# Strengthening Scheme Reforms to Access and Planning

Plain language

Independent Advisory Council to the NDIS  
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## Introduction

The Independent Advisory Council (Council) was asked to consult on Scheme Reforms. This included Independent Assessments.

During that time, the Minister paused changes to the NDIS Act.

The consultation process aimed to:

* hear from the Council and the disability community about their concerns; and
* help with changes to the Government’s access and planning proposals.

This paper includes the feedback from:

* Council
* Council Reference Groups
* members of Representative Disability Organisations
* the NDIA’s CEO forum, and
* meetings run by State and Territory Disability Advisory Councils.

## Access and planning reforms

Many people who gave feedback agreed that it is important to make the NDIS do what was first planned. This includes assessments done by allied health professionals chosen by the NDIA.

### Different ideas about why the costs of the NDIS has increased

The NDIA said:

* that without independent assessments people may get different amounts of support. For example, people with similar disabilities and circumstances; and
* The NDIS Act says that the NDIA must make participant budgets with detail for each support item.

This has led to an increase in the cost of the NDIS which governments think is too high.

Representatives of the disability community said:

* There are many foundations that were to be part of the NDIS that were never developed. This is why the cost of the NDIS has increased.

* Independent assessments will not help participants to be more independent.
* Government needs to make sure the foundations are part of   
  the NDIS.

The foundations that were not developed include:

* the National Disability Strategy;
* the NDIA being independent of the Department of Social Services;
* a well-funded program for community development;
* a strong Disabled People’s Organisation network;
* a Local Area Coordination (LAC) strategy that supports people with disability in the community;
* effective decision support and capacity building;
* the NDIA making sure there are good service options everywhere. For example, clear pathways from group homes to individualised living options.

### Independent assessments

Council gave recommendations on independent assessments. Recommendations included how to fix concerns and make them work.

## Trust

People told us about:

* their concerns for reforms; and
* a loss of trust between the disability community and the NDIA. This became worse with Independent Assessments.

For example:

* when Local Area Coordinators promise something and don’t do it;
* when participants must always talk to someone new;
* when people’s budgets reduce, and they don’t know why; and
* when plans have Supported Independent Living, but policy is to move away from group homes.

The NDIA talks about working with the disability community to make the NDIS better. But the disability community thinks that the NDIA only gives out information. Participants want codesign as a partnership. They want, *Nothing about us without us*.

People called for more action from the NDIA to rebuild trust.

For example:

* acting on the advice of Council;
* employing more people with disability;
* putting more people with disability on the Board; and
* telling the community about the problems it is trying to solve.   
  For example, what they must accept and can’t change.

People want a set of rules about how and when the NDIA and the disability community will work together.

## Areas where the disability community wants to work with the NDIA

The disability community wants to work with the NDIA on Scheme reforms of:

* independent assessments;
* the development of the personalised budget;
* planning;
* strengthening choice and control;
* support for decision making;
* budget flexibility with support; and
* home and living.

The disability community also wants to work with the NDIA on:

* a strategy to get more individualised supports from service providers;
* LAC strategy; and
* a plan for how to make the NDIS sustainable.

The disability community want to work with Government to:

* give more money in ILC funding back to the NDIA; and
* fund a strong National Disability Strategy.

The changes Council recommends may not result in more support for independent assessments. People may be more supportive with a commitment to get the foundations of the NDIS right.

## Recommendations

### 1. Access and planning

Council proposes that Independent Assessments must change.

Independent assessments and the Personalised Budget Tool must:

* be designed with input from Council and representatives of Disability Support Organisations; and
* be simpler, fairer, more respectful, and safer for participants.

Council recommends that proposed changes are public information for at least 8 weeks. The disability community need time to understand the changes and provide feedback.

### 2. Independent assessments

Council recommends that the NDIA change Independent Assessments. They must make sure they meet the objectives of the NDIS Act.

Changes to how independent assessments happen will make them:

* more fair
* more responsive; and
* safer for participants.

Independent assessment design, including the toolkit and practice guidance, should be:

* designed with the disability community; and
* flexible. For example, to make sure participants with complex needs get the right assessments.

Independent Assessments should be as simple and possible.

Participants should be able to match their assessor to their needs   
and wants.

For example, allowing participants to ask for:

* a male or female assessor;
* an assessor of a particular background, e.g., Aboriginal or CALD;
* a specific type of allied health professional, e.g., OT, physio.

The NDIA should have people with disability as expert advisers for Independent Assessments. They can be part of an assessment team.

The NDIA needs to develop guidelines for assessments of:

* people moving out of institutional environments, e.g., hospital or jail;
* people in group homes; and
* people with more than one disadvantage, e.g., women, Aboriginal, CALD, LGBTIQA+.

People with disability should provide information to the assessor before their assessment. The NDIA must use that information when making decisions or reviewing decisions.

Review of assessments

Before the NDIA uses independent assessment information, participants must be able to:

* check the information; and
* make a complaint or ask for a review of the results.

NDIA agreements with Assessment Organisations

The NDIA need to outline skills and experience assessors must have.

Agencies that provide assessors need to collect information about

* the number of assessments completed;
* outcomes of assessments;
* complaints made; and
* participant satisfaction.

NDIA agreements with Assessment Organisations should not need some people to be ineligible for the NDIS. It should also give flexible time for assessments and allow for face-to-face assessments.

Once there is an official approval process, only approved assessors should do assessments.

The NDIA needs to make sure assessors qualify to do assessments. This will happen through an accreditation process.

Training of assessors and Assessor Organisations

Training design and delivery should happen with representatives of disability organisations and communities.

There should be a minimum level of training per year per assessor. There can be extra training for Assessors who support people with complex needs.

### 3. Personalised Budget Model

Council cannot provide advice about the Personalised Budget Tool until it is developed.

Council wants to make sure the rules for deciding a participant’s budget cover everything relevant to the participant.

Council proposes that the development of the Personalised Budget Model

* is consistent with objectives of the NDIS Act;
* is designed with Council and its Reference Groups;
* shows how the budget is worked out and covers reasonable and necessary supports; and
* supports the sustainability of the NDIS.

Information should be in a range of accessible formats. For example, Easy English, Plain English, Auslan and video. The NDIA can work with Disabled Persons’ Organisations to develop the information.

The model should not begin until government and the disability community agree.

Participants should get time and help to reorganise their supports if they lose funding with the budget tool. This will help to make sure they   
stay safe.

### 4. NDIS Act

Council recommends that:

* the definition of reasonable and necessary supports stays the same;
* participants can review and appeal a plan budget decision under the NDIS Act; and
* key safeguards go into the Act.   
  For example, support for lifelong decision making and participants experiencing many disadvantages.

Disadvantage could be because of:

* gender;
* Aboriginal and Torres Strait Islander background;
* different language or culture;
* people who are LGBTIQA+;
* people requiring complex support.

### 5. Quality of independent assessments and Personalised Budget Tools

Council and its Reference Groups want to make sure that assessors and their assessment tools work well and continue to improve.

Council will:

* make sure assessors meet the high standards set by their professions;
* begin to develop an NDIA independent assessment tool kit; and
* get information, ask questions and make recommendations to improve the Personalised Budget Tool.

Council recommends that there is a review after 2 years of independent assessments.

The review will:

* be independent; and
* show how independent assessments have affected people with disability and their plan budgets.

There should be another review after 5 years.

### 6. Relationship with the disability community

There should be a partnership agreement between:

* the NDIA;
* Council; and
* Disability Representative Organisations.

The partnership agreement should outline what everyone can expect when working together.

The NDIA and Council should have a plan for issues they will work together on. This includes Scheme reforms of:

* independent assessments;
* the development of the plan budget;
* planning;
* strengthening choice and control;
* decision support;
* budget flexibility with support; and
* home and living.

The NDIA needs to have:

* a strategy to build contemporary supports;
* a Local Area Coordination strategy; and
* a plan for how the NDIS will be sustainable.

The Government should recognise the NDIA’s commitment to work with the disability community. It is important in addressing financial problems of the Scheme. The NDIA will need more money to be able to do this.

### 7. Provider practice

Council recommends that the NDIA:

* makes sure providers have pathways from group homes to mainstream community living options;
* makes sure there are services where they need to be, e.g., in remote areas; and
* encourages participants to choose a wider range of service providers.

Council recommends that the NDIS Commission hears from more participants. This will show providers what good practice looks like.

The NDIS Commission needs to say what it requires from providers including that they:

* do not provide whole of life services;
* make sure Supported Independent Living providers do not also provide support coordination;
* use models of service that lead to good outcomes;
* must help participants to achieve outcomes; and
* give more jobs to people with disability.

## The way forward

Council recommends that the NDIA talk to the Minister, and Disability Reform Council.

They should discuss seeking:

* more money from state and territory governments toward the NDIS;
* a promise to keep the NDIS as an insurance agency with an independent Advisory Council;
* a strong National Disability Strategy. Making sure that
  + is designed and monitored by National and State Disability Councils; and
  + reports to Parliament and the Australian people on the achievement of measurable outcomes;
* sets aside 1% of the total NDIS budget each year for people and services that are not part of the NDIS;
* a promise to review responsibilities of the NDIS. Making sure decisions about who funds supports is in the best interest of the individual; and
* a strategy that helps more people with disability into open employment.