



PARLIAMENTARY JOINT STANDING COMMITTEE ON THE NATIONAL DISABILITY INSURANCE SCHEME

This submission should be read alongside the concerns published in responses to the submission provided by the following academics:

- Dr Ros Madden
- Professor Andrew Whitehouse
- Professor Valsamma Eapen

The submission should also be read alongside the supplementary submission provided by the National Disability Insurance Agency on 8 June 2021.

The responses from academics and the supplementary submission from the National Disability Insurance Agency are published underneath submission 13 on the committee webpage.



Australian Government
Department of Social Services



**Joint Submission to the Joint Standing Committee on the
National Disability Insurance Scheme's
Inquiry into Independent Assessments**

March 2021

The Department of Social Services
The National Disability Insurance Agency



Preface:

The Department of Social Services (DSS) and the National Disability Insurance Agency (NDIA) welcome the opportunity to provide a submission to the inquiry of the Joint Standing Committee (JSC) on the National Disability Insurance Scheme (NDIS) into independent assessments.

This submission provides a summary of the background and key reasons why independent assessments are being introduced, noting they are just one part of a broader reform program that will focus on the individual participant experience, achievement of outcomes, and ongoing service improvements. The submission also outlines how independent assessments will provide greater consistency in decisions about a person's functional capacity and the supports an NDIS participant is provided in their plans.

The intention to roll out independent assessments and introduce greater plan flexibility was originally announced by the Minister for the NDIS, the Hon Stuart Robert MP (Minister Robert), in November 2019. They represent a key part of the [Australian Government's plan to deliver on the last 20 per cent of the NDIS](#) and are an essential tool to ensure equitable, transparent and consistent outcomes and increase confidence in decision-making about a person's eligibility for the NDIS and their NDIS plans.

This submission provides further information to clarify the intent of independent assessments and address potential misconceptions.

A reform of the scale and size of the NDIS comes with both opportunity and challenges. To effectively address these challenges and ensure a more consistent, flexible and equitable NDIS, DSS and NDIA are committed to actively seeking feedback on independent assessments and other reform proposals through an ongoing and comprehensive consultation program.

These changes will mean that the NDIS will more closely resemble the model originally recommended by the Productivity Commission. They will also help deliver an NDIS that empowers participants, is easier to understand and provides greater flexibility, choice and control to improve outcomes for all people with disability, their families and carers.



Background:

The NDIS was envisaged almost 10 years ago in the Productivity Commission’s 2011 Report on Disability Care and Support. The Productivity Commission produced a set of recommendations, which provided the foundations upon which the NDIS was built. As the NDIS continues to grow and mature, some of the original recommendations of the Productivity Commission have been reinforced by subsequent reviews and inquiries, including the 2019 Independent Review of the *National Disability Insurance Scheme Act 2013* (the NDIS Act) by Mr David Tune AO PSM (Tune Review).

The NDIS rollout and implementation challenges

The NDIS officially began on 1 July 2013 with trial sites in four regions across the country. The trial period ended in 2016, when national rollout commenced.

At 30 September 2016 there was just over 37,700 participants in the NDIS. By 31 December 2020 there were over 432,000.

The scale and pace of rollout has been highly ambitious. The clear focus up to now has been on creating a system where around 500,000 people are provided with individual funding, replacing block funding of organisations, with complex transitional arrangements across eight different state and territory systems. This has been challenging. Transition has taken longer than originally planned, ensuring eligible Australians from state and territory disability systems are supported to access the NDIS while providers make the transition from certainty of funding and clientele to providing an expanded range of services and support in a competitive market to individuals who can choose what they want and from whom they purchase it. In addition to transitioning the many people previously supported through state funded services and some Commonwealth funded services, around 200,000 people are receiving supports for the first time.



The recent focus has been on resolving outstanding implementation issues, substantially improving timeliness of access and planning for participants, clearing backlogs, while also assisting providers to expand and develop their workforce, and introducing national approaches to ensuring quality and safety. For example, as at 31 December 2020, 98 per cent of reviewable decisions were completed within 90 days, compared to 60 per cent in December 2019, 98 per cent of first plans were approved for participants aged seven and above within 70 days, compared to 64 per cent in December 2019, and 92 per cent of complaints were closed within 21 days, compared to 58 percent in December 2019.

It has been a remarkable transformation in a few short years, but the development of the scheme is not yet complete. More people will be supported through the scheme, and further changes are required to resolve inequities in access and planning outcomes, as we work towards a mature and financially sustainable NDIS which will benefit around 500,000 Australians with permanent and significant disability by 2023.

DSS and the NDIA recognise the need to make NDIS processes simpler and more straight forward and remove barriers to positive participant and provider experiences.

A fundamental design feature of the NDIS

The quality of information underpinning decisions as to who is eligible for the NDIS and the amount of funding they receive for supports is fundamentally important to the success of the NDIS.

This was recognised in the 2011 Report of the Productivity Commission, which recommended that the NDIS should provide *'individually tailored supports based on the same assessment process, certainty of funding based on need, genuine choice over how their needs were met (including choice of provider)'*.

During transition, people receiving specialist supports through state, territory and Commonwealth programs were designated as eligible for entry to the scheme. These were expected to be the significant majority of people coming into the NDIS during the transition. In some cases, the quality of data provided by governments to support the transition of these people was inadequate to allow the NDIA to make consistent decisions about a person's eligibility for the NDIS and the supports in their plans.



In addition, with over 212,000 participants receiving supports for the very first time at 31 December 2020, almost half of current NDIS participants have been required to source their own evidence of their functional capacity, which has contributed to inconsistent decisions based on the quality of the evidence provided.

This has meant there is a lot of variability in the amount, type and quality of information people assemble. Furthermore, they have to meet the expense of this themselves, or rely on the good will of the professionals and support services from whom they assemble their information. This has also meant those with greater resources (time, money, the support of family) or a better capacity to understand and navigate the complexities of assembling the information can have an advantage over those with fewer resources or who find the process challenging, confusing and frustrating. These experiences can challenge the credibility of the scheme at the outset of a person's experience of it.

Changes should be made to make it easier for people to provide the necessary information, with greater standardisation of the information required, while minimising the cost to the individual. These changes should align with the original recommendation from the Productivity Commission, that "*[a]ssessors should... be independent of the person being assessed to reduce the potential for 'sympathy' bias*". The PC report recognised that health professionals who have been supporting an individual are often placed in a difficult position when asked to undertake an assessment that relates to a person's eligibility for NDIS. The potential for overstating of an individual's needs by a health professional who has known a person for a period of time, even if it is unintentional, poses a risk for appropriate and equitable decision making.

The Tune Review reinforced the importance of implementing more equitable assessments to support improved national consistency in decision-making. The Tune Review noted that inconsistencies and burdens experienced by people with disability in gathering information have contributed to inconsistency of access and planning decisions, resulting in inequity for people applying for and using the NDIS. The Tune Review recommended implementing independent assessments as a way to mitigate the current barriers that exist for people with disability seeking to navigate the NDIS which have led to frustration and reduced trust in the NDIS from the perspective of people with disability, their families and carers and others who support them.



The Tune Review also reinforced the intent of the Productivity Commission's recommendations by highlighting that independent assessments should be used to promote independent outcomes and provide national consistency in assessment approaches. The Government will roll out independent assessments to ensure the scheme is implemented as envisaged.

Importantly, the idea of independent assessments is not new. Evidence of a person's functional capacity has always been part of the NDIS and is embedded in the NDIS Act as being a key input to decision making. In this regard, the supports provided under the NDIS have always been based on a person's functional capacity to undertake activities of daily living, rather than on the presence of an underlying diagnosis, condition or injury.

Currently people with disability seeking access to the NDIS are required to source their own reports about their functional capacity. These reports are used in NDIS planning meetings with an NDIS planner, not previously known to the participant, who determines the participant's functional capacity and associated support needs. Where a participant is unable to provide evidence of functional capacity, the NDIA completes internationally recognised general standardised functional assessments with participants or their representatives.

The current approach results in inconsistencies and variability in the scope, type and quality of information provided, and frustrations for all concerned, where clarifications are sought and further information has to be obtained, creating uncertainty and delaying decision making. Participant feedback on the current approach indicates concerns including:

- lack of clarity about the kinds of evidence required by the NDIA to make decisions;
- assessors having varied levels of understanding about functional capacity and the impact of disability on activities of daily living;
- a range of tools being used that are not all fit for purpose;
- different levels of detail being provided in assessments;
- assessments being completed at different times, so information may be out of date or circumstances may have changed;
- a level of inconsistency and subjectivity in assessment information;
- assessments being a costly and time consuming burden for families, estimated to cost in aggregate around \$130 to \$170 million a year, making them out of reach for many; and



- assessments being influenced by where a person lives or their ability to describe their circumstances and needs.

The introduction of independent assessments from 2021 is central to addressing these challenges. They will ensure all people with disability are supported to gather evidence of functional capacity. They will also reduce current pressures on NDIA Partners in the Community, who will refocus on their originally intended functions, ensuring that people are appropriately supported to access supports and services in their community and implement their plans.

Independent assessments will also ensure participants receive a more flexible plan budget based on their functional capacity to access the services they need and help pursue their individual goals and aspirations.

The outcomes of the participant's independent assessment will inform their personalised budget. This budget will reflect the expected costs of providing a reasonable and necessary package of supports for a participant with a similar level of functional capacity, support need and environmental context. This budget can be used by the participant to pursue their individual goals. The budget is not derived from those goals, though the budget will reflect the likely costs associated with important life stage transitions, such as leaving the family home for the first time or pursuing employment. This means that in the future a participant's plan will no longer be based on individual decisions about each and every support. This in turn means that people will be able to use their funds more flexibly – a critically important feature of the basic design of the NDIS.



People making their own decisions about what supports they obtain and from whom is fundamentally empowering. Under the current approach, which tends to seek to identify each and every support a person requires and attach a sum of funds to that, the result is a detailed and inflexible plan which is often contested in its preparation as people seek to make the plan comply with the supports they wish to purchase. It has also required NDIA delegates to make detailed and often relatively subjective decisions on plan inclusions and exclusions that are or are not ‘reasonable and necessary’. In this way, the process of arriving at the detailed plan and associated funding has become less empowering and more constraining of the choices that people can then exercise in the use of the funds allocated. Stepping away from plans based on itemising every individual support is essential to giving participants greater flexibility to use the funds they receive as they see fit. There will still be a need to identify some particular types of support or high cost supports, but overall people should have greater flexibility to use the funds as they wish for the supports they need’.

Participants, their families and carers are best placed to make decisions about what supports they need to pursue their goals. At present, the goal setting process for participants is restrictive and defined through the planning process. The introduction of personalised budgets will mean that, rather than negotiating and agreeing on each individual support needed to help them pursue their goals, participants can focus on how to best utilise their community supports, mainstream services and NDIS funding to pursue their goals and aspirations. The publication of participant decision guides and accessible information on best practice evidence will further support participants and their representatives to have greater choice and control over goal setting and attainment.

**The independent assessment framework and tools:**

Prior to and since independent assessments were first announced in 2019, the NDIA has been conducting in-depth consultation to determine how to give effect to the intent of the Productivity Commission’s recommendation and lay the foundations for a new approach to assessing a person’s functional capacity. This work has been undertaken in close collaboration with experts in the sector to ensure it reflects best practice.

The Independent Assessment Framework, released in September 2020 ([Independent Assessment Framework NDIS](#)), provides further information on the rationale, principles and origins of the assessment framework, including how it is underpinned by the International Classification of Functioning, Disability and Health. More than 100 recognised and standardised tools were assessed in developing the assessment framework to ensure they:

- are disability-neutral, so can be used across all disability-types;
- assess function rather than impairment;
- are questionnaire-based, to avoid capturing a person’s moment-in-time function, for example on a ‘good day’ or with an unfamiliar assessor; and
- are accurate and reliable.

The approach and the tools to be used have also been endorsed by leading Australian academics:

“The [independent assessment] framework is consistent with international best practice. It has great potential to increase the accuracy of assessment, which is a critical foundation in determining the most appropriate supports for each individual.”

Professor Andrew Whitehouse, Autism CRC and Telethon Kids Institute, and Professor of Autism Research at The University of Western Australia.

“[The NDIA] have outlined a framework on which to build a fairer and more consistent disability assessment – to enable the rights of people with disability to participate across society. This diagnosis-neutral framework combines both the need to evaluate capacity and the determining role of the environment in helping or hindering participation.”

Dr Ros Madden AM, University of Sydney Honorary Research Fellow, University of Sydney and Nick Glozier, Professor of Psychological Medicine, University of Sydney.



“The new functional capacity assessment framework by NDIS aligned to the International Classification of Functioning will undoubtedly enhance the development of effective programs matching each individual's functional level and needs, thereby optimising outcomes.”

Valsamma Eapen, Professor and Chair of Infant, Child and Adolescent Psychiatry at the University of New South Wales, and Head of the Academic Unit of Child Psychiatry, South West Sydney.

Further information about independent assessment framework and implementation arrangements are set out in a number of information papers released by the NDIA.

These include:

- [Independent Assessment Framework](#), which explains the basis for the NDIA’s move to independent assessments;
- [Independent Assessment Toolkit](#), which outlines which tools will be used during an independent assessment, the rationale for their selection, advice about the appropriate circumstances for their use and how they align with the International Classification of Functioning, Disability and Health; and
- [Evaluation of the First Independent Assessment Pilot](#), which summarises the lessons learned from this pilot in demonstrating the benefits of independent assessments and the suitability of the selection and scope of tools used for the purposes of access and planning decisions.



Our ongoing commitment to communicate and consult:

Once fully implemented, independent assessments will change how people with disability experience the NDIS. They will be paid for by the NDIA to ensure all people have equitable opportunity to access the NDIS and to be supported by a budget that meets their functional needs.

Independent assessments will also mean that the way a participant's plan is built will change. From late 2021, instead of creating a plan that has funding based on individual items or supports, participants will receive an overall budget so they can choose the supports they receive. Planning meetings will be more focussed on the best way for individuals to use their plan to pursue their goals. Participants will know the value of their likely budget ahead of the planning meeting so they can start to plan how they can best use these funds alongside any mainstream, community and informal supports available.

As with any change, it is understandable that people will have questions or feel uncertain. Not surprisingly, some aspects of these changes have caused some uncertainty and apprehension for some people.

In keeping with the Government's commitment to ensuring people with disability are at the centre of the NDIS, DSS and the NDIA will continue to openly communicate and share information in a variety of accessible formats, particularly to address misconception or to correct misinformation.

The NDIA is also committed to actively seeking feedback on the implementation of independent assessments and all other service improvement initiatives through a continued and comprehensive national consultation program.

To facilitate this, the NDIA released three consultation papers in November 2020 inviting people with disability, their families and carers and the entire sector to have their say on how the changes will be delivered:

- [Access and eligibility policy for independent assessments;](#)
- [Planning policy for personalised budgets and plan flexibility;](#) and
- [Supporting young children early, to reach their full potential.](#)



In parallel, the NDIA held over 170 virtual and face-to-face public and stakeholder events and sessions to be delivered between November 2020 and February 2021 to inform participants, family members, carers and the broader public of the intent of these reforms and seek feedback on their implementation.

The NDIA consultation processes closed on 23 February 2021, with over 700 unique submissions received in response to the three papers.. Following consideration of the submissions received, the NDIA will share more information about what people said during consultation.

**What we have heard so far:**

The NDIS is precious for the people it supports. It is new and completely different in concept than previous ways in which people with significant and permanent disability received what supports they could. Understandably, there is concern that any changes to this crucial new development for people with significant and permanent disability may potentially result in fewer people, receiving less support, with less power to make their own decisions.

That is not what is proposed under these changes. The original Productivity Commission report estimated that an NDIS would support about 411,250 people at a cost for supports of about \$12.82 billion per year by 2018-19. In 2017, a Productivity Commission study of NDIS costs estimated that the NDIS would support 476,000 people at a cost for supports of \$21.84 billion. This financial year, the NDIS is budgeted to spend \$21.72 billion on supports for an average across the year of around 422,000 people, and next year estimates for the scheme expect expenditure on supports of \$23.8 billion for around 480,000 people by the end of that year. The Australian government has been clear that it expects the scheme to grow to support around 500,000 people, and together with states and territories has provided for expenditure on participant supports to exceed \$24 billion by 2022-23. The scheme is on track to be more generous than originally conceived in terms of both the number of people supported, and the amount of support provided.

Nevertheless, DSS and NDIA acknowledge there is still work to do to design and implement changes to improve the scheme to achieve what it was established to do. We are committed to working with participants and the disability community to get these changes right.

While the implementation arrangements for independent assessments are yet to be finalised, the DSS and NDIA wish to directly address some of the key questions and areas of concern raised to date:

1. Qualifications and cultural awareness of independent assessors.

Independent Assessors will be engaged by the NDIA to conduct assessments based on internationally recognised, evidence-based and consistent tools to provide a current and complete assessment of a person's functional capacity, including the impact of their environment. Assessors will not be employees of the NDIA.



Assessors will:

- have culturally safe approaches suitable for Aboriginal and Torres Strait Islander people, and take into account requirements for people from culturally and linguistically diverse backgrounds;
- have the right skills, experience and training to support a person's disability needs; and
- be drawn from an Independent Assessment Panel, which is being established by the NDIA through an open and competitive tender process.

Independent assessments will be carried out by trained experts, for example occupational therapists, physiotherapists, clinical and registered psychologists and other health and allied health professionals. While the output from an independent assessment will be consistent, the process by which it will be derived will take into account the needs of individuals.

Participants will also be able to be matched with an assessor who speaks their language. If this is not possible, an interpreter will be provided. People with disability will also be supported to indicate their preference for how the assessment is undertaken if there are particular cultural reasons. To the extent possible, the NDIA will work to ensure these preferences are met.

2. Choice of independent assessors.

Independent assessors will be drawn from an Independent Assessment Panel. For most people with disability, there will be a number of approved assessors across Australia, ensuring that people will be able to access an independent assessor, no matter where they live, including regional and remote areas. This will mean that, as much as possible, people will have choice about who they work with to assess their functional capacity and inform decisions on their access request or development of their plan.

The NDIA is currently finalising the evaluation of potential providers to be on the Independent Assessment Panel. Further information about the Independent Assessment Panel will shortly be available on the [NDIS website](#).



3. Timeframes for assessors to conduct independent assessments.

There will be no time limit on assessments and they may be conducted over one or more days. The purpose of the assessment is to accurately assess the person's functional capacity, as well as the environmental factors across their life. They will also involve family and carers in the process, to build a complete picture of the person's needs and how the NDIS could support them. Individual circumstances will always be taken into account.

People with disability can also choose to bring a trusted support person who knows them well to their assessment such as a family member, carer, support worker or health professional. People with disability can also choose if their support person is there for the whole time, or just for parts of the assessment. They can choose where the assessment takes place and it will be free – as it is paid for by the NDIA.

4. Breadth of assessment tools.

Independent assessors will use internationally recognised, evidence-based and consistent tools to provide a current and complete assessment of a person's functional capacity. The assessment tools used during independent assessments will be aligned with the World Health Organisation's International Classification of Functioning, Disability and Health, and the activity domains described in the NDIS Act. These are communication, social interaction, learning, mobility, self-care and self-management.

This framework has provided the foundation for the [selection of assessment tools](#) to be used in independent assessments, and are set out in the NDIA's [Independent Assessment Framework](#).

5. Standard approach to capture individuals' needs.

The suite of independent assessment tools have been selected to ensure they are disability neutral and are focused on functionality, so they can be used across all disability-types.

The tools also seek to ensure that the impacts of all disabilities are well understood, where a focus on the diagnosis or disability may not identify all of the ways the disabilities affect a person's life.



Independent assessments are designed to capture a person's functional capacity as well as the environmental factors that impact on their ability to live an ordinary life, without making assumptions based on disability or diagnosis, including people who have complex, rare or multiple disabilities.

While there will be greater consistency between plans, individual circumstances will always be taken into account. The NDIA's key priority is to accommodate individual difference while implementing consistent information gathering protocols and requirements, and ensuring the tools work equally for everyone.

6. Protecting people with a disability and those who support them.

The Government's top priority for these reforms is to ensure the independent assessment process works for all participants. Independent assessments will be delivered in a tailored way to overcome barriers for all participants, including those with complex needs. The NDIA is committed to putting processes in place to ensure all people with disability are supported to fully and safely complete an independent assessment. Participants can choose where to undertake their independent assessment, for example at home or by video call, and can bring a support person such as a family member, their representative or a support worker. Where appropriate, a participant's representative or support person can provide input to the independent assessment, ensuring an accurate picture of functionality is captured.

However, the NDIA also acknowledge there may be exceptional circumstances where it may not be appropriate to request an individual undertake an independent assessment. This includes:

- risk and safety: where the process is likely to do more harm than benefit to the individual, and may pose a safety risk to the individual or assessor, or
- the assessment is inaccessible or invalid, or where there may be concerns about the process of producing valid information, and other sources and/or forms of information are better suited.

7. Developmental needs of children.

Independent assessments will apply to all prospective participants and participants over the age of seven from mid-2021.

The NDIA is currently considering how best to implement independent assessments for children under seven years. Because young children grow and change rapidly, the NDIA is also



considering how to best use the independent assessment process to inform the services and supports young children need in their NDIS plan. This consideration will occur within the Early Childhood Early Intervention Implementation Reset Project, which is currently being consulted on nationally.

The NDIA is also undertaking specific consultation to ensure the tools work for everyone over the age of seven years.

8. Independent assessments and NDIS access and planning decisions.

Independent assessors will not make decisions about a person's access to the NDIS or their plan funding. Those decisions will continue to be made by a NDIA delegate. Prospective participants and participants will be able to request a review or appeal decisions made by the NDIA, if they feel the decision is wrong.

In this regard, it is important to clarify that the results of the independent assessment are an input into helping the NDIA determine where a person's functional capacity lies on a continuum in relation to the wider Australian population, with regard to the six activity domains in the NDIS Act.

Independent assessments of participants and/or prospective participants will be a key source of information the NDIA delegate will consider in making a decision about a person's eligibility for the NDIS and/or their plan. However, NDIA delegates will continue to, as they always have, consider other matters and information produced by the person with disability, such as environmental factors, the presentation of their condition (i.e. episodic) and whether they were having a typical day for them.

9. NDIS participants and the sustainability of the NDIS.

In the context of public discussion about the introduction of independent assessments, there has been regular reference to the sustainability of the NDIS. Sustainability of the NDIS will always be considered in any decisions made about the NDIS – it is stated in the NDIS Act and it is in all Australian's interests to ensure that the growth of the NDIS is sustainable.



Independent assessments are not an attempt to remove supports for people with permanent and significant disability or to prevent them from accessing the NDIS. Rather, the rollout of independent assessments is intended to ensure that the people the NDIS was intended to support are supported to become participants and go on to receive a personalised plan budget which they can then use flexibly, with more choice and control.

Growth of the NDIS is expected to continue as envisaged, supporting around 500,000 by 2023.

Simply put, the implementation of independent assessments will provide equity and consistency in decision making, more closely align funding with individual capacity and need, and enable a greater focus on plan implementation where participants are able to exercise choice and control over the supports they need.

10. Personalised budgets.

From late 2021, information from participant's independent assessment(s) will be used as a key input to determine a participant's personalised plan budget. Using information that is consistently gathered will ensure each participant's personalised budget reflects their functional capacity, including the impact of their environment, such as the informal supports available to the participant and other contextual factors such as locality or circumstance.

This will mean the current approach to creating a participant's budget will change. Currently, a plan budget is made up of individual reasonable and necessary supports. Listing each and every reasonable and necessary support in a person's plan has limited people choosing and changing the supports they buy.

Shifting to more personalised budgets is in keeping with the underpinning objects and principles of the NDIS Act and will enable planning meetings to be more holistic and focussed on how to most effectively use the participant's plan funding to pursue goals and aspirations.

**Conclusion:**

Independent assessments are not an end in themselves. They are an important way to ensure a more participant-centred planning process, greater flexibility, transparency and consistency for participants. They will allow participants to receive a more flexible plan budget to access services they need and help them pursue their goals and aspirations.

Independent assessments will also supplement other reforms which have been developed to improve the way people with disability experience the NDIS. These reforms were set out in an [Information Paper](#) released by Minister Robert on 24 November 2020 and include:

- legislating the NDIS Participant Service Guarantee, which sets timeframes for decisions made by the NDIA and service standards for how the NDIA engages and works alongside people with disability in delivering the NDIS;
- supporting participants to have greater flexibility in spending their plan funding;
- removing the administrative burden felt by participants and providers in organising and managing payments;
- providing more guidance on the boundaries of the NDIS, such as the delineation between the supports provided by mainstream services such as health and education and goods or services that should be paid for using other income; and
- expanding early intervention for young children including through a reset of Early Childhood Early Intervention.

The roadmap for these improvements—informed by participant feedback—was announced by Minister Robert on 28 August 2020 and is encapsulated in the [NDIS Participant Service Charter](#) and [Service Improvement Plan](#).

DSS and the NDIA acknowledge the rollout of independent assessments and the above reforms represent a significant change for people with disability interacting with the NDIS.

DSS and the NDIA are committed to continuing to consult, discuss and provide more information regarding these changes leading up to roll out later this year.

The number of submissions provided to the NDIA's consultation process, and the interest in the information sessions held by the NDIA demonstrate the shared commitment all Australians have to ensuring the NDIS is set up for the future. DSS and the NDIA welcome the contribution of the entire community in shaping their implementation.



We all have the same aim – to ensure that the people the NDIS was designed for can access the support they need as well as have greater choice and control over their lives – now and into the future.

With the input of participants, families and carers, we will reform the NDIS to be a scheme that Australians can trust and rely on now and into the future. One that gives a participant:

- a more empowering, participant-centred planning experience;
- more control over their supports and who delivers them;
- increased transparency over how and why decisions are made;
- a more flexible budget to use as needed;
- clarity about what the NDIS covers; and
- a smooth and easy experience.

Timetable for legislative changes

Following conclusion of the current national consultations on 23 February 2021, there will be a subsequent consultation process on changes to the NDIS Act.

The draft legislation will take into consideration the outcome of the NDIA’s consultations and recommendations of the Joint Standing Committee on the NDIS’ Final Report on NDIS Planning. It will also reflect, where possible, any issues raised during this current inquiry into independent assessments, noting the Government’s intention is to introduce the Bill to Parliament for passage by 1 July 2021.

Notwithstanding the legislation is intended for passage by 1 July 2021, independent assessments will not be used as a basis for planning decisions until late 2021.