

- Approximately 40% of NDIS participants have disabilities that impact on their decision making capacity and concerns had been expressed that there is inadequate support for decision making.
- In 2016, the IDRG reviewed literature, research and practice to guide the Agency in fulfilling its obligations. Advice to the NDIA Board was adopted but no action was taken.
- What should we do?

The IAC recommends that the Agency work with members of the IAC to develop and roll out an NDIS support for decision making approach that meets NDIS obligations and aspiration to provide “real choice”

The NDIS has a clear obligation to provide participants with effective support for decision-making

- UNCRPD Articles 3 and 12 establish the right to support in decision making.
- The NDIS Act states that people with disability must be supported to exercise choice.
- Choice is important to empowering participants to become informed consumers and an indicator of market success in the NDIA Corporate Plan 2018-22.
- In practice, people without disability make decisions on behalf of participants.
- In 2016, the NDIA Board adopted advice from the IDRG and committed to co-design an NDIS support for decision-making approach. No action was taken.

Currently, the Scheme lacks a formal consistent approach for ensuring that participants receive support for decision-making that is appropriate for their unique circumstances and decision supporter.

- Effective support depends on age, circumstances and availability and quality of informal decision support.
- Research demonstrates that with support, a person’s capacity and confidence to make decisions increases.
- Many NDIS participants miss out on effective decision support: the exact number is unknown because the NDIA does not assess quality of available decision support.
- NDIA expectations that LACs, planners and Support Coordinators provide support for decision-making is often not realized in participants actually making decisions or building their capacity to make decisions.
- While potential options exist to support decision-making in the NDIS, they are not functioning consistently

The NDIS should take steps to develop, operationalise and implement, an approach that meets the obligation to provide support for decision-making in an effective and sustainable way.

1. Endorse the proposed framework for support for decision making across the NDIS
2. Operationalise the framework:
 - a) Develop and roll out an organizational capability including strategies to mitigate risks
 - b) Commission services in the ILC that build awareness and capability for family, friends and carers to support people with disability to make decisions
 - c) Develop requirements for Support Coordinators in working with participants to support decision making
 - d) Adjust the intent, description and price of the item *Assistance with decision-making, daily planning and budgeting* to a price reflective of the skill base and time components required.
3. Implement and monitor including continuing to innovate and measuring long term impact