

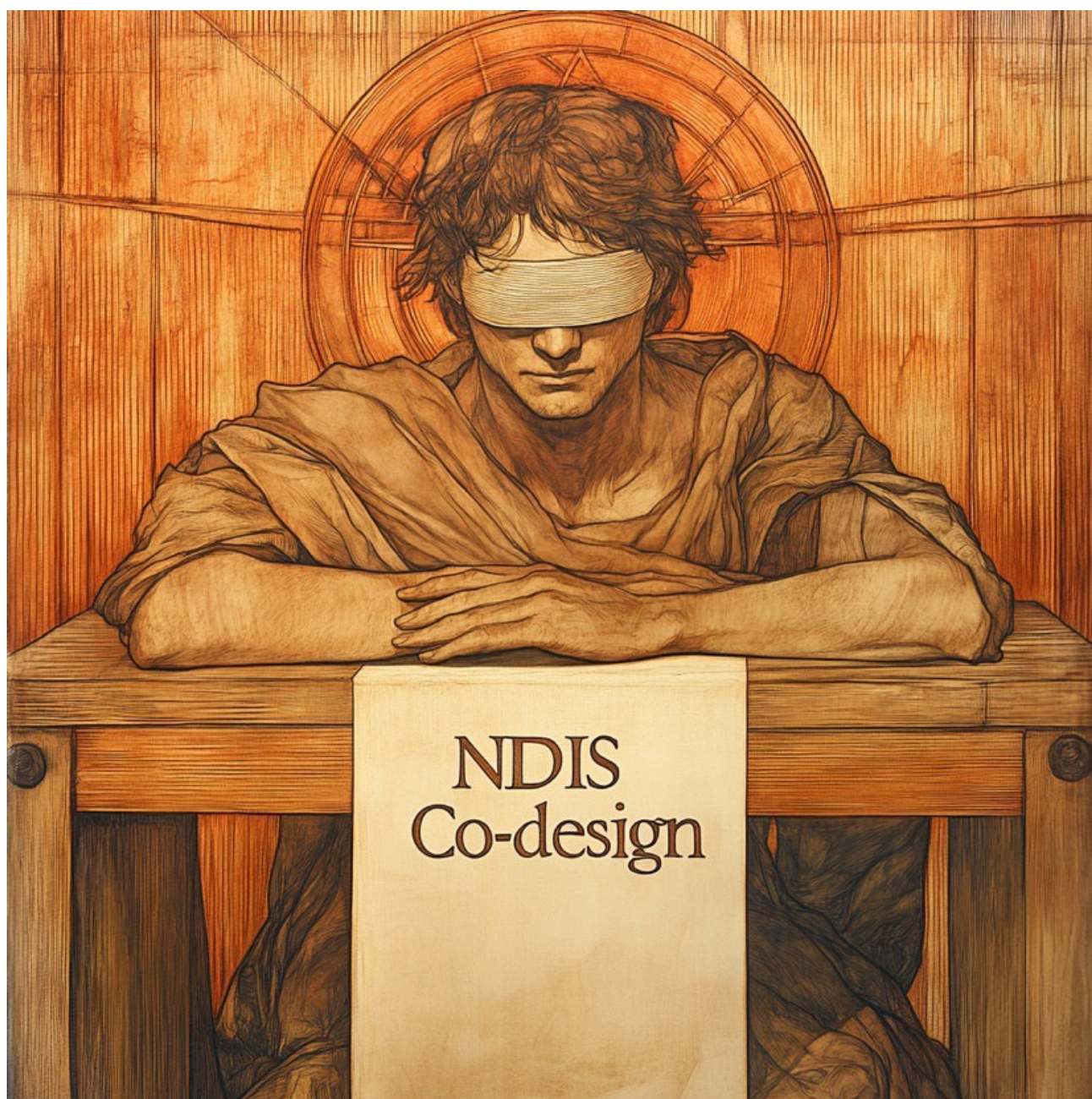
Senate Joint Standing Committee

Submission Addendum 2

Thinking About Co-Design

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Date: Updated (Ver 1.0_16.11.2025)



Abstract:

This essay examines the widespread rhetorical use of the term *co-design* within the context of the NDIS Review (2023) and the Draft NDIS Amendments Bill (2024), arguing that although both documents claim to reflect co-design principles, neither was meaningfully developed through a co-design process. The text outlines the core elements that constitute genuine co-design, such as shared power, accessibility, inclusion, collaboration, transparency, and iterative decision-making, and distinguishes these from consultation, a much narrower and more controlled form of stakeholder engagement. The paper contends that conflating consultation with co-design risks tokenising the voices of people with disabilities while preserving decision-making authority in the hands of policymakers and bureaucratic institutions. To safeguard against this, the document proposes a set of practical reflective questions that participants and advocates can use to determine whether a process is genuinely co-designed or merely consultative. Ultimately, the argument asserts that any future redesign of the NDIS must itself be co-designed, not simply promise co-design, if it is to uphold the rights, agency, and lived expertise of people with disabilities.

Introduction:

In recent years, co-design has become a prominent term in the political and bureaucratic language surrounding disability policy in Australia, particularly in relation to the NDIS Review (2023) and the Draft NDIS Amendments Bill (2024). The term now appears routinely in ministerial statements, agency briefings, public consultations, and media commentary. Yet, despite its increasing visibility, there is a profound disconnect between the rhetoric of co-design and the reality of how key decisions affecting the lives of people with disabilities are being made. Neither the Review nor the Draft Legislation were developed through processes that meaningfully involved people with disabilities as equal partners, and in many cases, opportunities for genuine collaboration were structurally precluded from occurring.

This gap between language and practice is not simply a matter of procedural oversight. When governments invoke the language of co-design without embedding its principles, the result is not merely ineffective policy development. It risks eroding trust, marginalising lived experience, and legitimising decision-making practices that exclude the very people whose rights and lives are most affected. Co-design, in its true form, is not a consultation, a survey, a town hall meeting, or a feedback loop. It is a process grounded in shared power, equality of voice, structured inclusion, transparency, and ongoing collaboration. When these elements are absent, what is being described is not co-design, regardless of how frequently the term is invoked.

The purpose of this document is to clarify what co-design actually requires in practice, particularly when applied to systems-level policy reform affecting people with disabilities. It outlines the foundational principles of co-design, distinguishes it from consultation, and highlights the risks of allowing co-design to be reduced to rhetoric. In doing so, the document aims to equip advocates, participants, allies, service providers, and policymakers with a shared conceptual framework for recognising when co-design is genuinely occurring and when it is not.



Finally, this paper argues that the future development and redesign of the NDIS must itself be co-designed from the outset, not promised as a later stage once the core decisions have already been made. Anything less risks repeating historical patterns in which people with disabilities are positioned as subjects of policy rather than co-authors of the systems that govern their lives. The call to co-design is not a request for involvement; it is a claim to rights, agency, and collective authorship of social and political futures.

Co-Design Discussion

The term “co-design” has featured strongly in political and bureaucratic rhetoric associated with the implementation of the NDIS Review (2023) Recommendations and the Draft NDIS Amendments Bill (2024). Ironically, neither of these documents came into being through a co-design process. The NDIS Review featured limited consultation with people with disabilities. The Draft NDIS Amendments featured no discernible consultation with people with disabilities.

Given the profound lack of co-design method or practice in the development either of these documents it is worth taking some time out to review precisely what we should expect if promises of co-design of the next iteration of the NDIS were to occur. Anything less than these co-design principles and practices being in place would mean that the extensive use of the term would have been nothing more than a marketing tool to convince the disability community that the open ended powers being granted to politicians and bureaucrats and the erosion of disability rights were reasonable, nothing to be concerned about and acceptable: We’ve all heard this phrase thousands of times: “There’s nothing to worry about. Don’t get anxious about the Review Recommendations. Support the Draft Legislation. No changes will be made without thorough co-design.”

When developing social policies in collaboration with people with disabilities, co-design principles ensure that the process is inclusive, respectful, and effective. Key co-design principles include:

- **Equality and Empowerment:** Ensure that people with disabilities have equal power and influence in the policy development process, fostering an environment where their voices are heard and valued.
- **Accessibility:** Provide accessible materials, venues, and communication methods to accommodate people with various disabilities to ensure full participation.
- **Inclusion:** Actively involve a diverse range of people with disabilities to capture a broad spectrum of experiences and needs.
- **Respect and Dignity:** Treat all participants with respect, recognising their expertise in their own lived experiences and value their contributions.
- **Transparency:** Maintain clear and open communication about the process, goals, and how feedback will be used, to build trust among participants.
- **Collaboration:** Foster a collaborative environment where stakeholders, including people with disabilities, policymakers, and service providers, work together towards common goals. This can also mean that the voice of people with disabilities is privileged beyond other stakeholders because it is they who are the focus.



- **Flexibility:** Be adaptable in methods and approaches to accommodate different needs and preferences of participants.
- **Capacity Building:** Provide resources, training, and support to empower people with disabilities to effectively participate in the policy development process.
- **Contextual Sensitivity:** Understand and incorporate the social, cultural, and economic contexts in which people with disabilities live, ensuring that processes and policy responses are relevant and effective.
- **Sustainability:** Aim for long-term impact by designing policies that are sustainable and adaptable, ensuring continued benefit to people with disabilities.

These principles ensure that the co-design process is genuinely participatory and leads to policies that better meet the needs and aspirations of people with disabilities.

Co-design and consultation are both approaches to involving stakeholders in decision-making processes, but they differ significantly in terms of depth of engagement, power dynamics, and outcomes. Here are the key differences:

Process Feature	Co-Design	Consultation
Depth of Engagement:	Collaborative Process: Co-design involves stakeholders, including end-users, in every stage of the design and decision-making process. Active Participation: Stakeholders are active participants, co-creators, and partners throughout the process.	Advisory Process: Consultation seeks input and feedback from stakeholders at specific points, but does not involve them in the entire process. Limited Participation: Stakeholders provide opinions and feedback but are not deeply involved in decision-making.
Power Dynamics:	Shared Power: Power and decision-making authority are shared among all participants, ensuring that everyone has an equal voice, and the focus remains on outcomes for the end-user. Empowerment: The process empowers stakeholders by valuing their input and giving them real influence over outcomes.	Limited Influence: The final decision-making power remains with the organisers, policymakers, or designers, who may or may not incorporate the feedback received. Informative: The process is often more about informing stakeholders and gathering their views rather than true collaboration.
Outcomes:	User-Centred Solutions: The results are typically more aligned with the actual needs and preferences of the stakeholders involved. Innovation: Collaborative creativity often leads to more	Informative Feedback: The primary outcome is the collection of feedback and opinions that may inform the decision-making process. Varied Implementation: The extent to which feedback is



	innovative, comprehensive and effective solutions.	incorporated can vary, and it may not always lead to substantial changes or improvements.
Process:	Iterative and Continuous: Co-design is iterative, involving multiple cycles of feedback and refinement. Holistic Involvement: It considers the broader context and experiences of stakeholders, leading to more comprehensive solutions.	One-Time or Periodic Consultation: Typically occurs at specific stages rather than being a continuous process. Focused Scope: It usually focuses on specific issues or questions rather than the holistic experience of stakeholders.
Summary:	Co-design is a deeply collaborative approach where stakeholders are partners throughout the entire process, sharing power and actively shaping outcomes together.	Consultation is a more limited engagement where stakeholders provide input at specific points, with decision-making power largely retained by the organisers.

It is clear consultation is not co-design.

The time has come to be clear about how the co-design of the next phase of the NDIS will occur. Of course the only way to do that is by using the co-design principles outlined in the table above.

It is important to contribute the the consultation process being developed by the NDIA, however the information I have provided shows that it is difficult to describe this as co-design. To determine whether a co-design process is genuinely occurring, you can ask a series of probing questions that focus on the key aspects of co-design as distinct from consultation. Here are some questions that can help you assess the project you may be involved in:

- **Participation and Inclusivity**
 - Who has been involved in the design process so far?
 - Was the process itself co-designed or was it determined by the NDIA?
 - How were participants selected or invited to join the process?
 - Was participation determined by the NDIA?
 - Are all key stakeholders, including end-users, actively engaged?
 - Does the process ensure that all Participants have an equal opportunity to be involved in the process?
- **Decision-Making and Power Dynamics**
 - How are decisions being made in the design process?
 - Are decisions made by consensus or are you just giving you opinion and it is the NDIS who is deciding the outcome?
 - Can you provide examples where participants from different groups influenced key decisions?
 - How is power shared among participants, and how are differing opinions handled?
 - Is the message from the NDIA that they will ultimately make the final decision not the Participants?



- **Collaboration and Communication**
 - How often do participants meet or communicate, and what forms do these interactions take?
 - Do these strategies ensure that all Participants are able to contribute?
 - What methods or tools are being used to facilitate collaboration?
 - Do these strategies ensure all Participants can contribute equally, particularly those who use alternate communication strategies?
 - How is feedback from participants being collected and integrated into the design?
 - Is there evidence that the recommended outcomes are the result of input from all stakeholders, particularly those with disabilities?
- **Process and Iteration**
 - What stages has the design process gone through so far?
 - Have there been multiple iterations (cycles) of the design, and how has participant feedback shaped these iterations?
 - Can you describe how a specific change was made, leading to an agreed outcome, based on collective input?
- **Transparency and Documentation**
 - How are decisions, progress, and outcomes documented and shared with all participants?
 - Is this information present in fully accessible formats?
 - Is there a shared understanding of the goals and objectives among all participants?
 - Does this include an agreement that the strategies to be recommended will be agreed to by all parties rather than being decided by the NDIA?
 - How are participants kept informed about the ongoing process and changes?
- **Learning and Knowledge Exchange**
 - What have participants learned from each other during the process?
 - How is the knowledge or expertise of different stakeholders, particularly those with a wide range of disabilities, being leveraged in the design?
 - Can you describe a situation where mutual learning influenced the design?
- **Responsiveness and Adaptability**
 - How has the design process adapted to new insights or changes in participant needs?
 - What happens if a participant raises a concern or suggests a new idea late in the process?
 - How flexible is the process in accommodating unforeseen challenges or opportunities?
- **Outcomes and Impact**
 - How do the design solutions address the real needs of participants?
 - What evidence is there that the final design reflects the input from all stakeholders?
 - How are the results of the co-design process being evaluated or measured?
 - In particular what mechanisms are in place to ensure that the recommended outcomes align with the United Nations Convention on the Rights of Persons with Disabilities.

These questions are designed to reveal the depth of collaboration, the balance of power, the iterative nature of the process, and the real influence that participants have on the outcomes. If you receive detailed, specific answers that demonstrate active and equitable participation, it's a strong indication that a genuine co-design process is occurring.

Conclusion:

The term co-design carries profound meaning, particularly within disability rights contexts. It signifies not just involvement, but shared authority, shared authorship, and shared ownership over the systems and policies that shape people's lives. Yet, as this document has demonstrated, the term is increasingly being used in ways that dilute or obscure its true purpose. When consultation is rebadged as co-design, when feedback sessions are mistaken for power-sharing, and when key decisions are predetermined before people with disabilities enter the room, the result is not simply ineffective process. It is a reassertion of control by those with institutional power, at the expense of those whose lived experience should guide reform.

For co-design to be genuine, it must be embedded from the start. It must shape not only the content of policy, but the process of developing it. This requires intentional structures that share decision-making power; accessible, inclusive participation formats; and a commitment to transparency and mutual respect. It requires that the expertise of lived experience is not positioned as anecdotal input, but as the central knowledge base upon which system design rests.

The future of the NDIS cannot be imagined, defined, or redesigned for people with disabilities without being designed with them. Anything less is not co-design. It is administrative convenience disguised as collaboration. If governments and institutions are sincere in their commitments, the next phase of NDIS reform must begin with co-design, not promise it later. The framework outlined here provides both a standard and a means of accountability. It allows communities, participants, supporters, and policymakers to ask the right questions, recognise when co-design is happening, and call out when it is not.

The task now is collective. If co-design is to be real, it must be defended, demanded, and enacted. The promise of the NDIS was always one of choice, control, and self-determination. Real co-design is how that promise becomes practice.



Recommendation:

Recommendation to the Senate Joint Standing Committee on the NDIS:

That the Committee formally support, request resourcing, and require the development and implementation of a genuine co-design process for all future NDIS legislative, policy, and system reforms. This co-design process must:

- Adhere to the co-design principles outlined in this document, including shared power, accessibility, inclusion, transparency, collaboration, contextual sensitivity, and sustainability.
- Be itself co-designed from the outset *in partnership with the disability community*, including people with disabilities, their families, supporters, advocates, and representative organisations.
- Embed decision-making structures that share authority between government and people with disabilities, ensuring that lived experience is centred and privileged as core expertise.
- Include mechanisms for accountability, such as transparent documentation, accessible communication, clear decision-making pathways, and public reporting on how lived experience shaped outcomes.
- Ensure diversity of participation, including individuals with complex communication needs, high support needs, culturally diverse backgrounds, Aboriginal and Torres Strait Islander peoples with disability, and those from rural and remote communities.

By adopting this recommendation, the Senate Joint Standing Committee would play a critical role in ensuring that future NDIS reforms uphold the rights, agency, and self-determination of people with disabilities, and that the next phase of the NDIS is genuinely co-designed, *not simply promised, but structurally enacted from the beginning*.

Rationale

A co-design process that adheres to the principles outlined in this document is necessary to protect the rights, agency, and self-determination of people with disabilities. Without structures that share power, ensure accessibility, embed transparency, and privilege lived experience, the term *co-design* risks being reduced to rhetoric, used to legitimise decisions that have already been predetermined.

Genuine co-design is not optional: it is the only safeguard against repeating historical patterns where people with disabilities are invited to participate only after major decisions have already been made. When co-design is diluted or replaced by consultation, the consequences are significant:

- Erosion of trust between government and the disability community.
- Policies that fail in practice because they do not reflect real-world needs or the expertise of lived experience.
- Administrative overreach, where decision-making remains centralised with agencies rather than shared with the people most affected.
- Reduced legitimacy of NDIS reforms, creating community resistance, policy instability, and ongoing implementation problems.



- Further marginalisation of people with disabilities, particularly those with complex communication or support needs whose expertise is often overlooked.

For these reasons, the Committee must ensure that any NDIS redesign is built upon a co-design process that is co-created with the disability community, rather than imposed upon it.

Required Features of the Co-Design Process

- Adherence to the principles in this document: shared power, accessibility, inclusion, transparency, collaboration, contextual sensitivity, and sustainability.
- Co-design of the process itself, in partnership with people with disabilities and their representative organisations.
- Embedded power-sharing mechanisms, ensuring lived experience directly shapes decisions.
- Transparent and accessible documentation, enabling accountability and public confidence.
- Inclusive participation, with deliberate representation of people with complex needs, diverse communication methods, cultural and linguistic diversity, and those in rural and remote areas.

Consequences of Not Implementing Genuine Co-Design

If genuine co-design is not implemented, the next phase of NDIS reform risks:

- Repeating the failures of previous policy cycles, where reforms were poorly understood, poorly implemented, or widely opposed.
- Further diminishing participant choice and control, contradicting the core purpose of the NDIS.
- Entrenching bureaucratic power, sidelining lived experience and reducing opportunities for innovation.
- Producing legislation that lacks legitimacy, undermining both public confidence and long-term sustainability.

By adopting this recommendation, the Senate Joint Standing Committee can ensure that NDIS reforms are not only effective but also just, rights-aligned, and genuinely co-authored with the people they are meant to serve.

