

Joint Standing Committee on the National Disability Insurance Scheme

ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: Written question on notice from the Joint Standing Committee on the National Disability Insurance Scheme.

Question reference number: IQ22-000030

Senator: Libby Coker

Type of Question: Written.

Date set by the Committee for the return of answer: 21 October 2022

Question:

The committee resolved to seek an update on the progress of recommendations made by the former committee in the previous Parliament. As such, the committee places the following question on notice:

The committee requests a tabulated summary of progress against all recommendations made by the committee in all of its reports tabled in the 46th Parliament. Where progress is ongoing, a timeline of implementation, including detail on what has been actioned and what is outstanding, should be provided. Where action is not being taken, a reason should be given. Where the new Government's approach differs from the previous Government, this should also be clearly explained.

Answer:

An Australian Government Response was tabled for the following two reports of the Joint Standing Committee on the National Disability Insurance Scheme (the committee):

- *Joint Standing Committee on the National Disability Insurance Scheme: NDIS Planning*; and
- *Joint Standing Committee on the National Disability Insurance Scheme: Supported Independent Living*.

The matrix at **Attachment A** provides an update against the recommendations made by the committee in these reports.

The Government is in the process of finalising responses to the reports released by the committee during the 46th Parliament to which there has not yet been an Australian Government response.

NDIS Planning				
Committee Recommendation		Government Resposne	Status	Update
1	The committee recommends that the National Disability Insurance Agency provide fully costed, detailed draft plans to participants and their nominees at least one week prior to their meeting with an official with the authority to approve the plan.	<p>Supported in principle</p> <p>The Government recognises the importance of providing participants with access to information about their plans prior to their planning meeting. Having a draft plan in advance is an important mechanism to ensure decision-making processes are transparent and for keeping the participant at the centre of the planning process, enabling the participant to consider how they might best use their plan funding to meet their goals and aspirations. The NDIA is reviewing feedback from the national consultation on a new approach to planning, which will be underpinned by the introduction of independent assessments later in 2021. Under the proposed new approach to planning, all participants will receive a costed, draft plan prior to their planning meeting with an NDIA delegate. The NDIA delegate will have authority to approve the overall plan budget, enabling the plan budget to be quickly considered and approved - removing an administrative step in the process that might otherwise delay the funding of appropriate supports. The draft plan will be provided to participants with sufficient time for them to consider how they could use their plan prior to a planning meeting. The feedback received during the consultation process will help inform the development of the new approach to planning and the policy, legislative and operational design for the use of independent assessments. Timeframes for certain NDIA administrative processes, such as approving a plan, will be legislated in the Participant Service Guarantee later in 2021.</p>	Ongoing	<p>The Government recently committed to review the design, operation and sustainability of the NDIS, bringing forward the planned 2023 independent review of the Scheme. The review will also consider how to ensure the NDIS market and workforce is responsive and capable of supporting the delivery of quality and safe NDIS services. The review will consider all available evidence, and look at benefits of the Scheme, as well as problems inside and outside the NDIS. The review findings will guide state and territory and Australian Government on priority areas for improving the scheme.</p> <p>With the launch of the NDIA's new ICT system in Tasmania in November 2022 the NDIA will also be a change to the planning process by implementing a Plan Approval Meeting. Under the new approach to planning, all participants will meet directly with the NDIA delegate who has the authority to approve the overall plan budget, enabling the plan budget to be quickly considered and approved. During the Plan Approval meeting the NDIA delegate will be able to explain decisions made in approving the plan budget. These decisions will be followed up in writing as part of the plan approval process, with clear links to the evidence used in making that decision.</p> <p>In addition, the NDIA's new ICT system has built in the functionality to track all cases, including Plan Approvals, against Participant Service Guarantee commitments and escalate where service commitments are at risk of being missed. This increased visibility in the NDIA's new ICT platform will assist improve the participant experience greatly. In subsequent releases in 2023, the participant will be able to track the progress of their requests, including the plan approval, through their participant portal.</p> <p>After testing these approaches in Tasmania and making any necessary changes to improve functionality, the NDIA will commence national rollout of these changes and the new ICT</p>
2	The committee recommends that the Australian Government implement Recommendation 3 of the <i>Review of the National Disability Insurance Scheme Act 2013</i> (the Tune Review).	<p>Supported in principle</p> <p>The Government agrees with the intent of Mr Tune's recommendations in relation to ensuring participants are supported to navigate the NDIS. The Government and NDIA have committed resources to improve the participant pathway. For example, from mid-2021, free independent assessments will be a key input used for NDIS access decisions for disability support or early intervention. From late 2021, independent assessments will also be a key input informing the value of a participant's plan budget, allowing planning conversations to focus on supporting participants to make the best use of their funding to meet their needs and pursue their goals and aspirations. By making independent assessments free, the Government is removing the financial burden of gathering evidence of functional capacity needed to access the NDIS, and ensuring participants have the right assessments to inform access, planning and review decisions. This will ensure all participants, or potential participants, are provided equal opportunity in the NDIS.</p>	Ongoing	<p>The Government recently committed to review the design, operation and sustainability of the NDIS, bringing forward the planned 2023 independent review of the Scheme. The review will also consider how to ensure the NDIS market and workforce is responsive and capable of supporting the delivery of quality and safe NDIS services. The review will consider all available evidence, and look at benefits of the Scheme, as well as problems inside and outside the NDIS. The review findings will guide state and territory and Australian Government on priority areas for improving the scheme.</p>
3	The committee recommends that the National Disability Insurance Agency provide caregivers, where they are involved in the planning process, with written information about the types of supports that the National Disability Insurance Scheme can fund to sustain caring arrangements.	<p>Supported</p> <p>The NDIA has an important role to assist families and carers of people with disability to identify, and in turn engage with or strengthen supports that assist them to maintain their caring roles. The supports they provide their loved one with disability is critical for the facilitation of outcomes of economic and social independence and the pursuit of goals and aspirations. The Government recognises carers of persons with disabilities should be given access to information about the types of supports available to sustain caring arrangements. The NDIS website already provides written information for carers about the types of NDIS supports available to sustain informal supports, as well as links to external websites such as Carers Australia and the Carer Gateway, where carers can access detailed information about the NDIS planning process. In addition, Partners in the Community can provide information about respite and other supports to sustain informal supports to participants, their representatives and carers throughout the planning process. Partners in the Community can also support participants and caregivers to link with mainstream services, such as the Carer Gateway. The NDIA will consider the effectiveness of these products in promoting information on supports available to carers, and take into account the implementation of the new planning approach, before considering whether further administrative processes are necessary.</p>	Complete	<p>The NDIS website provides written information for carers about the types of NDIS supports available to sustain informal supports, as well as links to external websites such as Carers Australia and the Carer Gateway, where carers can access detailed information about the NDIS planning process.</p> <p>The Government's total commitment for carer services is over \$770 million over four years to 2024-25. Total funding for Carer Gateway service providers is \$636.4 million from 2019-20 to 2023-2024.</p>

NDIS Planning				
	Committee Recommendation	Government Resposne	Status	Update
4	The committee recommends that the National Disability Insurance Agency develop, publish and implement a strategy to better support people providing informal supports to participants, particularly caregivers and immediate family members.	<p>Noted</p> <p>The Government recognises the importance of supporting families and carers, and aims to ensure that carers of all Australians, irrespective of whether they care for people who are NDIS participants, are supported to access the assistance they require to fulfil this important caring role. 4 The NDIA has worked with Carers Australia to develop internal guidance for NDIA planners and Partners in the Community to support improved outcomes for participants, families and carers by ensuring all planning staff understand the valuable role played by caregivers and families. This detailed guidance to NDIA planners, Partners in the Community and Early Childhood Partners (EC Partners) highlights the importance of sustaining informal supports, the types of NDIS supports available and tips on how to interact with and support carers in planning meetings. The Government has also recently invested more than \$700 million over five years for carer support services through the introduction of Carer Gateway. The new network of Carer Gateway service providers commenced on 6 April 2020, and places greater emphasis on early intervention and prevention, helping carers access supports and navigate relevant and local services through federal, state and local government and non-government providers, such as My Aged Care and the NDIS.</p>	Complete	Additional to the internal NDIA guidance to support all planning staff understand the valuable role played by caregivers and families. The NDIA is committed to providing a transparent service to participants and those supporting them. As part of this commitment the NDIA publishes on its website information about how the NDIS can support families and carers here: www.ndis.gov.au/understanding/families-and-carers/how-we-can-help-carers
5	The committee recommends that the National Disability Insurance Agency assign specialised planners to participants who are hospitalised to assist with a smooth transition from hospital to home that enables the participant to access the supports that they need.	<p>Supported</p> <p>The Government is committed to supporting NDIS participants to transition from hospital as soon as practicable with the necessary supports in place. By the end of December 2020 the NDIA had deployed 24 Health Liaison Officers (HLOs) nationally to improve outcomes for participants and potential participants in health settings, including hospitals. HLOs share their understanding of the NDIS with targeted health services to ensure prospective and existing NDIS participants are supported in their interactions with NDIA and maximise their NDIS outcomes. HLOs also work closely with existing health services to ensure the NDIS access process is clear and understood, in order to support timely hospital discharge. In addition, the NDIA provides dedicated planners for those participants whose support needs are complex and require specialist planning expertise. During the COVID-19 pandemic the NDIA implemented a streamlined approach to hospital discharges where a participant required access to Specialist Disability Accommodation (SDA) if they were eligible. The NDIA has retained this streamlined approach. Under the new approach, HLOs work closely with participants and the SDA sector to match participants with appropriate accommodation vacancies, if eligible, and expedite the planning process, including by identifying opportunities to rent or hire assistive technology from state and territory equipment schemes to reduce wait times.</p>	Complete	<p>The NDIA has deployed 33 Health Liaison Officers nationally, with an additional 7 to commence by the end of September 2022, to improve outcomes for participants and potential participants in health settings, including hospitals.</p> <p>The NDIA has appointed a senior official to oversee operational hospital discharge-related matters within the Agency.</p> <p>The NDIA developed the Hospital Discharge Operational Plan. As part of the implementation of the plan, the NDIA has been meeting with state and territory health and disability departments and with hospitals and mental health services across Australia to understand local issues further impacting hospital discharge.</p> <p>The Statement of Intent sets out the minimum standards under which the NDIA should operate, by specifying key performance indicators for contacting participants and creating NDIS plans for those in hospitals once the NDIA is informed of their admission. In response, the NDIA developed the Hospital Discharge Operational Plan as the vehicle to implement the Statement of Intent. Disability Ministers noted the Operational Plan in July 2020. A progress update was provided to Disability Ministers on 9 September.</p>

NDIS Planning				
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6	<p>The committee recommends that the Commonwealth, states and territories, through the appropriate inter-governmental forum, consider the appropriate division of responsibility for the funding of supports for participants in the criminal justice system.</p>	<p>Noted The Government is committed to ensuring the Applied Principles and Tables of Support (the Applied Principles, or APTOS) are applied consistently across the NDIS service system. As agreed by all governments, the APTOS set out the agreed division of service roles and responsibilities between the NDIS and other service systems, including criminal justice systems. 5 Building on the APTOS, the Commonwealth, in agreement with states and territories, has implemented the following improvements to clarify the justice/NDIS interface: • Recruited 14 Justice Liaison Officers (JLOs) to assist justice personnel in custodial settings understand the NDIS pathway. JLOs also provide guidance to ensure potential and existing NDIS participants who are approaching release have appropriate NDIS supports in place when they transition back to the community; • Undertaken awareness raising activities of NDIS and justice systems roles and responsibilities; • Developed a national process map with the intention of providing greater transparency regarding NDIS timeframes and justice agency touch points to improve planning and implementation of supports; • Introduced an Information Sharing Protocol in December 2019 to assist with the delivery of protected information, both with and without the consent of the person to whom the information relates, where to do so is in the public interest; • Developed formal data sharing agreements; • Rolled out an NDIA strategy to strengthen relationships between Aboriginal and Torres Strait Islander justice settings; and • Commenced improving data on justice settings through linkages of Commonwealth and state data in the National Disability Data Asset. The Commonwealth, states, and territories continue to work together on the remaining actions in progress. For the avoidance of doubt, all governments have agreed that states and territory criminal justice systems continue to be responsible for meeting the needs of people with disability while they are in detention and for reasonable adjustment in such settings. Supports, above reasonable adjustments made by the criminal justice systems, may be funded by the NDIS and accessed by the participant during their incarceration.</p>	Ongoing	<p>The Australian Government is committed to working with state and territory governments to ensure the effective operation of the interface between the criminal justice system and the NDIS, to improve outcomes for NDIS participants with complex disability support needs. Disability supports provided by the NDIS complement, but do not replace, the obligations of state and territory governments for meeting the needs of people with disability while they are in detention. Significant collaborative work has been undertaken and implemented by the Commonwealth and all states and territories to improve system integration at the NDIS and criminal justice system interface. This work primarily identified that a local operational response, rather than system policy reform, best addresses unique, individualised and complex cases as they arise. The NDIS Review will provide another opportunity to examine and improve the interaction between the NDIS and other systems, including mainstream services delivered by states and territories.</p>
7	<p>The committee recommends that the National Disability Insurance Agency develop, publish and implement a strategy for engaging with participants in custody to ensure that these participants: are not unfairly disadvantaged in planning, and are assigned to planners who have the expertise to work with them.</p>	<p>Noted The NDIA has committed resources to overcome the challenges custodial settings present for supporting people with disability to navigate the NDIS, while appreciating the clear state and territory responsibility for criminal justice settings as set out in the APTOS. This includes the introduction of JLOs in all jurisdictions, undertaking awareness raising activities, and better promotion of standard practices and information sharing in the criminal justice space. In addition, the NDIA is developing an external resource, Our Guideline - Justice System. This guideline will explain how the NDIA supports participants in the justice system, and include guidance on both applying to become an NDIS participant or remaining as an NDIS participant. It will have information about the typical supports participants can expect from the NDIS while in the justice system and how planning will occur if they are leaving a custodial setting. This guideline is due for publishing before 30 June 2021. 6 The Government has also commissioned independent research to examine the most effective methods and processes for identifying and assessing disability among Aboriginal and Torres Strait Islander prisoners in all jurisdictions. The final report is expected to be provided to Government in mid-2021, and will provide valuable understanding of this cohort and how to effectively support them in the custodial setting and reintegrate into the community.</p>	Ongoing	<p>The National Disability Insurance Agency has introduced 's Justice Liaison Officers (JLOs) who operate across state and territory criminal justice systems to streamline NDIS participants' and prospective NDIS participant's pathway through the NDIS and justice interfaces. This includes supporting people within custodial settings to seek access the NDIS, as well as access to more specialised support as required to support a streamlined transition for NDIS participant's from custodial settings and access to therapeutic and other supports in the community.</p> <p>The NDIA has created and implemented a number of operational guidelines in June 2022, relevant to participants involved with the justice system setting.</p> <p>The NDIA is working collaboratively with NDIS participants, their families and carers and with the disability community to design and implement processes that enable the NDIA to make better decisions. This will improve participant experiences and outcomes and maintain the sustainability of the NDIS.</p>

NDIS Planning			
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8	<p>The committee recommends that the National Disability Insurance Agency publicly report on its progress in implementing the strategy outlined in Recommendation 7.</p>	<p>Noted The Government recognises the importance of timely and accurate data collection on participants in the justice system. Improved interface and data sharing between ND IS and state and territory justice systems are being negotiated and defined, in line with Commonwealth, state and territory disability ministers' agreed timeframes. Once improved data collection is available, the NDIA will determine what data (quantitative and qualitative) to include in its comprehensive Quarterly Reports to disability ministers.</p>	<p>Ongoing</p> <p>Australia's Disability Strategy 2021-2031 (the Strategy) sets out where governments across their portfolios will focus on improving outcomes for people with disability over the next 10 years. The Strategy provides Australia's national overarching policy framework to improve outcomes for all people with disability.</p> <p>The 5 TAPs launched with the Strategy, on 3 December 2021, are:</p> <ul style="list-style-type: none"> • Employment Targeted Action Plan • Community attitudes Targeted Action Plan • Early childhood Targeted Action Plan • Safety Targeted Action Plan • Emergency management Targeted Action Plan <p>The Safety TAP sets out the key actions to strengthen system design and supports to enable people with disability to receive high quality and safe services. There are 132 actions in the Safety TAP, the Australian, state and territory governments have all provided actions for this TAP. It includes actions that support the identification of people with disability at risk of harm, that considers how to better align national legislation and policy, and to improve services and resources that support people at risk, including people with disability in the justice system. Reporting against the Targeted Action Plans will be produced annually on a financial year basis. High-level reporting will cover the implementation of the Targeted Action Plans, actions and successes, other key steps taken or planned, and overall status. It will be coordinated by the Australian Government. The first annual report on the TAPs is due to be released in October 2022 and covers the period 3 December 2021 to 30 June 2022.</p>
9	<p>The committee recommends that the National Disability Insurance Agency provide further training for planners about how participants can access services outside the National Disability Insurance Scheme.</p>	<p>Supported The Government recognises the importance of ensuring NDIS participants can access mainstream and community supports. The introduction of independent assessments from 2021 will enable Partners in the Community to shift from being involved in planning discussions to focus on advising people with disability and their families and carers on available mainstream and community supports and assisting them to connect with these services. This coordination and facilitation role was originally proposed by the Productivity Commission in its 2011 Disability Care and Support Inquiry Report. In anticipation of this shift in approach, the NDIA is delivering a new starter capability and development program to the Partners in the Community, which includes a topic on innovative integration of informal, community & mainstream supports to support participants to realise their goals. The NDIA will work closely with its Partners in the Community throughout the rollout of the new approach to planning to ensure they have the required skills and capabilities.</p>	<p>Complete</p> <p>Under the Strategy, Targeted Action Plans (TAPs) apply an intensive focus over one to 3 years to achieve specific deliverables which improve outcomes for people with disability.</p>
10	<p>The committee recommends that the Australian Government ensure that the resourcing for the National Disability Insurance Agency and its Partners in the Community is sufficient to enable planners to collaborate effectively with different service systems throughout the planning process.</p>	<p>Supported In the 2020-21 Budget, the Government announced it will support expenditure of an additional \$709.5 million over three years to the NDIA for work to improve flexibility, consistency and certainty for NDIS participants in response to the Tune Review and to support continued efforts to improve the participant experience. This funding will also ensure recent improvements to reduce NDIS wait times are maintained and the NDIA and the Partners in the Community are appropriately staffed to ensure positive experiences for every person with disability. 7 The Government has and will continue to monitor and adjust resources to meet the needs of the NDIS and the people it supports.</p>	<p>Complete</p> <p>Each TAP is commissioned and endorsed by disability ministers and includes a series of targeted and coordinated actions from governments. Actions are based on available evidence and people with disability are involved in the implementation of the actions.</p>

NDIS Planning			
Committee Recommendation	Government Resposne	Status	Update
11	The committee recommends that the National Disability Insurance Agency require planners to provide, in planning meetings, personalised material that outlines how the participant could access supports that the National Disability Insurance Scheme will not fund on the basis that the support is available in another service system.	Supported The Government supports participants being provided with personalised information about how they can most effectively use their plan funding to meet their needs and help pursue their goals and aspirations. This includes identifying how to access mainstream and community supports provided outside the NDIS. Coordination of NDIS supports with mainstream services is currently undertaken by NDIA staff, Partners in the Community, Early Childhood Partners or NDIS-funded support coordinators, who work with participants to ensure the supports in their plans, including mainstream supports, are meeting their needs. The introduction of independent assessments and plan flexibility from 2021 will refocus the Partner in the Community role towards plan implementation, including connection and coordination with mainstream services. To support plan implementation in the future, the NDIA will improve its materials to help participants know how to best use NDIS funds, and to access mainstream services and supports not covered by the NDIS. This shift is in line with the original Productivity Commission design of the NDIS.	Ongoing The Government recently committed to review the design, operation and sustainability of the NDIS, bringing forward the planned 2023 independent review of the Scheme. The review will also consider how to ensure the NDIS market and workforce is responsive and capable of supporting the delivery of quality and safe NDIS services. The review will consider all available evidence, and look at benefits of the Scheme, as well as problems inside and outside the NDIS. The review findings will guide state and territory and Australian Government on priority areas for improving the scheme. The release of the NDIA's new ICT system in Tasmania in November 2022 is also introducing two adjustments to business processes to support participants in this area. The first is for new prospective participant who is interested in applying for the NDIS to be connected with Partners in the Community. The intent is to support prospective participants understand mainstream and community services available that help them achieve their goals and aspirations. This enables access to these services while a prospective participant goes through the process of applying for the NDIS. The second approach is the offer of a Plan Implementation meeting after the Plan Approval
12	The committee recommends that the Australian Government amend the <i>National Disability Insurance Scheme Act 2013</i> to clarify that where the CEO of the National Disability Insurance Agency (or their delegate) considers that a support would be more appropriately funded or provided through another system of service delivery or support services, the CEO must be satisfied that this support is in fact available to the participant and that they are likely to be eligible and able to access it.	Noted The NDIS is intended to complement, not replace, all the services and supports available to people with disability provided elsewhere in government or community. As outlined in the National Disability Strategy, ensuring inclusion of people in their community and enabling them to access the supports they need to realise their full potential is a shared responsibility of all governments, non-government organisations, business and the wider community. The complementary responsibilities of other service systems was reinforced in the Tune Review, which recommended legislative amendment to clarify that the NDIS is not the vehicle for funding all the supports a person with disability may need. The Government supports this recommendation of the Tune Review and will bring forward legislative amendment to confirm that the NDIS is not the default provider when other systems do not meet their responsibilities to provide supports for people.	Ongoing Recent amendments to the NDIS Act did not provide for amendments in respect of this recommendation. The Government has committed to review the design, operation and sustainability of the NDIS, bringing forward the planned 2023 independent review of the Scheme. The review will also consider how to ensure the NDIS market and workforce is responsive and capable of supporting the delivery of quality and safe NDIS services. The review will consider all available evidence, and look at benefits of the Scheme, as well as problems inside and outside the NDIS. The review will also consider the supports provided by other service systems. The review findings will guide state and territory and Australian Government on priority areas for improving the scheme.
13	The committee recommends that where the CEO of the National Disability Insurance Agency (or their delegate) is satisfied that a support is more appropriately funded or provided by another system of service delivery or support services, the National Disability Insurance Agency be required to provide written reasons for this view (and also in an alternative format where appropriate).	Noted On 28 August 2020, the NDIA released its new Participant Service Charter and Participant Service Improvement Plan, which sets out how the NDIA and its Partners in the Community will deliver participant service excellence and 51 tangible initiatives the NDIA will make to deliver a better experience. As set out in these documents, the NDIA has committed to giving participants clear reasons for decision-making, using consistent terms and definitions, to the maximum extent possible in the language and mode of communication with which the person with disability is most comfortable. The ND IA is also in the process of releasing more plain English resources and clearer guidelines and procedures, including revised Operational Guidelines, to help participants better understand NDIA policies and processes, including how it decided a support is most appropriately provided by another system of service delivery.	Complete The NDIA has implemented a Participant Service Guarantee, which publicly outlines the need to explain a decision made by the NDIS in 28 days. The NDIA must give reasons for reviewable decisions to each person who is directly affected by the decision (Section 100(1)), This change will provide greater transparency around the decisions we make.
14	The committee recommends that the Australian Government ensure that funding amounts for supports available under the National Disability Insurance Scheme are consistent with funding amounts under other Commonwealth schemes.	Supported in principle The Government acknowledges that current funding mechanisms, and resulting pncmg regulations, differ across programs such as aged care, disability, veterans care and other supports. This variation is expected as there are important differences in the policy objectives and settings of these programs. Participants and client cohorts that have different needs, different regulatory arrangements and service models are in place and there are different market systems and settings. Any comparison of prices between Commonwealth-funded schemes needs to take into account this broader range of factors and settings. Price setting in the NDIS is based on a detailed analysis of market conditions and the costs of delivering supports. Specified prices are developed in consultation with the sector and are grounded in an annual financial benchmarking survey in which all providers are able to participate. Regular consultations are also held with other funding schemes. The Government is committed to the continued development and refinement of the approach to regulation of the NDIS market, including price regulation. The objective of any further refinements will be to ensure the market operates as efficiently and effectively as possible in the delivery of innovative and high quality supports that enable participant independence, participation and inclusion.	Ongoing The 2021-22 Annual Pricing Review (APR) is now complete. The NDIS announced the new price limit for services from 1st July 2022 following the APR. The increase is designed to take into account several factors such as service costs and workforce pressures. In 2021, providers, participants, their families and carers, community, peak bodies and other sector representatives were invited to make a submission to the Review. The NDIA also led 12 working groups to look at each Consultation Paper topic. The working groups met between December 2021 and March 2022. The source is: https://www.ndis.gov.au/providers/pricing-arrangements/making-pricing-decisions/annual-pricing-review The Government has committed to review the design, operation and sustainability of the NDIS, bringing forward the planned 2023 independent review of the Scheme. The review will also consider how to ensure the NDIS market and workforce is responsive and capable of supporting the delivery of quality and safe NDIS services. The review will consider all available evidence, and look at benefits of the Scheme, as well as problems inside and outside the NDIS. The review findings will guide state and territory and Australian Government on priority areas for improving the scheme.

NDIS Planning			
Committee Recommendation	Government Resposne	Status	Update
15 The committee recommends that the National Disability Insurance Agency investigate ways in which each participant's plan could be shared, with the participant's consent, with their general practitioner.	Supported in principle The NDIA is undertaking a body of work to improve the online participant experience. This will include better interactions with the NDIA, such as a case management capability in the participant portal, which will enable participants to follow the progression of their requests throughout the planning process. The NDIA is also considering other improvements, and will consider Participant Plan sharing with others, including health practitioners, as part of this work. The NDIA will continue to consult with participants and stakeholders to inform and test future improvements.	Complete	NDIA developed and implemented an Information Sharing Protocol and updated the information publicly provided, to assist participants in providing consent for medical practitioners and others to access their information. Such consent forms are stored on the participant's file and can be rescinded at any time. The NDIA has committed to an increased digital experience and commenced work on designing online forms, and enhancing the website and portal. The way forms are accessed and completed are being designed as part of the NDIA's new ICT system, and is on track to be delivered at the end of 2022.
16 The committee recommends that the National Disability Insurance Agency publish clear and detailed information about its Technical Advisory Branch and expert teams on the National Disability Insurance Scheme website.	Noted The NDIA Technical Advisory Branch and associated teams have a broad team of internal subject matter experts with specialist clinical and technical expertise in various disability and health related fields that may consult with NDIA planners, Partners in the Community and delegates, when they are unsure about particular support types or what supports might be appropriate for a participant. These advisors may also assist a delegate to consult with allied health providers to better understand a participant's support needs and to gain information as required to ensure informed decisions can be made. These teams are internal enabling teams only, providing individual advice and practice guidance to assist NDIA planners, Partners in the Community and delegates to make informed and appropriate decisions regarding supports for participants. Staff in these teams are not decision making delegates and do not have any participant facing functions and their details are therefore not published on the website.	No Action Required	The NDIA Technical Advisory Branch and associated teams have a broad team of internal subject matter experts with specialist clinical and technical expertise in various disability and health related fields that may consult with NDIA planners, Partners in the Community and delegates, when they are unsure about particular support types or what supports might be appropriate for a participant. These advisors may also assist a delegate to consult with allied health providers to better understand a participant's support needs and to gain information as required to ensure informed decisions can be made. These teams are internal enabling teams only, providing individual advice and practice guidance to assist NDIA planners, Partners in the Community and delegates to make informed and appropriate decisions regarding supports for participants. Staff in these teams are not decision making delegates and do not have any participant facing functions and their details are therefore not published on the website.
17 The committee recommends that the National Disability Insurance Agency develop, publish and implement templates for allied health experts to assist them when drafting reports and recommendations for particular supports to be included in participants' plans.	Supported The Government supports the provision of templates to assist allied health experts to draft reports and recommendations for participants. The NDIA publishes templates for a range of reports and assessments, including assistive technology assessments, on the NDIS website. These templates are available for allied health and other experts to download. The NDIA also provides guidance for providers on writing progress reports, and specific guidance for EC providers on how to complete the Early Childhood provider report form. Templates and guidance on Early Childhood reports and progress reports are currently available at: www.ndis.gov.au/providers/working-provider/connecting-participants/reporting-and-participant-plan-reviews . Assistive technology templates are also available at www.ndis.gov.au/providers/housing-and-living-supports-and-services/providing-assistive-technology . As part of the proposed new approach to planning, the NDIA is currently considering how to best support allied health professionals and other experts to provide information where it is required. The NDIA will incorporate feedback received through sector consultation into the development of resources and materials for allied health professionals and other persons supporting people with disability to navigate the NDIS.	Complete	The NDIA has updated its online resources to assist participants and medical practitioners in understanding how to best detail disability needs. Further information is available on NDIS website at https://www.ndis.gov.au/applying-access-ndis/how-apply/information-support-your-request/providing-evidence-your-disability Operational Guidelines are also available and regularly updated to assist participants and practitioners in applying for supports. The NDIA regularly updates the website to include information that assist allied health professionals in drafting reports making recommendations in relation to supports for participant plans.
18 The committee recommends that the Australian Government amend the National Disability Insurance Scheme (Supports for Participants) Rules 2013 to require the CEO of the National Disability Insurance Agency (or their delegate) to take into account any expert advice developed specifically for a participant when deciding whether a support would, or would likely, be effective and beneficial for that participant.	Noted From late-2021, the outcomes of independent assessments will be a key input into deciding the value of a plan budget. This will mean that the current approach to creating a participant's plan budget will change, with the amount of funding in a participants plan informed by their functional capacity as determined through an independent assessment, not a listing of individual reasonable and necessary supports. The participant's plan budget will also reflect any relevant environmental factors, including informal supports available to the participant and other contextual factors such as locality and circumstance. This will ensure a consistent approach to providing funding for people with similar levels of functional capacity and in similar circumstances, with the participant supported to then use that funding flexibly to meet their needs. The emphasis on flexibility and personalised budgeting follows participant feedback that they find their current plans confusing and difficult to understand, and are frustrated by inconsistent decision-making and being unable to buy a particular support if it is not listed in their plan. This approach will also take into account the expert advice offered by a participant's treating professionals, recognising that that important relationship between professional and participant will not change.	No Action Required	The Government recently committed to review the design, operation and sustainability of the NDIS, bringing forward the planned 2023 independent review of the Scheme. The review will also consider how to ensure the NDIS market and workforce is responsive and capable of supporting the delivery of quality and safe NDIS services. The review will consider all available evidence, and look at benefits of the Scheme, as well as problems inside and outside the NDIS. The review findings will guide state and territory and Australian Government on priority areas for improving the scheme.

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19	The committee recommends that where a participant's plan does not reflect expert advice developed specifically for that participant, the National Disability Insurance Agency be required to provide written reasons for this decision at least one week before any joint planning meeting (and also in an alternative format where appropriate).	Noted The NDIA already considers expert advice when determining whether a support is reasonable and necessary, however the CEO must be satisfied that all the criteria in Section 34(1) of the NDIS Act are met. Section 34(1) of the NDIS Act covers the criteria used by the NDIA for what supports are considered "reasonable and necessary" for the NDIS to cover. For a support considered reasonable and necessary under section 34, a support or service: • must be related to a participant's disability; • must not include day-to-day living costs not related to your disability support needs, such as groceries; • should represent value for money; 11 • must be likely to be effective and work for the participant; and • should take into account support given to you by other government services, your family, carers, networks and the community. Under the proposed new approach to planning, reasonable and necessary budgets will be developed based upon independent assessments of functional capacity, rather than support by support. Participants will see a draft plan prior to their planning meeting which will include draft budgets.	No Action Required	The Government recently committed to review the design, operation and sustainability of the NDIS, bringing forward the planned 2023 independent review of the Scheme. The review will also consider how to ensure the NDIS market and workforce is responsive and capable of supporting the delivery of quality and safe NDIS services. The review will consider all available evidence, and look at benefits of the Scheme, as well as problems inside and outside the NDIS. The review findings will guide state and territory and Australian Government on priority areas for improving the scheme.
20	The committee recommends that the National Disability Insurance Agency publish information about the training it provides to planners, Local Area Coordinators and Early Childhood Early Intervention partners on the National Disability Insurance Scheme website in an easily accessible location.	Supported The NDIA already provides information about training provided to its staff and Partners in the Community in the Corporate Plan and Annual Reports, published on the NDIS website and available here: https://www.ndis.gov.au/about-us/publications	Complete	The NDIA provides information about training provided to its staff and Partners in the Community in the Corporate Plan and Annual Reports, published on the NDIS website and available here: www.ndis.gov.au/about-us/publications
21	The committee recommends that when conducting recruitment processes for planners, the National Disability Insurance Agency give greater preference to candidates with experience or qualifications in allied health or disability related areas.	Supported in principle The NDIA is committed to attracting talented, knowledgeable and experienced staff as well as to providing ongoing investment in building capability and training delivery. This commitment and strategies to deliver on this vision are set out in the NDIA Strategy 2020, which is available on the NDIS website. The NDIA's approach to workforce management includes the identification and forecasting of skills mix changes to support evolving operational processes and ensure the NDIA has the right capability and resource capacity to deliver the NDIS. The NDIA recruits planners based upon the APS employment principles, taking into account all the qualities of a job applicant to determine their suitability for the role. The NDIA also considers formal qualifications in allied health or disability and lived experience of disability to be highly desirable in planner recruits. Some planners, such as those within the Early Childhood Early Intervention (ECEI) stream, are required to have allied health qualifications, such as Psychology and Occupational Therapy.	Complete	The NDIA's approach to workforce management includes the identification and forecasting of skills mix changes to support evolving operational processes and ensure the NDIA has the right capability and resource capacity to deliver the NDIS. The NDIA recruits planners based upon the APS employment principles, taking into account all the qualities of a job applicant to determine their suitability for the role. The NDIA also considers formal qualifications in allied health or disability and lived experience of disability to be highly desirable in planner recruits. Some planners, such as those within the Early Childhood stream, are required to have allied health qualifications, such as Psychology and Occupational Therapy.
22	The committee recommends that the Australian Government ensure that the National Disability Insurance Agency is sufficiently resourced to meet future planning needs.	Supported The Government is committed to finalising the rollout of a fully funded NDIS and setting it up for future success. During 2019-20 the Government announced an increase to the NDIA's average staffing level to support implementation of participant pathway reforms and increase the number of positions able to exercise delegations under NDIS legislation. Over 2019-20, the NDIA's total Australian Public Service (APS) workforce grew from 3,495 to 4,396; a net increase of 901 headcount. 12 The National Delivery APS workforce was the priority area for the workforce growth and increased by 707 (2,654 to 3,361); predominately in Planning, Access, and Unscheduled Review functions. This increase in NDIA workforce capability has supported significant improvements to the NDIS participant experience, with reduced wait times and backlogs for access and planning decisions. The Government has and will continue to monitor and adjust resources to meet the needs of the NDIS and the people it supports.	Noted	The Government continues to appropriately resource the NDIA so the agency can undertake all its legislated functions.
23	The committee recommends that the Australian Government conduct an inquiry into the workload and changing responsibilities of the National Disability Insurance Agency's Partners in the Community.	Noted The Government notes that, during the trial and transition phases of the NDIS, there was an understandable focus on ensuring participants had appropriate plans as they moved from state and territory programs into the NDIS. As a result, Partners in the Community and EC Partners were asked to undertake dual roles of planning and coordination for the majority of the NDIS eligible population. The Tune Review noted that there were indications from participants, carers and families that this focus on planning has been at the expense of the original coordination role proposed for Partners in the Community. The introduction of independent assessments from 2021 will enable Partners in the Community to return to their originally conceived roles by advising people with disability and their families and carers on the available mainstream and community supports and assisting them to connect with these services. This refocus of responsibilities is in line with the original Productivity Commission design of the NDIS.	No Action Required	The Government recently committed to review the design, operation and sustainability of the NDIS, bringing forward the planned 2023 independent review of the Scheme. The review will also consider how to ensure the NDIS market and workforce is responsive and capable of supporting the delivery of quality and safe NDIS services. The review will consider all available evidence, and look at benefits of the Scheme, as well as problems inside and outside the NDIS. The review findings will guide state and territory and Australian Government on priority areas for improving the scheme.

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24	The committee recommends that the National Disability Insurance Agency improve its wait times for children, particularly the time taken to produce a plan following an access decision and to approve assistive technology.	<p>Supported</p> <p>On 26 June 2019 the Government announced several measures to resolve delays for children under the age of seven accessing ECEI supports through the NDIS. Since then, wait times for children have significantly improved. For example in the September 2020 quarter, first plans for participants aged 0-6 were approved, on average, in 34 days. This compares to 129 days in the June 2019 quarter. The NDIA continues to work closely with its EC Partners to implement a range of ongoing initiatives and improvements to ensure that children continue accessing ECEI supports, including assistive technology where reasonable and necessary, in a timely manner.</p>	<p>Complete</p> <p>On 26 June 2019, the Government announced several measures to resolve delays for children under the age of 7 accessing ECEI supports through the NDIS. Since then, wait times for children have significantly improved. For example as at June 2022, 96% of plans for children under 7 were approved within committed timeframes. The NDIA continues to work closely with its Early Childhood Partners to implement a range of ongoing initiatives and improvements to ensure that children continue accessing ECEI supports, including assistive technology where reasonable and necessary, in a timely manner.</p> <p>The NDIA has implemented improvements to the planning process, including reducing the need for quotes for AT costing less than \$15,000, and submitting written evidence if it is valued more than \$1,500. Further information can be found on NDIS website here: https://ndis.gov.au/providers/housing-and-living-supports-and-services/providing-assistive-technology/early-childhood-assistive-technology-approach</p>
25	The committee recommends that the National Disability Insurance Agency develop, publish and implement templates or guidelines to ensure that plans for children and young people take into account key developmental stages and life transition points.	<p>Supported</p> <p>The NDIA is working to reset its approach to Early Childhood Early Intervention (the ECEI Reset) to be progressively rolled out across 2021 and 2022, informed by the NDIA's consultation on supporting young children and their families early, to reach their full potential. Amongst the identified areas for improvement, the ECEI Reset will ensure plans support children through key developmental stages and life transition points including beyond early childhood, such as young people graduating from school, through the creation of a dedicated ECEI planner workforce. These dedicated planners will ensure children and families receive expert advice and support. The NDIA will incorporate feedback received through sector consultation on the ECEI Reset into the development of resources and materials for NDIA planners and EC Partners.</p>	<p>Ongoing</p> <p>The NDIA continues to build on the existing national Early Childhood Approach to ensure the delivery of a model that provides evidence-based, high quality and timely supports to young children and families that are embedded in an integrated and collaborative early childhood ecosystem. The NDIA is making good progress on implementing the Early Childhood Early Intervention (ECEI) reset recommendations and will be releasing a web communications to the sector on the progress to date. See the NDIS website for further details here: www.ndis.gov.au/news/8030-ecei-reset-update-july-2022</p> <p>The Early Childhood Approach, previously Early Childhood Early Intervention (ECEI) was updated and developed based on evidence-based research with the help of leading experts in early childhood intervention. The NDIA's operational Guideline for Early Childhood Approach was also updated to align itself with the new approach.</p>
26	The committee recommends that the National Disability Insurance Agency: increase its family violence training for planners in how to identify family violence and what appropriate referral services exist; ask participants before their planning meetings if they have a preference for a planner with a particular gender; create a team of specialised planners within the Complex Support Needs pathway who are specially trained in how to plan for participants experiencing family violence; and ensure that planners and Local Area Coordinators are able to refer participants who they suspect are experiencing family violence to this pathway.	<p>Noted</p> <p>The NDIA upholds the Commonwealth, state and territory governments' shared responsibility for effectively responding to family violence and child abuse. As such all new starters in the NDIA complete a mandatory suite of eLearning which includes a module on Family and Gender Based Violence Prevention. Given that the training is mandatory for all those coming into contact with participants, a team of specialised planners in this regard is not judged necessary. If a participant self identifies as someone experiencing family violence, the Partner in the Community or planner will support them to the correct external pathway, for example Police and/or emergency services. Participants are also able to request a different planner should they not be comfortable for whatever reason including if they have a preference for a planner with a particular gender.</p>	<p>No Action Required</p> <p>The NDIA upholds its shared responsibility for effectively responding to family violence and child abuse. As such all new starters in the NDIA complete a suite of eLearning which includes a module on Family and Gender Based Violence Prevention.</p>
27	The committee recommends that the National Disability Insurance Agency finalise its review into its Aboriginal and Torres Strait Islander Engagement Strategy and update the strategy to address the issues outlined in this report for Aboriginal and Torres Strait Islander participants.	<p>Supported</p> <p>The Government supported Recommendation 10 of the Tune Review to improve outreach and engagement with cohorts of people with disability, including Aboriginal and Torres Strait Islander peoples. 14 The Government has also provided an additional \$20 million to support the rollout of the NDIS National Community Connectors Program, which is focused on supporting hard to reach communities to engage with the NDIS. In line with Recommendation 10 of the Tune Review, the NDIA has reviewed the Aboriginal and Torres Strait Islander Engagement Strategy, and will release an update in early 2021, detailing progress against the Strategy and priority actions to further drive the implementation of the Strategy over the next two years. This strategy will be refreshed in 2022-23, following consultation with key stakeholders.</p>	<p>On Track</p> <p>The NDIA is refreshing its First Nations Strategy (the strategy) and developing an action plan to support implementation. The strategy and action plan are due for completion in late 2022. The Agency is committed to conducting a co-design engagement approach to develop a strategy to deliver culturally appropriate services. The NDIA is currently co-designing the Strategy with First Nations People.</p>

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28	The committee recommends that the National Disability Insurance Agency review its Cultural and Linguistic Diversity Strategy and update it to address the issues outlined in this report.	<p>Supported</p> <p>The Government supported Recommendation 10 of the Tune Review to improve outreach and engagement with cohorts of people with disability, including people with disability who are culturally and linguistically diverse. The Government has also provided an additional \$20 million to support the rollout of the NDIS National Community Connectors Program, which is focused on supporting hard to reach communities to engage with the NDIS. In line with Recommendation 10 of the Tune Review, the NDIA has reviewed the Cultural and Linguistic Diversity Strategy, and will release an update in early 2021, detailing progress against the Strategy and priority actions to further drive the implementation of the Strategy over the next two years. This strategy will be refreshed in 2022-23, following consultation with key stakeholders.</p>	On Track	The NDIA is refreshing the Cultural and Linguistic Diversity Strategy (the strategy) and developing an action plan to support implementation. The strategy and action plan are due for completion in late 2022. The Agency is conducting a co-design engagement approach with CALD participants, families, carers and sector to develop the strategy that will support more equitable outcomes for participants.
29	The committee recommends that the National Disability Insurance Agency publish information about the Complex Supports Needs pathway, including about who is eligible, and how the National Disability Insurance Agency defines the term 'complex support needs'.	<p>Supported in principle</p> <p>The NDIA developed the Complex Supports Needs (CSN) Pathway in November 2018 to provide specialised support for people with disability who experience personal and situational factors that are beyond the scope of the typical NDIS Pathway. The NDIA is currently reviewing the CSN Pathway. Following the outcome of the review, the NDIA will consider including more detailed information on the Complex Support Needs pathway on its website. This is in line with the NDIA's commitment to transparency under the NDIS Participant Service Charter to ensure information provided to participants, their families and support networks, including content on the NDIS website, is easy to access and understandable.</p>	Ongoing	The Government recently committed to review the design, operation and sustainability of the NDIS, bringing forward the planned 2023 independent review of the Scheme. The review will also consider how to ensure the NDIS market and workforce is responsive and capable of supporting the delivery of quality and safe NDIS services. The review will consider all available evidence, and look at benefits of the Scheme, as well as problems inside and outside the NDIS. The review findings will guide state and territory and Australian Government on priority areas for improving the scheme.
30	The committee recommends that the National Disability Insurance Agency develop and implement a mechanism to encourage planners to develop specialisation in particular types of disability or particular groups of participants.	<p>Noted</p> <p>For consistent high quality service provision, the NDIA supports planners and others involved in the planning process being well versed in a broad range of disability types rather than specialising in particular types of disability or particular groups of participants. For those participants who require specialist planning expertise the NDIA already has a range of specialised internal planning supports, including ECEI as well support from the Technical Advisory Branch. Further specialisation of planners in disability types is not judged necessary beyond the current expertise available to planners.</p>	No Action Required	Participants who require specialist planning expertise are supported by the NDIA planners in a range of ways, including early childhood approaches as well support from Technical Advisory officers.
31	The committee recommends that the National Disability Insurance Agency review its Rural and Remote Strategy 2016–19 and, as part of this process, examine practical solutions to the issues outlined in this report regarding planning for participants in rural and remote areas.	<p>Supported in principle</p> <p>The Government recognises there are challenges for participants in rural and remote areas. The NDIA will release a position paper in 2021, articulating the NDIA's approach to service delivery in remote Australia. The NDIA has implemented the NDIS Community Connectors Program which provides improved support for Australians with disability in rural and urban locations. The program focusses on four specific population groups: • Aboriginal and Torres Strait Islander communities; • Culturally and Linguistically Diverse communities; • people experiencing psychosocial disabilities; and • ageing parents or carers of people with disability. Community Connectors are trusted local community members who enable better linkages between people, communities and services. People with disability, their families and carers rely on the responsiveness of Community Connectors to access information and supports required to engage, access and benefit from the NDIS including planning activity.</p>	Ongoing	The Australian Government has committed to appoint a Senior Officer within the NDIA to address barriers to service delivery in remote and very remote areas of Australia.

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32	The committee recommends that the Australian Government provide the National Disability Insurance Agency with sufficient resources to ensure that its Administrative Appeals Tribunal (AAT) Applications and Decisions Division can reduce the amount of time it takes to resolve AAT appeals.	<p>Supported in principle</p> <p>As part of forthcoming legislative amendments to give effect to the recommendations of the Tune Review, the Government has committed to improving the NDIA's administration of reviews to deliver a better experience for participants. This includes through legislating timeframes for internal reviews to be completed, in the form of the NDIS Participant Service Guarantee, and removing unnecessary prescription around the process for giving effect to changes to a plan. 16 Since the NDIA's Administrative Appeals Tribunal (AAT) early resolution model commenced in December 2018 there has been a significant reduction in timeframes to resolution of AAT planning applications, from an average of 200 days pre-December 2018, to 105 days for July-September 2020. This data indicates a significant and continuing reduction in average resolution timeframes during a period in which the AAT caseload increased threefold (which is commensurate with the growth in the Scheme). Resolution timeframes remain low relative to other AAT Divisions and reflect the Agency's focus on improving the participant experience. Resolution timeframes are impacted by a range of factors including increasing complexity of cases before the Tribunal, increasing volumes of new cases, challenges obtaining necessary information to assist the Tribunal during the COVID-19 pandemic and moving to online case conferences, conciliations and other AAT proceedings. The Government has and will continue to monitor and adjust NDIA resources to meet the needs of the people the NDIS supports.</p>	Ongoing	<p>The NDIA is implementing various initiatives to address the legacy AAT caseload and to reduce the number of new matters referred to the AAT. These initiatives include improvements to decision making, accelerated case reviews and re-introduction of a dedicated Early Resolution Team.</p> <p>The NDIA has also begun trialing an Expert Review Pathway program from October 2022 to complement these initiatives and gather data about the best way to resolve NDIS disputes, to reduce the numbers of cases that are appealed to the AAT which are currently under review. This trial is an initial step to reducing the current caseload before the AAT, and provide critical evidence to support the development of a structural solution to alternative independent dispute resolution under the NDIS, noting this is likely to require amendment to the National Disability Insurance Scheme Act 2013 (the NDIS Act).</p> <p>The Government also recently committed to review the design, operation and sustainability of the NDIS, bringing forward the planned 2023 independent review of the Scheme. The review will also consider how to ensure the NDIS market and workforce is responsive and capable of supporting the delivery of quality and safe NDIS services. The review will consider all available evidence, and look at benefits of the Scheme, as well as problems inside and outside the NDIS. The review findings will guide state and territory and Australian Government on priority areas for improving the scheme.</p>
33	The committee recommends that the Australian Government review the amount of funding that it provides to advocacy organisations through the NDIS Appeals program and ensure that these organisations are sufficiently funded to support participants throughout the Administrative Appeals Tribunal process.	<p>Noted</p> <p>The Department of Social Services funds the NDIS Appeals program for participants to use when appealing to the AAT, with 42 advocacy organisations and eight Legal Aid Commissions being funded. The NDIS Appeals program provides participants with: • access to a skilled disability advocate who acts as a support person; and/or • access to funding for legal services, if there is a wider community benefit and/or disadvantage that would substantially benefit from legal representation. In 2020-21, funding for NDIS Appeals program is \$10.67 million. The Department is continuing to monitor demand for NDIS Appeals advocacy support and legal assistance. This includes understanding the impact of reforms such as the NDIA Early Resolution Team, the Participant Service Charter and Participant Service Improvement Plan on the demand for NDIS Appeals program. This will inform advice on appropriate future funding levels.</p>	Ongoing	The Government has continued to increase the funding available for advocacy and decision support. Funding of \$34.3 million was provided for individual advocacy support in 2022-23 (excluding Disability Royal Commission advocacy support).
34	The committee recommends that the National Disability Insurance Agency develop and publish de-identified summaries of key themes arising from settlement outcomes in the Administrative Appeals Tribunal.	<p>Noted</p> <p>The AAT generally publishes decisions in relation to the NDIS in accordance with its publication of decisions policy (Publication of Decisions Policy Administrative Appeals Tribunal (aat.gov.au)). AAT settlements are not precedent-setting and all cases are considered on their individual merits.</p>	Noted	Decisions of the AAT are specific to the circumstances of the matter before it at the time that it hears the matter and are only binding in each particular case. While past decisions of the AAT can provide guidance for delegates in future decision making, those principles are not universally binding.
35	The committee recommends that the Australian Government ensure that the National Disability Insurance Agency is sufficiently resourced to carry out the functions outlined in Recommendation 34.	<p>Noted</p> <p>The Government is committed to appropriately resourcing the NDIA so the agency can undertake all its legislated functions.</p>	Noted	The Government continues to appropriately resource the NDIA so the agency can undertake all its legislated functions.

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36	The committee recommends that the National Disability Insurance Agency ensure that it always communicates with participants and their nominees in accessible formats, and in accordance with any participant requests.	<p>Supported</p> <p>The NDIA already undertakes to correspond with participants and their nominated representatives via their preferred means of communication, including for plans and planning related documentation, alerts and reminders. In addition, the NDIA produces communications material for a participant audience in a variety of accessible formats, where appropriate. The NDIS Participant Service Charter and Participant Service Improvement Plan, sets out how the NDIA and its Partners in the Community will deliver participant service excellence. Under the Participant Service Improvement Plan, 12 initiatives will improve the way the NDIA communicates with participants and how participants are able to access information. These initiatives include the use of plain English reasons for decisions in letters to participants, further public guidance and procedures to support consistent decision-making, and the removal of jargon by using consistent terms and definitions. The Participant Service Charter commits the NDIA to providing participant service excellence that is transparent, responsive, respectful, empowering and connected. These five engagement principles and Participant Service Guarantee were key recommendations made in the Tune Review.</p>	Complete	The NDIA corresponds with participants and their nominated representatives via their preferred means of communication, including for plans and planning related documentation, alerts and reminders. In addition, the NDIA produces communications material for a participant audience in a variety of accessible formats, including Braille, Electronic text (on CD), Large print and/or Audio (on CD or USB), where appropriate. Participants may also communicate their preferred accessibility needs for contact methods.
37	The committee recommends that the National Disability Insurance Agency ensure that it provides participants and the people they bring with them to joint planning meetings with sufficient time to articulate their needs in those meetings.	<p>Supported</p> <p>The NDIA is reviewing feedback from recent consultation on the proposed new approach to planning. Under the proposed new approach, the NDIA or Partner in the Community will contact participants prior to their plan's expiry to determine if they require a full plan review, light touch review, or a plan rollover, based on their circumstances, their goals and how their plan has been working. The NDIA will also conduct check-ins with participants to support the implementation of their NDIS plans in pursuit of a participant's goals. The NDIA anticipates for many participants, plans will be ongoing and participants will not be required to attend as many planning meetings if their circumstances are unlikely to change. In cases where a full plan review is required, sufficient time will be built into the independent assessment and the planning meeting process, so that participants and the people they bring with them will have time to articulate their needs. Participants will receive a draft plan and be able to discuss this with a delegate prior to the plan being approved.</p>	Ongoing	<p>The Government recently committed to review the design, operation and sustainability of the NDIS, bringing forward the planned 2023 independent review of the Scheme. The review will also consider how to ensure the NDIS market and workforce is responsive and capable of supporting the delivery of quality and safe NDIS services. The review will consider all available evidence, and look at benefits of the Scheme, as well as problems inside and outside the NDIS. The review findings will guide state and territory and Australian Government on priority areas for improving the scheme.</p> <p>The NDIA has worked to deliver longer plan durations and has established the Check In process where the NDIA meets with a participant at regular and agreed intervals through the duration of a participant's NDIS Plan. The myNDIS contact regularly connects to check in on progress towards their goals and aspirations. This includes providing any assistance with connections to mainstream and community services, as well as how they are progressing with utilising their NDIS Plan.</p> <p>The NDIA schedules a Check In with a participant approximately three months from the plan end date. This provides sufficient time for any changes to a participant's plan to be discussed and any information collected to support the NDIA delegate in making their decision.</p> <p>Once submitted, the NDIA delegate who has the authority to approve the overall plan budget, will hold a Plan Approval meeting with the participant. During the Plan Approval meeting the NDIA delegate will explain decisions made in approving the new plan budget. These decisions will be followed up in writing as part of the plan approval process, with clear links to the evidence used in making that decision.</p> <p>These process have been included in the release of the NDIA's new ICT system in Tasmania in November 2022. After testing these approaches in Tasmania and making any necessary changes to improve functionality, the NDIA will commence national rollout of these changes.</p>
38	The committee recommends that the National Disability Insurance Agency develop and publish a clear diagram on the NDIS website of the planning process.	<p>Supported</p> <p>Information about the current planning process is published on the NDIA's website. This information includes understanding supports within an NDIS plan, how to prepare for a planning meeting, using an NDIS plan and reviewing an NDIS plan. From late 2021, independent assessments will be used as a key input to inform an NDIS plan budget as part of the new approach to planning. The NDIA has engaged widely with participants, their families and carers, peak bodies, disability organisations, peer and family networks to help develop and test how independent assessments and the new approach to planning will work. This included the release of a consultation paper on the new planning approach for personalised budgets and plan flexibility, also available in Easy Read formats. The NDIA is reviewing feedback received from this consultation to inform the final approach to planning, including how the information will continue to be released to participants, child representatives and carers. The NDIA will also continue to ensure information released is consistent with its commitment under the Participant Service Charter and Participant Service Improvement Plan to release information that is easy to understand and in accessible formats. This includes publishing further guidance and procedures about the new approach to planning when finalised.</p>	Complete	Information about the current planning process is published on the NDIS website. This information includes understanding supports within an NDIS plan, how to prepare for a planning meeting, using an NDIS plan and reviewing an NDIS plan.

NDIS Planning				
Committee Recommendation		Government Resposne	Status	Update
39	The committee recommends that the National Disability Insurance Agency develop a more detailed checklist of documents participants can provide before their planning meeting as evidence for the supports they request. This checklist should be published on the NDIS website and be referred to by planners in planning meetings.	<p>Noted</p> <p>Three participant booklets are available on the NDIS website and in hard copy to support people with disability and participants to engage with the NDIS. The booklets help people with disability, participants, their families, carers and the wider community to learn more about the NDIS, prepare for a planning meeting and to implement their plan. In addition to the booklets, participants can access assistance from planners, support coordinators and LACs. The NDIS website also includes a range of information to assist participants to prepare for the planning and planning review process including a detailed section outlining the types of evidence and requirements on providing evidence of disability: www.ndis.gov. au/ applying-access-ndis/how-apply/information-support - yourr@request/providing-evidence-your-disability The NDIA frequently updates the website content to ensure it accurately reflects current operational guidelines, policy and practices. From late 2021 , under the proposed new approach to planning, participants' plans will be developed based upon independent evidence of their functional capacity, reducing the need for separate extensive documentation and assessments prior to each planning meeting. To the extent specific documentation is still required for the provision of fixed supports, such as complex assistive technology, NDIA planners, LACs and support coordinators will work with participants and their providers to ensure they understand what evidence is required.</p>	No Action Required	<p>The NDIS website includes a range of information to assist participants provide evidence of disability, see: https://www.ndis.gov.au/applying-access-ndis/how-apply/information-support-your-request</p> <p>Further, to assist participants, their families, carers prepare for a planning meeting the NDIA offers in digital and hard copy form a booklet, which includes a checklist to help prepare for a planning meeting, see: www.ndis.gov.au/about-us/publications/booklets-and-factsheets</p>
40	The committee recommends that the National Disability Insurance Agency contact new participants and their nominees at least three weeks before their first planning meeting to ensure that they understand what the meeting will involve and how they need to prepare for it.	<p>Supported in principle</p> <p>The Government recognises the importance of early engagement with participants and their representatives, to support them to prepare for the planning process. Usually, staff members from Partners in the Community or NDIA Business Support Officers contact participants or their representatives prior to their first planning meeting to explain the planning process and what documentation may be required. While this would usually happen three weeks prior to the first planning meeting date, sometimes that isn't the preferred option of the participant due to their particular circumstances, and the planning meeting may occur within three weeks of initial contact. The Participant Service Guarantee, expected to be legislated in 2021, sets out timeframes for NDIA processes.</p>	Complete	<p>The Participant Service Charter and Participant Service Improvement Plan set out the NDIA's objectives to deliver a Scheme that meets the expectations of participants and improves outcomes and experiences. In line with the proposed legislated Participant Service Guarantee, the NDIA committed to commence facilitating the preparation of a plan, after an access decision has been made this target is met 96% of the time as at June 2022 and a plan approved within 56 days, which the NDIA is performing at 90%.</p>
41	The committee recommends that the National Disability Insurance Agency develop and implement detailed guidance for planners and delegates about how to engage with participants appropriately during planning meetings and the involvement of third parties including advocates, parents, carers and family members.	<p>Supported</p> <p>The NDIA provides extensive training and guidance to planners, delegates and Partner in the Community staff about how to engage appropriately with participants and their support networks. All NDIA staff undertake contemporary Disability Rights and Disability Awareness training. Planners and Partners in the Community also attend the New Starter Program, an in-depth training program that develops active listening skills, to ensure participant facing staff can appropriately engage with participants and their nominees and understand their lived experience and the impact of their disability. This formal training references and is supplemented by additional materials and external resources about different disabilities and the impacts of these on participants' lives. The ND IA has also commenced development of new learning products for staff that will focus on communication, conversation skills, and the importance of ensuring the most appropriate advocates and informal supporters are engaged throughout the planning process. Specific modules are being developed that target components of planning and communication capability. A new Continuous Improvement Connect framework will also contain an element of planner and Partners in the Community soft skill development.</p>	Complete	<p>The NDIA provides extensive training and guidance to planners, delegates and Partner in the Community staff about how to engage appropriately with participants and their support networks.</p> <p>The NDIA supports staff to understand the impacts of particular disability types and to tailor planning conversations with participants based on their support needs, accessibility requirements and communication preferences. There is a range of resources and training to support staff awareness and understanding of the lived experience of people with disabilities, including comprehensive knowledge articles and the conversation style guide to support transparent and constructive conversations with participants, In addition to this, the NDIA also have a range of 'disability snapshots' available to staff providing knowledge about particular disability types and how to tailor a planning meeting with these participants.</p>
42	The committee recommends that the National Disability Insurance Agency co-design new metrics for measuring participant satisfaction with people with disability and advocacy organisations.	<p>Supported</p> <p>The Governments supports the development of participation satisfaction metrics in conjunction with key stakeholders. Since 2018, the NDIA has conducted a participant satisfaction survey to measure participant satisfaction across each stage of the planning pathway. 20 The Government supported Recommendation 24 of the Tune Review, which recommended the development of a new independent participant satisfaction survey. The NDIA is working with the Independent Advisory Council to build on the current survey to develop a more comprehensive picture of participant satisfaction. This includes working with people with disability and advocacy organisations and the results will be included in quarterly reports to disability ministers.</p>	Complete	<p>In line with the Tune review, the NDIA worked with the Independent Advisory Council (Council) to build on the participant satisfaction survey to develop a more comprehensive picture of participant satisfaction. This included input regarding the current approach, and suggested improvements to current questions. The NDIA engaged the Council for Intellectual Disability to undertake consultation on making the surveys more accessible, including for people with complex communication needs. Results are published in Quarterly Reports to Disability Ministers.</p>

Supported Independent Living

Committee Recommendation		Government Response	Status	Update
1	The committee recommends that the National Disability Insurance Agency ensure immediate access to funding for all assessments required to support applications for reasonable and necessary supports, and in particular to support applications for Supported Independent Living.	<p>Supported in principle</p> <p>The Government recognises the need for immediate access to funding for NDIS participants to support applications for reasonable and necessary supports. The Government is committed to introducing fully-funded Independent Functional Assessments (IFAs) to support better and more consistent decision making. IFAs will be undertaken by qualified independent assessors, who will utilise evidence-based functional assessments to understand the impact of a person's disability. The results of the assessments will form part of the evidence the NDIA will consider when making decisions regarding access and plan funding. For current participants, the NDIA provides reasonable and necessary levels of funding in plans, which can be used for assessments to provide additional information to support other reasonable and necessary decisions, including in relation to SIL.</p>	Ongoing	The Government recently committed to review the design, operation and sustainability of the NDIS, bringing forward the planned 2023 independent review of the Scheme. The review will also consider how to ensure the NDIS market and workforce is responsive and capable of supporting the delivery of quality and safe NDIS services. The review will consider all available evidence, and look at benefits of the Scheme, as well as problems inside and outside the NDIS. The review findings will guide state and territory and Australian Government on priority areas for improving the scheme.
2	The committee recommends that the National Disability Insurance Agency clarify the assessments required to support an application for Supported Independent Living funding.	<p>Supported</p> <p>The Government recognises the importance of providing clarity to NDIS participants, particularly with respect to assessments required to determine reasonable and necessary supports. The introduction of IF As will ensure participants and people seeking to access the NDIS have access to fully-funded assessments. On 30 June 2020, the NDIA published a new SIL Operational Guideline, which provides guidance on what SIL is and how to access SIL once it is in a participant's plan. The SIL Operational Guideline is available on the NDIS website. The NDIA is also developing a Home and Living policy, which will provide guidance on eligibility and the supporting evidence required for home and living supports. The Home and Living Policy, and other materials, including a participant SIL Toolkit, will be available on the NDIS website.</p>	Ongoing	The Government recently committed to review the design, operation and sustainability of the NDIS, bringing forward the planned 2023 independent review of the Scheme. The review will also consider how to ensure the NDIS market and workforce is responsive and capable of supporting the delivery of quality and safe NDIS services. The review will consider all available evidence, and look at benefits of the Scheme, as well as problems inside and outside the NDIS. The review findings will guide state and territory and Australian Government on priority areas for improving the scheme.
3	The committee recommends that the National Disability Insurance Agency implement measures to ensure that all evidence provided by a participant to establish that supports are reasonable and necessary is accurately recorded in the participant's plan, and is actively considered in plan development.	<p>Supported</p> <p>The Government supports accurate recording of participant evidence in the plan development process. The NDIA has implemented a number of processes to ensure accurate collection, consideration and storage of participant evidence in line with the NDIA Operating Guidelines and Standard Operating Procedures. All evidence provided by a participant, their plan nominee or treating health professional, is considered as part of the NDIS access and planning process. All documentation received is attached to participant records to inform access decisions. 3 In the event evidence provided by a participant has not been accurately recorded in the NDIA business system, the NDIA seeks to resolve this as soon as practicable.</p>	Complete	<p>In line with NDIA Operating Guidelines and Standard Operating Procedures, all documentation received by the Agency is attached to participant records to inform access and planning decisions.</p> <p>The release of the NDIA's new ICT system in Tasmania in November 2022 is also introducing:</p> <ul style="list-style-type: none"> • Consistent methods for recording decisions, justifications and evidence • Ability to link decisions, justifications and evidence • Evidence can be a document, email, conversation, report or any information that contributes to the outcome of a decision
4	The committee recommends that the National Disability Insurance Agency develop and implement a mechanism to confirm a participant's eligibility for Supported Independent Living prior to the participant identifying a suitable vacancy.	<p>Supported in principle</p> <p>The Government recognises the need to better streamline the planning process for participants who require home and living supports. The NDIA is developing guidance on eligibility and supporting evidence for home and living supports and will move away from specifically determining eligibility for SIL. These arrangements will support the changes made in the 2020-21 Price Guide and Support Catalogue which incorporate 'price limits for SIL supports, replacing the previous quoting and negotiation process.</p>	Ongoing	The Government recently committed to review the design, operation and sustainability of the NDIS, bringing forward the planned 2023 independent review of the Scheme. The review will also consider how to ensure the NDIS market and workforce is responsive and capable of supporting the delivery of quality and safe NDIS services. The review will consider all available evidence, and look at benefits of the Scheme, as well as problems inside and outside the NDIS. The review findings will guide state and territory and Australian Government on priority areas for improving the scheme.

Supported Independent Living				
Committee Recommendation		Government Response	Status	Update
5	The committee recommends that planners be empowered to authorise a price range for Supported Independent Living (SIL) funding, with no need for further approval so long as a SIL quote falls within that price range, on the condition that the participant and/or their plan nominee is able to review the SIL quote and approve it.	Noted The Government notes the need for transparent decision making regarding SIL funding. The NDIS Price Guide 2020-21 took effect on 1 July 2020. In the new Price Guide, price limits for SIL supports replace the previous quoting and negotiation process. The SIL price limits currently reflect the ADL price limits. The NDIA is reviewing SIL price controls and will release a new Price Guide later in 2020. A new SIL Provider Pack explaining these changes is available on the NDIS website. To ensure continuity for participants and providers, existing plans containing agreed SIL quotes will continue until the end of their 12 month term, at which point the new SIL price limit will apply.	No Action Required	The Government recently committed to review the design, operation and sustainability of the NDIS, bringing forward the planned 2023 independent review of the Scheme. The review will also consider how to ensure the NDIS market and workforce is responsive and capable of supporting the delivery of quality and safe NDIS services. The review will consider all available evidence, and look at benefits of the Scheme, as well as problems inside and outside the NDIS. The review findings will guide state and territory and Australian Government on priority areas for improving the scheme.
6	The committee recommends that the National Disability Insurance Agency, develop and publish clear, comprehensive guidance material on Supported Independent Living as a matter of urgency.	Supported The Government supports increased clarity for NDIS participants through the development and publishing of more comprehensive guidance material on SIL. To support implementation of the new SIL price limits, the NDIA has developed a new SIL Provider Pack explaining the NDIS Price Guide 2020-21 changes, and published a new SIL Operational Guideline. Both of these documents are available on the NDIS website. The NDIA is also undertaking a review of home and living supports for participants, including SIL. As part of this review, the NDIA is developing a toolkit for participants accessing SIL to increase their involvement in the planning process. Features of the toolkit include: Simple English guides for the SIL process, advice on how participants can identify and manage provider conflicts of interest, and Supported Decision Making user guides including guidance on questions to ask during planning meetings. The NDIA will also publish a Home and Living policy to support more informed reasonable and necessary decision making.	Complete	In 2020 the NDIA released a new operational guideline detailing SIL supports. See: https://ourguidelines.ndis.gov.au/supports-you-can-access-menu/home-and-living-supports/supported-independent-living The NDIA is co-designing a policy to support the delivery of contemporary and innovative Home and Living approaches that increase participant choice and control over where they live, who they live with, and their supports. Further Operational Guidelines the NDIA has updated on the NDIS website are Individualised Living Options, Specialist Disability Accommodation, Medium Term Accommodation, Short Term Accommodation, Home Modifications and Personal Care Supports.
7	The committee recommends that the National Disability Insurance Agency ensure that its planners fully explore current and future accommodation and support needs with participants during pre-planning, planning and plan review.	Supported The Government supports measures that will lead to enhanced discussions about the accommodation and support needs of participants. The NDIA is developing new policy and guidance material for planners, providers and participants to support decision making in relation to home and living supports. As part of this process, the NDIA is reviewing the accommodation-specific questions asked of participants during planning meetings to ensure planners, support coordinators and partners in the community are best placed to support participants to understand and explore housing options, both NDIS funded and mainstream.	Complete	The NDIA has released more plain English resources and clearer guidelines and procedures, including revised Supported Independent Living Operational Guidelines for participants and providers, to help them understand Home and Living NDIA policies and processes. See: https://ourguidelines.ndis.gov.au/supports-you-can-access-menu/home-and-living-supports The NDIA is co-designing a policy to support the delivery of contemporary and innovative Home and Living approaches that increase participant choice and control over where they live, who they live with, and their supports. Further Operational Guidelines the NDIA has updated on the NDIS website are Individualised Living Options, Specialist Disability Accommodation, Medium Term Accommodation, Short Term Accommodation, Home Modifications and Personal Care Supports.
8	The committee recommends that the National Disability Insurance Agency implement measures to further streamline and expedite quote approvals for Supported Independent Living as a matter of urgency.	Noted The Government notes that on 1 July 2020., the SIL quoting process was replaced by set SIL price limits in the NDIS Price Guide. This change streamlines the SIL approval process by removing the need for providers to develop annual quotes. Instead, providers submit a ROC for each participant and funding is approved at the relevant ADL rate. Detailed documentation will only be required where there is a material change to the ROC. The Government recognises the importance of timely approvals of participant plans. The NDIA has already implemented measures such as automatic plan rollovers and extensions to ensure continuity of supports and certainty for participants. The Government also recognises that SIL may not be the best way forward for some participants, and it is vital that participants have an opportunity to explore the full range of home and living supports available through the NDIS. Alternatives to SIL may include Specialist Disability Accommodation (SDA), Home Modifications, Assistive Technology or ILOs. The NDIA is implementing the use of innovative home living solutions as an alternative to SIL and to support more streamlined planning processes.	No Action Required	The Supported Independent Living (SIL) quoting process was replaced by set SIL price limits in the NDIS Price Guide. This change streamlines the SIL approval process by removing the need for providers to develop annual quotes. The NDIA has implemented measures such as automatic plan rollovers and extensions to ensure continuity of supports and certainty for participants.

Supported Independent Living

Committee Recommendation		Government Response	Status	Update
9	The committee recommends that the National Disability Insurance Agency develop and implement mechanisms to prioritise and expedite approvals for Supported Independent Living and Specialist Disability Accommodation for people with disability in residential aged care, hospital settings, and the criminal justice system.	<p>Supported</p> <p>The Government supports prioritisation of housing support for participants in residential aged care, hospital settings and the criminal justice system. On 25 November 2019, the Government announced it would strengthen the initial targets of the Younger People in Residential Aged Care Action Plan (Action Plan). The new targets, apart from in exceptional circumstances, will seek to ensure that there are:</p> <ul style="list-style-type: none"> • No people under the age of 65 entering residential aged care by 2022; • No people under the age of 45 living in residential aged care by 2022; and • No people under the age of 65 living in residential aged care by 2025. <p>As part of this announcement, the Government established a Joint Agency Taskforce between the department, the NDIA, and the Department of Health (DoH), to develop a new strategy that builds on the Action Plan and takes action to ensure these new targets are met. A specialist team within the NDIA has also been established to prevent younger people with a disability who are eligible for the NDIS from entering aged care. The NDIA has also recently implemented a number of measures to expedite the discharge of NDIS participants from hospital settings where they are deemed medically ready for discharge. As part of these measures, Health Liaison Officers and access and planning teams work together to fast track access and planning requests and approvals, and remove barriers to hospital discharge for participants who are deemed medically ready to leave hospital. Justice Liaison Officers are also being progressively introduced to support more streamlined information sharing and support provision for participants engaged in the justice system.</p>	Ongoing	<p>The Government recently committed to review the design, operation and sustainability of the NDIS, bringing forward the planned 2023 independent review of the Scheme. The review will also consider how to ensure the NDIS market and workforce is responsive and capable of supporting the delivery of quality and safe NDIS services. The review will consider all available evidence, and look at benefits of the Scheme, as well as problems inside and outside the NDIS. The review findings will guide state and territory and Australian Government on priority areas for improving the scheme.</p> <p>In regard to NDIS participants in hospital the Disability Reform Ministers have endorsed target for the NDIA to meet with a participant in hospital within 4 days of being notified the participant is in hospital, and to have a NDIS plan in place within 15 to 30 days, to support their discharge once they are medically ready.</p>
10	The committee recommends that the National Disability Insurance Agency clarify whether a provider may continue to claim for supports delivered under a plan while a review of that plan is underway.	<p>Supported</p> <p>The Government supports providing clarity to providers regarding NDIS claiming procedures. The Government will take necessary steps to ensure that providers are aware that under Section 37 of the National Disability Insurance Scheme Act 2013 (NDIS Act 2013), a participant's plan only ceases to be in effect when it is replaced by another plan under Division 4; or when a participant ceases to be a participant. As such, a provider may continue to claim for provided supports for current plans and historically up to 90 days, until the above provisions are met and a plan is replaced by a subsequent plan or through cessation of participation in the NDIS.</p>	Complete	<p>A provider may continue to claim for provided supports from current plans until a plan is replaced by a subsequent plan or through cessation of participation in the NDIS.</p> <p>Providers may still claim for Supported Independent Living funds, where participants exit accommodation permanently as a result of an irretrievable breakdown of supports/relationship which requires an immediate exit due to the participant's personal health and safety, or that of others, is critically compromised.</p> <p>If a plan reaches its end date and a new plan hasn't been finalised yet, the existing plan will be automatically extended for up to 12 months. This means that current funding will automatically continue for up to 12 months, for which the provider can continue to draw from, or until a new plan can be finalised, to ensure there are no gaps in supports provided to participants. This is part of the NDIA's commitment to deliver a quality experience for participants of the Scheme.</p>
11	The committee recommends that additional funding be made available in plans for short-term accommodation, for participants seeking to access Supported Independent Living.	<p>Noted</p> <p>The Government notes that short-term accommodation may be of significant assistance to eligible NDIS participants. Goals relating to short-term accommodation are discussed as part of the planning and review process. Funding for supports, including for short term accommodation, is included in a participant's plan subject to reasonable and necessary decision making criteria under Section 34 of the NDIS Act 2013.</p>	No Action Required	Funding for short term accommodation supports can be included in a participant's plan subject to reasonable and necessary decision making criteria under Section 34 of the NDIS Act 2013.
12	The committee recommends that the National Disability Insurance Agency (NDIA) develop and implement a mechanism to ensure that participants have the opportunity to review and agree to quotes for Supported Independent Living before they are approved by the NDIA.	<p>Supported in principle</p> <p>The Government recognises participants should be given genuine choice over the supports they access, including having an opportunity to review supports before they are approved. Under the new SIL approval process introduced on 1 July 2020, providers are no longer required to develop a quote for SIL supports. To ensure participants have greater input to the planning process, before a plan with SIL supports is approved, the NDIA will directly ask the participant or their nominee to confirm they have had an opportunity to see and provide input to the ROC. The support coordinator, if in place, will also be engaged to ensure this occurs.</p>	Complete	The Supported Independent Living (SIL) Operational Guideline details how participants may have greater input into the planning process. The NDIA directly asks the participant or their nominee to confirm if they have had an opportunity to see and provide input to the Roster of Care before SIL quote is approved. The support coordinator, if in place, will also be engaged to ensure this occurs.

Supported Independent Living				
	Committee Recommendation	Government Response	Status	Update
13	The committee recommends that the National Disability Insurance Agency ensure that its work to improve the Supported Independent Living quoting tool and quoting process takes into account: the costs associated with supporting participants with higher or more complex needs; the costs associated with supporting participants in thin market areas; and all relevant Fair Work decisions.	Noted The Government notes the previous SIL quoting and negotiation process was replaced by SIL price limits on 1 July 2020. Different price limits apply depending on the time of day and day of the week on which support is delivered, and whether the supports are high intensity supports, or delivered in remote or very remote areas. The NDIA is considering the impact of thin markets and complex support needs on pricing as part of the SIL price control review. The NDIS Price Guide 2020-21 incorporates a number of updated price limits developed following the outcome of the Fair Work Commission decision on minimum wage rates.	No Action Required	The previous Supported Independent Living (SIL) quoting and negotiation process was replaced by SIL price limits on 1 July 2020. Different price limits apply depending on the time of day and day of the week on which support is delivered, and whether the supports are high intensity supports, or delivered in remote or very remote areas. The NDIS Pricing Arrangements and Price Limits incorporates a number of updated price limits developed following the outcome of the Fair Work Commission decision on minimum wage rates.
14	The committee recommends that the National Disability Insurance Agency review the 'simplified' quoting tool for Supported Independent Living, to allow providers to make minor changes to a quote based on changes to the National Disability Insurance Scheme pricing structure that have occurred since the quote was approved.	Noted The Government notes that set price limits for SIL supports replaced the quoting tool on 1 July 2020. The use of SIL price limits in place of annual quoting will mean the right price limit will be applied to SIL supports, without the need for providers to estimate their full year revenue up front. These changes will mean the SIL process is more efficient and will enable providers to get paid without lengthy negotiation.	No Action Required	The use of Supported Independent Living (SIL) price limits in place of annual quoting means the right price limit will be applied to SIL supports, without the need for providers to estimate their full year revenue up front. These changes mean the SIL process is more efficient and will enable providers to get paid without lengthy negotiation.
15	The committee recommends that the National Disability Insurance Agency establish a central point of contact for all inquiries relating to Supported Independent Living.	Noted The Government notes the NDIA has a number of existing communication channels available for all stakeholders. Having a broad range of communication options available ensures stakeholders' choices are not limited when they communicate with the NDIA and that enquiries are streamlined to the appropriate area.	No Action Required	The NDIA has a number of existing communication channels available for all stakeholders. Having a broad range of communication options available ensures stakeholders' choices are not limited when they communicate with the NDIA and that enquiries are streamlined to the appropriate area.
16	The committee recommends that the National Disability Insurance Agency develop and implement a mechanism to provide updates to providers on the progress of Supported Independent Living quotes.	Noted The Government notes that set price limits for SIL supports replaced the previous quoting and negotiation process on 1 July 2020. The home and living guidance material currently in development will set out the NDIA's approach to engaging participants, their nominees, support coordinators and providers in the planning process.	No Action Required	The Home and Living guidance material on the NDIS website sets out the NDIA's approach to engaging participants, their nominees, support coordinators and providers in the planning process.
17	The committee recommends that the National Disability Insurance Agency progress the recommendations made in the committee's report, <i>NDIS ICT Systems</i> , as a matter of urgency.	Supported The Government supports measures to ensure the continued improvement of the administration of the ND IS for participants and providers. The ND IA implemented all of the recommendations made by the JSC with regard to NDIS ICT Systems by the end of the first quarter of 2020.	Complete	The NDIA implemented all of the recommendations made by the JSC with regard to the NDIS ICT Systems report by the end of the first quarter of 2020. The NDIA is designing and building a new ICT business system named PACE. Work is also underway to implement the recently designed online access request forms with the NDIA's new ICT system. The release of the NDIA's new ICT system in Tasmania in November 2022 includes the changes already made to existing NDIS ICT systems in regard to this recommendation.
18	The committee recommends that the National Disability Insurance Agency review its existing policies and procedures, to ensure that participants needing assistance with daily living are given genuine choice as to whether they access supports in a shared or individual living arrangement.	Supported in principle The Government recognises the need to ensure participants are given genuine choice over the supports they access. Following principles under the Council of Australian Governments Applied Principles and Tables of Support (APTOS), the NDIA understands its responsibilities to assist participants in individual or shared living arrangements, noting this does not extend to making reasonable adjustments to state and territory owned housing, which remains the responsibility of housing authorities. As mentioned above, the NDIA is developing a Home and Living policy which will articulate the NDIA's overarching strategic position, bringing together previously disparate elements of NDIS home and living supports, and ensuring coherency of communication internally and externally about the NDIA's priorities for home and living. The policy will provide organising principles for implementation strategies and targeted programs of work, and will fully articulate the NDIA's position on reasonable and necessary supports for home and living options, noting the NDIA is not responsible for housing of participants except in very specific circumstances.	Complete	The NDIA has released more plain English resources and clearer guidelines and procedures, including revised Supported Independent Living (SIL) Operational Guidelines for participants and providers, to help them understand Home and Living NDIA policies and processes. In the SIL Operational Guideline, participants are able to understand how to have greater input into the planning process. The NDIA will directly ask the participant or their nominee to confirm if they have had an opportunity to see and provide input to the Roster of Care before SIL quote is approved. The support coordinator, if in place, will also be engaged to ensure this occurs.

Supported Independent Living

Committee Recommendation		Government Response	Status	Update
19	The committee recommends that the National Disability Insurance Agency give all participants living in congregate settings, who receive Supported Independent Living funding, the opportunity to review their accommodation and support arrangements and to exit the congregate setting if they wish to do so.	<p>Supported</p> <p>The Government is committed to ensuring all people with disability are supported to realise the benefits of the NDIS. Participants who wish to leave congregate living arrangements can request an unscheduled plan review due to a change in circumstances, or have their supports changed at their annual plan review meeting, subject to reasonable and necessary decision making. The NDIA is reviewing the accommodation-specific questions asked of participants at the time of plan review, and developing new policy and guidance material for planners and participants to support decision making in relation to home and living supports.</p>	Complete	Participants who wish to leave congregate living arrangements can request a Plan Reassessment due to a change in circumstances, or as part of their full plan review, with the decision being made according to the provisions of the NDIS Act.
20	The committee recommends that the National Disability Insurance Agency review and, if necessary, amend the Supported Independent Living quoting tool, to ensure that it allows participants to choose the people with whom they share a residence to the greatest extent possible	<p>Noted</p> <p>The Government notes the SIL quoting tool was replaced by set price limits on 1 July 2020. The Government recognises the importance of participants having choice and control over who they live with, either in congregate or other living arrangements. The NDIA's new Home and Living policy, currently in development, will embed planning practices that ensure participants and planners work together to identify participants' home and living goals, which may include goals to change living arrangements. The NDIA is exploring how ILOs and other innovative living arrangements can provide participants with greater choice and control. The NDIA has also provided support to the department to amend the SDA Rules to remove barriers and disincentives for participants eligible for SDA funding to share a bedroom or reside with other family members, where they choose to do so. Changes to the SDA Rules to provide more flexibility and increased choice for participants to live with their families, friends and partners commenced in June 2020.</p>	No Action Required	The use of Supported Independent Living (SIL) price limits in place of SIL quoting tool means the participants have greater choice and control. The NDIA are co-designing a policy to support the delivery of contemporary and innovative Home and Living approaches that increase participant choice and control over where they live, who they live with, and their supports.
21	The committee recommends that additional funding be made available to support participants seeking to exit congregate living arrangements.	<p>Supported in principle</p> <p>The Government is committed to ensuring that NDIS participants are supported to achieve their housing and accommodation goals. Participants who wish to leave congregate living arrangements can request an unscheduled plan review due to a change in circumstances, or have their supports changed at their annual plan review meeting. Any funding for supports included in participant plans, including for changes to congregate living arrangements, is considered in line with participants' goals and reasonable and necessary decision making criteria under Section 34 of the NDIS Act 2013.</p>	Complete	Participants who wish to leave congregate living arrangements can request a Plan Reassessment due to a change in circumstances, or as part of their full plan review, subject to reasonable and necessary decision makers. A provider is able to claim under support item "Assistance in Supported Independent Living - Exit Accommodation Permanently" where there is an irretrievable breakdown of supports/relationship which requires an immediate exit due to the participant's personal health and safety, or that of others, is critically compromised.
22	The committee recommends that the National Disability Insurance Scheme Quality and Safeguards Commission implement additional oversight measures for participants in group living arrangements.	<p>Noted</p> <p>The Government notes significant quality and safeguards protections already exist for group living arrangements under the NDIS Quality and Safeguarding Framework (the Framework). The adequacy of these arrangements will be considered in the context of the Review of the Framework due to commence in 2021. The NDIS Commission has oversight arrangements for all registered providers legislated in the NDIS Act 2013 and associated Rules. Providers delivering NDIS supports and services within the registration group which captures SIL (being 'Assistance with daily life tasks in a group or shared living arrangement') as well as SDA providers, are required to: • Comply with the NDIS Code of Conduct; • Undergo regular independent audit activities to assess compliance with relevant NDIS Practice Standards; and • Meet registration requirements including: responding to, and advising, the NDIS Commission of reportable incidents including the unauthorised use of restrictive practices, ensuring the development of Behaviour Support Plans as appropriate, and ensuring their employees have an acceptable current screening check in place. Registered providers are subject to NDIS Commission regulatory actions as set out under the NDIS Act 2013 and associated Rules, including compliance activities, complaint investigations, and enforcement activities as appropriate. Both SIL and SDA providers are required to undergo certification audits. The Core Module of the NDIS (Provider Registration and Practice Standards) Rules 2018 requires demonstration of compliance with Practice Standards providing strong oversight measures for NDIS participants in receipt of NDIS support and services, including SIL.</p>	Noted	<p>The Government Response points to existing standard operating mechanisms utilized by the NDIS Quality and Safeguards Commission, which addresses the Committee's recommendation.</p> <p>In addition, the scheduled Review of the NDIS Quality and Safeguarding Framework will be a part of the broader review of the NDIS being taken by the Government.</p>

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Committee Recommendation		Government Response	Status	Update
23	<p>The committee recommends that the National Disability Insurance Scheme Quality and Safeguards Commission develop clear policies and guidance on vacancy management, with a focus on ensuring compatibility between tenants in shared accommodation and ensuring participant involvement in the vacancy management process.</p>	<p>Noted</p> <p>The Government notes that there are already a number of requirements that providers need to adhere to with respect to vacancy management and the involvement of participants in this process. 9 The principles of the National Disability Insurance Scheme (Plan Management) Rules 2013 contain an expectation that people with disability should be involved in decision making processes that affect them. In the context of SDA and SIL this would involve providers considering the views of all participants (if any) already residing in a dwelling before housing another participant in that dwelling. In addition, SDA providers are required as part of their registration obligations with the NDIS Commission to comply with Module 5 of the NDIS (Provider Registration and Practice Standards) Rules 2018, which requires that each participant accessing a SDA dwelling is able to exercise choice and control and is supported by effective tenancy management. Further details about the requirements for effective tenancy management are provided in the NDIS (Quality Indicators) Guidelines 2018 which articulate in detail how registered SDA providers must act in relation to vacancy management, compatibility, and participant involvement in shared living arrangements.</p>	Noted	<p>The Government Response points to existing standard operating mechanisms utilized by the NDIS Quality and Safeguards Commission, which addresses the Committee's recommendation.</p>
24	<p>The committee recommends that the National Disability Insurance Agency implement a mechanism to separate service delivery, tenancy management and support coordination for participants in Supported Independent Living settings.</p>	<p>Supported in principle</p> <p>The Government supports in principle the separation of service delivery, tenancy management and support coordination, and notes the NDIA is undertaking a program of work to consider the redesign of the current support coordination model. This will include examination of the policy changes required to strengthen separation of services between support coordination and other support types. A consultation paper will be released in coming months. The Government also recognises participants should be able to exercise choice and control over their NDIS supports without being limited by their choice of accommodation. The NDIS Commission registration process includes the assessment of the suitability of providers in accordance with the types of NDIS supports and services they deliver. The NDIS Practice Standards include requirements for NDIS providers of specialised support coordination (Module 4 of the Practice Standards, Practice Standard 66) and SDA (Module 5 of the Practice Standards, Practice Standard 69) to demonstrate compliance with management of conflicts of interest through a certification audit. Providers must also have organisational policies in place to manage perceived or actual conflicts of interest, and separate service agreements for SIL and SDA must be in place where a provider delivers both supports to the same participant.</p>	Ongoing	<p>The Government response points to existing standard operating mechanisms utilized by the NDIS Quality and Safeguards Commission, which addresses the Committee's recommendation. The Government recently committed to review the design, operation and sustainability of the NDIS, bringing forward the planned 2023 independent review of the Scheme. The review will consider all available evidence, and look at benefits of the Scheme, as well as problems inside and outside the NDIS. The review findings will guide state and territory and Australian Government on priority areas for improving the scheme.</p>

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Committee Recommendation		Government Response	Status	Update
25	The committee recommends that the National Disability Insurance Agency, with the National Disability Insurance Scheme Quality and Safeguards Commission, implement a mechanism to ensure participants accessing Supported Independent Living are able to change providers without compromising housing security or suffering other adverse consequences.	<p>Noted</p> <p>The Government recognises participants accessing SIL face additional complexities when they seek to change providers. Consideration of mechanisms to address issues arising when participants exit SIL arrangements will be considered as part of the NDIA's broader review of SIL and home living arrangements. The Government notes that the NDIS (Quality Indicators) Guidelines 2018 require SIL and SDA providers to demonstrate compliance with Module 1, Standard 18, 'Continuity of Supports,' as part of an independent audit that forms part of a registration application. All providers must apply to be registered with the NDIS Commission every three years. 10 The key outcome of this Practice Standard is that, 'Each participant has access to timely and appropriate support without interruption'. Further to this, SDA providers are obligated to meet the requirements of Practice Standard 70: Service Agreements with Participants and Practice Standard 72: Tenancy Management to maintain registration with the NDIS Commission.</p>	No Action Required	<p>The NDIA has established a dedicated housing and support team that considers a range of complex issues relating to home and living supports, including changing providers, to ensure participants are supported to consider a diverse range of housing options and have greater choice and control over their home living arrangements.</p> <p>The NDIA is co-designing a policy to support the delivery of contemporary and innovative Home and Living approaches that increase participant choice and control over where they live, who they live with, and their supports. Further Operational Guidelines the NDIA has updated on the NDIS website are Individualised Living Options, Specialist Disability Accommodation, Medium Term Accommodation, Short Term Accommodation, Home Modifications and Personal Care Supports.</p> <p>The Government Response points to existing standard operating mechanisms utilized by the NDIS Quality and Safeguards Commission, which addresses the Committee's recommendation.</p>
26	The committee recommends that the National Disability Insurance Agency develop a central register for participants seeking to identify vacancies for Supported Independent Living and Specialist Disability Accommodation.	<p>Supported</p> <p>The Government supports improved access to timely information about vacancies for participants and other stakeholders. On 25 November 2019, in response to the Royal Commission into Aged Care Quality and Safety Interim Report, the Government committed to engage with industry to identify all SDA and SIL supports across the country to develop a database of existing and new housing options available now and into the future. This commitment is being actioned through a Joint Agency Taskforce on Younger People in Residential Aged Care involving the DoH, the department and the NOIA. It is important to note that the private market is currently developing a number of tools and platforms designed to assist participants with identifying and finding suitable vacancies for SIL and SDA properties. The work undertaken through the Joint Agency Taskforce will seek to complement the work already being undertaken by private providers.</p>	Complete	<p>The Provider Finder Tool and Specialist Disability Accommodation (SDA) Finder Tool are interactive tools created and maintained by the NDIA to assist participants in finding registered providers and suitable SDA vacancies across Australia.</p> <p>These tools were developed from extensive consultation and testing with participants and providers. The tools can be found here: www.ndis.gov.au/participants/working-providers/find-registered-provider/provider-finder www.ndis.gov.au/participants/home-and-living/specialist-disability-accommodation-explained/sda-finder#finder</p> <p>The SDA Finder tool makes it easier for participants to find suitable SDA vacancies and pursue their goals and for providers to comply with the SDA Rules. The NDIA updates the information weekly to ensure accuracy of information.</p>
27	The committee recommends that the National Disability Insurance Agency establish a specialist team dedicated to vacancy management.	<p>Noted</p> <p>The Government notes the recommendation to establish a dedicated vacancy management team. The NDIA has established a dedicated housing and support team that considers a range of complex issues relating to home and living supports, including vacancies, to ensure participants are supported to consider a diverse range of housing options and have greater choice and control over their home living arrangements. In addition, the NDIA is supporting the sector to develop platforms to support vacancy management.</p>	No Action Required	<p>The NDIA has established a dedicated housing and support team that considers a range of complex issues relating to home and living supports, including vacancies, to ensure participants are supported to consider a diverse range of housing options and have greater choice and control over their home living arrangements. In addition, the NDIA is supporting the sector to develop platforms to support vacancy management.</p>

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Committee Recommendation		Government Response	Status	Update
28	The committee recommends that the National Disability Insurance Agency develop and implement processes to streamline the approval process for participants who need funding for both Supported Independent Living and Specialist Disability Accommodation.	Supported The Government is committed to ensuring processes are as streamlined as possible for participants and providers. The NDIA housing and support team is working to improve processes to support more streamlined access to home and living supports for eligible participants. In addition, on 1 July 2020, the NDIA implemented the proposed Participant Service Guarantee timeframes from the Tune Review. This includes timeframes relating to plan approvals following access, plan reviews and plan variations.	Complete	The NDIA continues to improve how we support participants to access housing supports in a timely and consistent way. The operational guidelines provide a transparent view to participants and their carers about SIL and SDA supports. Further, the Participant Service Charter and Participant Service Improvement Plan have been implemented that set out our objectives to deliver a Scheme that meets the expectations of participants and improves outcomes and experiences.
29	The committee recommends that, if a participant is approved for Specialist Disability Accommodation involving on-site overnight assistance, funding for Supported Independent Living (SIL) be automatically approved, on the condition that the participant and/or their plan nominee is able to review the SIL quote and approve it.	Noted The Government notes the importance of ensuring that participants who require assistance with daily living can promptly access funding for supports. Under the current legislation, an NDIS plan can only be approved by an NDIA delegate. When approving an NDIS plan, the delegate must confirm that the supports in the plan are reasonable and necessary under Section 34 of the NDJS Act 2013.	No Action Required	The Government notes the importance of ensuring that participants who require assistance with daily living can promptly access funding for supports. Under the current legislation, an NDIS plan can only be approved by an NDIA delegate. When approving an NDIS plan, the delegate must confirm that the supports in the plan are reasonable and necessary under Section 34 of the NDJS Act 2013.
30	The committee recommends that, if a participant exits a Supported Independent Living arrangement, funding for that participant continues at a 50 per cent rate for a period of one month or until the vacancy is filled—whichever is sooner. At the end of that month, a review should be conducted to determine whether additional funding is required.	Noted The Government recognises the current approach to vacancy management requires further development, however notes the NDIS funds participants and not providers. Mechanisms to address issues arising when participants exit SIL arrangements will be considered as part of the NDIA's broader review of SIL and home living arrangements.	No Action Required	The NDIS funds participants, not providers. However, a provider is able to claim under support item "Assistance in Supported Independent Living - Exit Accommodation Permanently" where there is an irretrievable breakdown of supports/relationship which requires an immediate exit due to the participant's personal health and safety, or that of others, is critically compromised.
31	The committee recommends that the National Disability Insurance Agency conduct a review of the National Disability Insurance Scheme Price Guide and associated price settings to ensure that the additional costs associated with supporting participants with complex needs, including in Supported Independent Living settings, are adequately captured.	Supported The Government supports annual reviews of the NDIS Price Guide. The NDIS Price Guide 2020-21 incorporates a number of amendments that relate to additional costs associated with supporting participants with complex needs. The new SIL price limits include line items for providing higher intensity supports. The NDIA is also conducting a review of SIL price controls. New SIL-specific price limits will be included in an updated Price Guide released later in 2020.	Complete	The NDIS Annual Pricing Review recognises the cost of continuity of support, keeping participants safe and improving systems to drive productivity.
32	The committee recommends that the National Disability Insurance Agency develop and publish clear policy and guidance on when providers may claim above the benchmarks set out in the National Disability Insurance Scheme Price Guide.	Noted The Government is supportive of having clear guidance available for providers to support them in their service delivery roles. However, under current guidelines providers may not claim above the benchmarks set out in the NDIS Price Guide. NDIS providers may not claim for amounts greater than funded support values or the service booking values agreed with participants. The new SIL price limits specify the maximum amounts providers may claim for the delivery of supports in SIL settings. 1	No Action Required	The NDIA sets pricing arrangements and price limits for many supports to ensure they promote the delivery of high quality innovative supports. Under current guidelines providers may not claim above the benchmarks set out in the NDIS Price Guide. NDIS providers may not claim for amounts greater than funded support values or the service booking values agreed with participants. For 2022-23, the price limits for all NDIS supports delivered by disability support workers increased by 9%. The NDIA is also making an extra \$514 million available to registered providers of activities of daily living and community participation supports to recognise costs of keeping participants safe.
33	The committee recommends that the National Disability Insurance Agency develop and implement mechanisms to ensure providers are immediately notified of any changes to the National Disability Insurance Scheme Price Guide or associated price settings.	Supported The Government is committed to providing reasonable notice to service providers in relation to price changes. Providers are notified of Price Guide changes at least 30 days before they come into effect. Registered providers receive emails from the NDIA when there are changes to the Price Guide. The Price Guide and pricing information is published on the NDIS website.	Complete	Providers are notified of Price Guide changes at least 30 days before they come into effect. Registered providers receive emails from the NDIA when there are changes to the Price Guide. The Price Guide and pricing information is published on the NDIS website.

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Committee Recommendation		Government Response	Status	Update
34	The committee recommends that the National Disability Insurance Agency review the National Disability Insurance Scheme Price Guide, to ensure that the costs associated with attracting, training and retaining staff to deliver supports to people with severe or complex disability, including in Supported Independent Living settings, are adequately captured.	Supported The Government supports regular pricing reviews to ensure NDIS price limits support providers to attract, train and retain staff to deliver support to people with severe or complex disability. The NDIA conducts annual reviews of the NDIS Price Guide to ensure it is fit for purpose. The NDIS Price Guide 2020-21 incorporates a number of amendments that relate to additional costs associated with providing supports to participants with complex needs. As previously mentioned, the NDIA is also conducting a review of SIL price controls and will release an updated Price Guide later in 2020.	Ongoing	The Government recently committed to review the design, operation and sustainability of the NDIS, bringing forward the planned 2023 independent review of the Scheme. The review will also consider how to ensure the NDIS market and workforce is responsive and capable of supporting the delivery of quality and safe NDIS services. The review will consider all available evidence, and look at benefits of the Scheme, as well as problems inside and outside the NDIS. The review findings will guide state and territory and Australian Government on priority areas for improving the scheme.
35	The committee recommends that providers within the National Disability Insurance Scheme invest in additional training for support staff involved in the delivery of Supported Independent Living services and supports for participants with higher or more complex needs.		Ongoing	The Government recently committed to review the design, operation and sustainability of the NDIS, bringing forward the planned 2023 independent review of the Scheme. The review will also consider how to ensure the NDIS market and workforce is responsive and capable of supporting the delivery of quality and safe NDIS services. The review will consider all available evidence, and look at benefits of the Scheme, as well as problems inside and outside the NDIS. The review findings will guide state and territory and Australian Government on priority areas for improving the scheme.
36	The committee recommends that the National Disability Insurance Agency develop and implement a streamlined mechanism to expedite the processing of claims made by service providers for increased supports provided to participants.	Supported in principle The Government recognises the importance of being responsive to the support needs of participants, particularly where those needs increase. Where a participant's support needs have changed, the participant or their nominee can request a plan review. Current plan review guidelines provide for the NDIA to consider amending levels of participant supports when necessary. 13 For participants with complex needs, the NDIA has implemented the Complex Support Needs pathway (CSN pathway). Participants who are in the CSN pathway receive additional, tailored support in all aspects of their NDIS experience, including access, planning, plan implementation and review. The NDIA housing and support team is considering further mechanisms to streamline review processes for SIL and SDA participants.	On Track	The NDIA is working collaboratively with participants, providers, the wider disability community and staff to design and build a new information and communications technology (ICT) business system which will simplify processes for service providers through enhanced digital services, including improving our payments and claims capability for providers by delivering new claims at Point of Support (POS) technology, offering providers a faster, simpler way to make claim transactions in real-time.
37	The committee recommends that the National Disability Insurance Agency develop and implement a mechanism to streamline plan reviews for participants accessing Supported Independent Living in shared living arrangements.	Supported The Government sees value in aligning the timing of plan reviews for participants in shared living arrangements. The NDIA has introduced operational improvements to planning processes that include mechanisms to streamline some plan reviews for participants, including those in SIL. As mentioned above, the NDIA housing and support team is reviewing current SIL processes and will seek to embed practices to improve the planning process for participants receiving or seeking to receive SIL supports.	Complete	The NDIA continues to improve how it supports participants with accessing housing supports in a timely and consistent way. The SIL Operational Guideline, helps participants to understand how to have greater input into the planning process, enabling the plan reviews process to be more streamlined. The Participant Service Charter and Participant Service Improvement Plan have been implemented that set out our objectives to deliver a Scheme that meets the expectations of participants and improves outcomes and experiences.
38	The committee recommends that the National Disability Insurance Agency actively works to address thin markets, and ensures that work to address thin markets in regional, rural and remote areas captures both Supported Independent Living and Specialist Disability Accommodation.	Supported The Government recognises there are challenges for participants accessing services in emerging markets, particularly regional and remote areas. As part of its market stewardship role, the NDIA is supporting emerging markets to develop and to assist participants to access key supports. The NDIA is implementing a more flexible approach to thin markets as agreed by the Disability Reform Council (DRC) on 13 December 2019, through initial projects in some rural and remote areas, to address specific market issues that may be impacting on participants' access to supports. In addition to these projects, the NDIA is considering a number of mechanisms to address thin markets in rural and remote locations, including providing information to the market about levels of participant need, locations of demand, and numbers of participants currently residing in cities who may relocate to regional communities if they can access the required supports.	Ongoing	The Government recently committed to review the design, operation and sustainability of the NDIS, bringing forward the planned 2023 independent review of the Scheme. The review will consider all available evidence, and look at benefits of the Scheme, as well as problems inside and outside the NDIS. The review findings will guide state and territory and Australian Government on priority areas for improving the scheme. The Australian Government is committed to strengthen the disability services sector with a review of NDIS pricing, markets and compliance, and develop a comprehensive NDIS workforce strategy.

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Committee Recommendation		Government Response	Status	Update
39	The committee recommends that the National Disability Insurance Agency publish a clear and comprehensive policy on provider of last resort arrangements and crisis accommodation as a matter of urgency.	<p>Supported</p> <p>The Government recognises the importance of having clear information available on arrangements for providers of last resort and crisis accommodation. The ECSNP has providers in place in every state and territory and provides after hours crisis referral services. The ECSNP also supports NDIS providers through the provision of subject matter expertise and capacity building activities.</p>	Ongoing	<p>In November 2021, the NDIA released the Improving Support Coordination for NDIS Participants paper following a comprehensive consultation process. The paper outlines support coordinators should regularly engage with participants to understand their individual circumstances, disability-related support needs and goals, including any potential changes such as unexpected events or interruptions of support and to also prevent crisis situations from arising.</p> <p>An NDIS participant is able to utilise funding that exists in their NDIS plan to respond to a crisis related to their disability support needs. This means that participants are able to use their core supports in a flexible way to respond to an unexpected increase in support needs, which may include accommodation supports.</p> <p>The Exceptionally Complex Support Needs Program (ECSNP) initiated in 2019 continues to be implemented, including an after-hours crisis referral service.</p>
40	The committee recommends that the Commonwealth, states and territories, through the Disability Reform Council, progress work to understand and address gaps in the availability of advocacy and decision support services as a matter of urgency.	<p>Supported</p> <p>The Government is in the process of coordinating a demand and gap analysis into independent disability advocacy and decision-making supports. The project arose through DRC and is anticipated to report later in 2020. This project will assist in discussions between the states and territories and the Commonwealth to understand the impact the implementation of the NDIS has had on advocacy. It will also inform discussions regarding possible future partnership approaches for shared and ongoing funding arrangements.</p>	Complete	<p>The Demand and Gap Analysis Report was completed in December 2020 and provided to the then disability ministers in February 2021. The Report provided the impetus to revise the original National Disability Advocacy Framework (NDAF) to clearly articulate a shared commitment to disability advocacy that aligns with Australia's Disability Strategy, and to work together on a joint Disability Advocacy Work Plan to implement actions under the NDAF. The Australian and state and territory governments are currently working on a public version of the Report to publish alongside the NDAF.</p>
41	The committee recommends that the National Disability Insurance Agency, working with the Australian Government, publish and distribute additional information on the availability of advocacy and decision support services.	<p>Supported</p> <p>The Government supports the provision of detailed information to participants on the availability of advocacy and decision support services. The department currently provides an advocacy finder service on its website. Work is also underway to develop a broader information gateway to support people with disability to access a range of services and information, including advocacy.</p>	Complete	<p>The Disability Gateway service commenced on 27 January 2021. This free, national and people-centred service is a central point of connection and referral to help people with disability, their families and carers to easily find and access trusted information, supports and services in their local area.</p> <p>The Gateway includes a website (www.disabilitygateway.gov.au) and 1800 information service (1800 643 787).</p> <p>The Disability Gateway website has a search function that makes it easier for people to find relevant information and services. It uses the 'Ask Izzy' (www.askizzy.org.au) search platform to identify trusted providers that are nearby.</p> <p>As part of Ask Izzy, a Disability Advocacy Finder was developed at https://askizzy.org.au/disability-advocacy-finder. When using the Finder, people can filter by postcode, town or suburb to find their nearest provider</p>
42	The committee recommends that the Australian Government increase funding for advocacy and decision support initiatives, to ensure that these initiatives reach the broadest range of people who require these services.	<p>Noted</p> <p>The Government notes the Commonwealth has increased funding for advocacy and decision support over the past six years from \$18 to \$33 million (excluding Disability Royal Commission advocacy support). Both the Australian Government and the states and territories, with the exception of South Australia, recognised at a DRC meeting in December 2019 that the provision of funding to support independent disability advocacy was a shared responsibility. The outcomes of the demand and gap analysis project of independent disability advocacy and decision-making supports (mentioned in response to Recommendation 40), is likely to inform future funding decisions at all levels of government.</p>	Noted	<p>The Government has continued to increase the funding available for advocacy and decision support. Funding of \$34.3 million was provided for individual advocacy support in 2022-23 (excluding Disability Royal Commission advocacy support).</p>

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Committee Recommendation		Government Response	Status	Update
43	The committee recommends that the National Disability Insurance Agency, with the Quality and Safeguards Commission, develop and publish service standards specifically for the delivery of Supported Independent Living services.	Noted The Government notes the NDIS Practice Standards and overarching regulatory activities are appropriate for the regulation of NDIS supports and services to NDIS participants, including in sharing or group living settings.	No Action Required	The Government Response points to existing standard operating mechanisms utilized by the NDIS Quality and Safeguards Commission, which addresses the Committee's recommendation.
44	The committee recommends that the National Disability Insurance Agency and the Quality and Safeguards Commission take a more active role in monitoring the quality of services in residences where Supported Independent Living is delivered, to ensure that participants and advocates can readily identify and address concerns with service quality.	Noted The Government notes that the NDIS Practice Standards and overarching regulatory activities are appropriate for the regulation of NDIS supports and services to NDIS participants, including in sharing or group living settings. The NDIS Commission performs an ongoing monitoring function through its complaints, reportable incidents and registration functions.	No Action Required	The Government Response points to existing standard operating mechanisms utilized by the NDIS Quality and Safeguards Commission, which addresses the Committee's recommendation.
45	The committee recommends that the National Disability Insurance Agency, with the Australian Government, develop, publish and implement a clear strategy to address coordination issues between state and territory services and the National Disability Insurance Scheme, particularly for people with disability seeking to access Supported Independent Living supports.	Noted The Government and states and territories monitor, discuss and address coordination issues between state and territory services and the NDIS on an ongoing basis. Local Area Coordinators are active in every jurisdiction and link participants to the NDIS and to mainstream and community supports in their area. Additionally, NDIA Health Liaison and Justice Liaison Officers are now in place nationally. These liaison positions play a key role in connecting the NDIA and NDIS participants to mainstream service systems, and supporting people to access the NDIS.	No Action Required	The Government and states and territories monitor, discuss and address coordination issues between state and territory services and the NDIS on an ongoing basis. Local Area Coordinators are active in every jurisdiction and link participants to the NDIS and to mainstream and community supports in their area. Additionally, NDIA Health Liaison and Justice Liaison Officers are now in place nationally. These liaison positions play a key role in connecting the NDIA and NDIS participants to mainstream service systems, and supporting people to access the NDIS.