



SENATOR THE HON MITCH FIFIELD
ASSISTANT MINISTER FOR SOCIAL SERVICES

MN14-001114

20 FEB 2015

The Hon Mal Brough MP
Chair
Joint Standing Committee on the National Disability Insurance Scheme
PO Box 6022
House of Representatives
Parliament House
Canberra ACT 2600

Dear ~~Mr~~ ^{Mal} Brough

I am writing to you about the Australian Government's Response to the Progress Report of the Parliamentary Joint Standing Committee on the National Disability Insurance Scheme (NDIS).

I would like to note that the Government welcomes the recommendations of the Committee. The report highlights that when implemented and delivered successfully, the NDIS will deliver economic benefits and acknowledges that it is a significant complex reform. The report also highlights the significant achievements of the National Disability Insurance Agency (NDIA) in delivering the trials in a very short timeframe, and the positive impact that the NDIS has had on the lives of thousands of vulnerable Australians.

I acknowledge that the Committee has identified a number of areas where implementation, communication and administration needs to improve. The NDIA and the Department of Social Services will be working through these issues in consultation with states and territories, as well as people with disability, their families and carers.

My thanks to you, in your capacity as Chair of the Committee, and the other Committee members for this Progress Report. I welcome further feedback from the Committee on the implementation and administration of this significant social policy reform.

Please find enclosed a ~~copy~~ of the Government's Response to the Progress Report.

Yours sincerely

MITCH FIFIELD

Encl.

19/2/15



Australian Government

Australian Government response to the
Joint Standing Committee on the National Disability
Insurance Scheme report:

Progress Report on the implementation and administration of
the National Disability Insurance Scheme

OCTOBER 2014

Government Response
Joint Standing Committee on the National Disability Insurance Scheme

Progress Report on the implementation and administration of the National Disability Insurance Scheme

The Australian Government welcomes this report and recognises the important and ongoing work of the Joint Standing Committee on the National Disability Insurance Scheme (NDIS) in reviewing the implementation and administration of the NDIS.

The Government is committed to the full, nationwide rollout of the NDIS. This is a complex and challenging initiative and the Government is determined to ensure that it is sustainable into the future. When delivered, it will address the chronic unmet needs of people with disability, their families and carers. There are important lessons to be learned following the first year of the operation of the trial sites, which is why the Productivity Commission recommended that the Scheme be rolled out progressively. The Board of the National Disability Insurance Agency (NDIA) and all governments remain committed to monitoring trends within the Scheme closely to ensure that the lessons learned are reflected in the final design of the Scheme.

Response to the Joint Standing Committee's Progress Report

The Government agrees, or agrees in-principle, to all of the recommendations made by the Committee.

The NDIA actively participated in public hearings held by the Committee leading up to publication of the progress report and has already started work to address many of the recommendations.

The Committee has made several recommendations that will involve further consultation and negotiation with State and Territory Governments. Consistent with current and long-standing arrangements, these will be addressed under the auspices of the Council of Australian Governments Disability Reform Council. All Australian Governments continue to work closely together to ensure that the Scheme is delivered in a timely, effective and efficient manner.

Government Response to the Joint Standing Committee on the National Disability Insurance Scheme

Recommendation		Government Response
1.	<i>The committee is concerned about the number of NDIS plans that appear not to have been activated and recommends that independent work be undertaken to establish the veracity of the evidence that plans have not been activated and what the causes and consequences this may have on the Scheme.</i>	<p>Agree</p> <p>The NDIA has completed a review of plan activations and implementation issues. The NDIA will be implementing the findings of the review in trial sites, including the implementation of new processes and resources, to be completed by June 2015. The NDIA will also be undertaking an internal audit of provider acquittal processes and procedures, to be completed by September 2015.</p>
2.	<i>The committee heard evidence that 'gaps in service' have been identified in each of the trial sites. The committee recommends that further work be undertaken by the Independent Advisory Council which is well-placed to identify and inform the Agency about where there are gaps in service and possible options for addressing these shortfalls.</i>	<p>Agree</p> <p>The Government acknowledges that this is a key challenge for implementation of the Scheme across trial sites. The NDIS Board has asked the Independent Advisory Council to undertake this work, to be completed by early 2015.</p>

Recommendation	Government Response
<p>3. <i>As people transition to the NDIS, the committee is cognisant of the need to assist people develop the necessary skillsets to enable them to successfully move into the workplace environment and participate in the workforce, where possible. The committee recommends that work be conducted through the relevant Commonwealth departments of education and employment to assess what is and can be done to help participants make these choices. The committee also recommends working with employers to appraise issues concerning disability discrimination in the workplace, and remove barriers through education and reform to better integrate NDIS supports.</i></p>	<p>Agree in-principle.</p> <p>The Government is committed to improving the employment participation of people with disability. Initial work has started on developing more effective ways of assisting people with disability to transition from early childhood, through schooling and higher education, and into meaningful participation in the workforce.</p> <p>There is also a range of current programs that are designed to help people with disability to develop, improve and apply their skills and to achieve a sustained employment outcome. This includes Australian Apprenticeships, Australian Disability Enterprises, employment support information for people with disability at the JobAccess website, and information about assistance with study and training through the Study Assist website.</p> <p>There is also the assistance available through Disability Employment Services providers, who directly help people with disability to find and keep a job, as well as working with employers to improve their ability to recruit and retain people with disability in their workplaces.</p>
<p>4. <i>The committee recommends that as part of the planning process, NDIA implement a process similar to normal insurance industry practices, where participants are provided with: clear disclosure documentation (about the planning process that includes reference to the 'no disadvantage test'); a written draft plan; incorporates a 'cooling-off' before a package is agreed; and requires participants to sign their final agreed plans. The committee believes that this is a fundamental element of the original intent of the policy to empower and provide choice to people with a disability in the National Disability Insurance Scheme.</i></p>	<p>Agree in-principle</p> <p>The Government supports providing participants with a written plan. As detailed in the NDIA's response to the Progress Report; however, the introduction of a 'cooling-off' period may imply that the agreement of a package is a final 'locking-in' of supports when this is not the case. NDIS plans are not locked in and can vary as the circumstances of an individual change. This can mean the supports that are funded could reduce or increase over time.</p> <p>The Government is also committed to improving the clarity of information provided to participants during the planning process to aid and improve understanding.</p>

Recommendation	Government Response
<p>5. <i>Based on the evidence received on trans-disciplinary packages, the committee recommends that the Agency undertake a review of the current arrangements regarding trans-disciplinary packages, in particular, the operational guidelines and advice and training it provides to its planners. This review should encompass and be informed not just by clinical experts and researchers, but it should also consult participants, carers and providers.</i></p>	<p>Agree</p> <p>The Government supports improvements to the way that trans-disciplinary packages are developed and administered. Consistent with this recommendation of the Committee, the NDIA will undertake a review of trans-disciplinary packages for completion by the middle of 2015.</p>
<p>6. <i>The committee notes the importance of the role of advocacy services in ensuring quality plans and supporting participants in the planning process. The committee recommends that certainty regarding the role and support for advocacy services in the NDIS be urgently resolved through the Ministerial Disability Reform Council.</i></p>	<p>Agree in consultation with jurisdictions</p> <p>The Government notes this recommendation of the Committee and can advise that the Ministerial Disability Reform Council has considered these issues and that further work will be undertaken on the relationship between the NDIS and advocacy in early 2015, including a review of the National Disability Advocacy Framework.</p>
<p>7. <i>The committee recommends that the National Disability Insurance Agency implement a system whereby its website is renewed on a systematic basis, alerting the public to changes in its online documentation. The list of changes— with links to the documents—should be able to be accessed easily. Urgent changes—such as a change to price lists—should be communicated under a 'News Flash' item on the NDIA's website.</i></p>	<p>Agree</p> <p>The Government agrees with the Committee that the accessibility of information about the Scheme can be improved. The NDIA has put in place immediate improvements to its website with a further redesign of existing web resources to be completed by early 2015.</p>
<p>8. <i>The committee recommends that the National Disability Insurance Agency publicise details about its internal systems for receiving and responding to feedback. The key performance indicators should be publicly listed and the Agency's performance against each indicator should be provided at regular intervals on the NDIA's website and in its Annual Report. The public should also be able to compare data sets over time.</i></p>	<p>Agree</p> <p>The NDIA has publicised its Participation Feedback and Participation Strategy on its website. The NDIA has engaged a contractor to revise its Service Charter to reflect clear service standards and expectations by early 2015.</p>

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<p>9. <i>The committee commends the National Disability Insurance Agency (NDIA) for the survey results it has achieved to date. To improve the transparency and integrity of future survey results, the committee recommends that the NDIA consults with the Australian Bureau of Statistics Statistical Clearing House about the design and methodology of surveys to ensure that they are fit for purpose and consistent with best practice survey design principles. The NDIA should publish the methodology of surveys on its website and in its Quarterly Reports to the Ministerial Disability Reform Council.</i></p>	<p>Agree</p> <p>The Government supports improving the transparency and integrity of survey results. The NDIA is currently developing an Outcomes Measurement Framework that will use a new survey methodology to measure progress towards Scheme goals. This work is expected to be completed by early 2015. The next quarterly sustainability report will include information about current survey methodology. The NDIA will formally consult the ABS.</p>
<p>10. <i>The committee recommends that the National Disability Insurance Agency develop a systematic way of gathering qualitative feedback from National Disability Insurance Scheme (NDIS) participants and carers of NDIS participants. Careful thought should be given to ensuring a broad cross-section of feedback, encouraging views from people from non-English speaking backgrounds.</i></p>	<p>Agree</p> <p>The Government notes the recommendation of the Committee with regard to improving the collection of qualitative feedback. The NDIA is working on a systematic way of collecting qualitative data from participants, their carers and their families under the National Quality Action Plan.</p> <p>The NDIA is also ensuring that its communication strategies take into account the needs of people from culturally and linguistically diverse backgrounds.</p>
<p>11. <i>The committee recommends that the Agency continue to ensure greater representation of people with disability in its staffing profile, particularly in the planner role.</i></p>	<p>Agree</p> <p>The Government endorses this recommendation of the Committee and improving the employment of people with disability across the Australian Public Service (APS) more broadly.</p> <p>The NDIA's staffing profile has 10.94% of ongoing employees identifying as having a disability, comparing favourably to the overall proportion of ongoing APS employees with disability of 2.9%. In addition, 53% of NDIA staff identify as having lived experience of disability (which may include, for example, experience as a carer of a person with disability). The NDIA has an ongoing commitment to improving its attraction, recruitment and retention of people with disability across the organisation, particularly into Planner and Local Area Co-ordinator roles.</p>

Recommendation	Government Response
<p>12. <i>The committee recommends that the National Disability Insurance Agency develop and implement an information campaign to inform and assist young people living in residential nursing homes in the trial sites of the process for applying to become a participant with the NDIS.</i></p>	<p>Agree</p> <p>The Government acknowledges the need to improve the way that information about the Scheme is communicated to young people in nursing homes. The NDIA has consulted with peak bodies and other stakeholders to identify and implement improvements to access and equity for this group of participants. Improvements were put in place at the end of December 2014.</p>
<p>13. <i>The committee recommends that all future bilateral negotiations and amendments to transitional arrangements are finalised and publicised well in advance of commencement dates to ensure and provide confidence and certainty for all stakeholders.</i></p>	<p>Agree in consultation with jurisdictions</p> <p>The Government notes the recommendation of the Committee with regard to bilateral negotiations. The Ministerial Disability Reform Council has agreed that every effort will be made to ensure that bilateral agreements are finalised at least six months in advance of commencement dates to ensure that there is time to publicise the arrangements, noting that final decisions will be made by the Council of Australian Governments.</p>
<p>14. <i>In accordance, with the progressive roll-out of the NDIS to remote Indigenous communities, the committee recommends that governments work together through the Ministerial Disability Reform Council to consider adopting an approach, in consultation with the appropriate Indigenous organisations, to phase in all NDIS-eligible persons at the same time in each community.</i></p>	<p>Agree in consultation with jurisdictions</p> <p>The Government acknowledges the particular needs of remote Indigenous communities in relation to roll-out of the Scheme.</p> <p>The Ministerial Disability Reform Council has agreed that negotiations for bilateral agreements will consider phasing in of all NDIS-eligible participants in a remote community at the same time, in consultation with the appropriate Indigenous organisations and stakeholders.</p>
<p>15. <i>The committee recommends that the Ministerial Disability Reform Council expedite roles and responsibilities and any funding arrangements for Tier 2 services. The committee commends the attitude and direction that the South Australian Government is taking in its involvement with Tier 2 and the sector, and recommends that states and territories adopt this approach.</i></p>	<p>Agree in consultation with jurisdictions</p> <p>The Government notes the recommendation of the Committee with regard to arrangements for Tier 2 services. The Disability Reform Council endorsed a policy framework on the provision of NDIS information, linkages and capacity building supports (formerly known as Tier 2) for consultation in early 2015..</p>

Recommendation	Government Response
<p>16. <i>The committee is aware that there is currently a shortfall in the number of workers in the disability sector, particularly in professional roles. It is aware of research that the number of full time disability sector workers will need to increase substantially to meet demand by full Scheme in 2018. The committee recommends that a workforce strategy be developed under the auspices of the Ministerial Disability Reform Council that identifies the issues, challenges, options and recommendations to meet demand.</i></p>	<p>Agree in consultation with jurisdictions</p> <p>The Government notes this recommendation of the Committee and recognises the importance of developing the disability workforce. This matter is being progressed and an integrated approach to market, sector and workforce will be considered by the Ministerial Disability Reform Council in early 2015.</p>
<p>17. <i>The committee recommends that the National Disability Insurance Agency assist prospective and actual participants in building the necessary skills and knowledge to manage their own support package. Workshops should be available for participants who are seeking information on self-managing their plan. The committee believes that promoting self-management of plans will provide participants with choice and control which should in turn lead to greater innovation and responsiveness from service providers.</i></p>	<p>Agree</p> <p>The Government agrees with this recommendation of the Committee. Participants who choose to self-manage their supports are assisted by the NDIA through support coordinators. Many participants in the Scheme choose to self-manage some elements of their support packages and for the NDIA to manage other parts and aspects.</p> <p>The NDIA Business Plan includes a commitment to a target of 5% of participants fully self-managing their plans and 40% of participants managing some elements of their plans. Progress against this target is included in quarterly reports to the Ministerial Disability Reform Council.</p> <p>The NDIA is also improving its information products about self-management of support packages for Scheme participants, and, consistent with the recommendation of the Committee, developing workshops for participants, their families and their carers. Workshops commenced in October 2014, with more scheduled in 2015, and the improved information products will be finalised by the end of March 2015.</p>