with the IAC, disability representative carer organisations (DRCOs), participants, and the disability community, as part of the [government's 'Reform for Outcomes' work](#). Members noted the need for strong conflict resolution processes and a trauma informed approach within co-design meetings. The NDIA committed to ensuring that co-design meeting facilitators have sufficient knowledge about the NDIS or the [Convention on the Rights of Persons with Disabilities](#).

Members provided feedback on various co-design working groups, including the fraud co-design group, which focuses on awareness, education and compliance. They cautioned against providers advertising offering support during holidays, which may be non-compliant. The workforce co-design group is dedicated to improving planner training to protect the human rights of people with disabilities.

## NDIA update on complex supports needs, including justice

Representatives from the NDIA's Complex Support Needs Branch updated the IAC on their work in the justice sector. This update included information about Justice Liaison Officers (JLOs), NDIS staff working within the justice system, and the Justice Transition Project. The NDIA is collaborating with state and territory governments to enhance the experience of NDIS participants transitioning from prison to the community. Members noted the importance of understanding the experience of support coordinators working in the justice system and the need for increased community awareness about the scope of the NDIA's work and JLOs.

## More information on the IAC

The IAC's next meeting will be held on 2 November 2023. Find out more about IAC meetings and bulletins at the [IAC website](#). You can also access advice from the [IAC website](#).

**The IAC publishes an Easy Read version of this bulletin. This is part of its commitment to accessibility.**