



**Joint Standing Committee on the National Disability Insurance Scheme (NDIS)
Answer to Question on Notice**

Inquiry into NDIS Planning

Reference No: SQ20-000236

JOINT PLANNING

Question Date: 03 September 2020

Format: Written

Question:

1. Has the national roll-out of joint planning commenced? Where is joint planning available, and when will it be made available for all participants?

Answer:

The NDIA commenced the rollout of joint planning for new participants in March 2020 in Robina, Queensland.

Further roll out of joint planning meetings is currently on hold while the NDIA focuses on maintaining critical services in response to the COVID-19 pandemic and maintaining physical distancing requirements. The NDIA continually assesses opportunities to ensure appropriate implementation arrangements for the NDIS.

The NDIA remains committed to ensuring participants receive a collaborative and transparent planning experience.



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Question Date: 03 September 2020

Format: Written

Question:

2. Will joint planning include full costings of supports in draft plans for participants to see? If not, why?

Answer:

Yes. Draft plans include the proposed full amount of funded supports in participants' plans. Draft plans will be provided to participants to view in their joint planning meetings.



Joint Standing Committee on the National Disability Insurance Scheme (NDIS)
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Inquiry into NDIS Planning

Reference No: SQ20-000238

INTERNAL PLAN REVIEWS

Question Date: 03 September 2020

Format: Written

Question:

3. How does the NDIA ensure that its internal review process is impartial and fair?

Answer:

The National Disability Insurance Agency (NDIA) has a dedicated Internal Review Team (IRT) that operates independently from other decision making areas within the Agency to enable independent governance of the internal review process.

Participants' review rights are explained to them when their plan is approved and they are provided with the information required to request for a review of a decision if they disagree with the decision made.

In order to remain impartial and fair, NDIA's internal review process ensures that:

- The reviewing delegate undertaking the review is not the original decision maker.
- The reviewer takes all reasonable steps to speak to the person who has requested the internal review to provide them with the opportunity to explain their reasons for requesting the review. The reviewer will also give the person the opportunity to explain why a different decision should be made, to provide additional information or evidence and respond to any adverse information.
- The decision made as a result of an internal review is based on available evidence. The reviewer clarifies information and supports the person to seek further evidence to support reasonable and necessary criteria for a funded support where required. The reviewer may also seek technical advisory support from within the NDIA to ensure that all avenues of information gathering are utilised.
- In addition to reconsidering the facts, laws and NDIA policies related to the original decision, the delegate will also consider any new information provided.
- The internal review decision letter sets out a person's right to request a review of the decision by the Administrative Appeals Tribunal (AAT). The letter includes a link to the AAT's website and their phone number to enable the person to seek further information.



Joint Standing Committee on the National Disability Insurance Scheme (NDIS)
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Reference No: SQ20-000239

INTERNAL PLAN REVIEWS

Question Date: 03 September 2020

Format: Written

Question:

4. Some evidence to the inquiry suggested that the NDIA may be skipping plan reviews by waiting until it issues a participant with a new plan after their old plan expires. What is the NDIA's process to ensure that plan reviews are conducted before a plan expires?

Answer:

The NDIA does not skip plan reviews and NDIS plans do not expire. Plans have a review date and if a scheduled plan review is unable to be conducted before that date, an automated system extension occurs to ensure participants can continue to access critical supports. The NDIA Participant Service Charter commits to commencing a scheduled plan review 56 days prior to the scheduled plan review date. The NDIA commenced reporting against the Participant Service Charter from 1 July 2020.

During the COVID-19 pandemic, the NDIA delivered a more flexible approach to plan reviews, simplified where possible, to ensure participants could continue to access their funding to get the supports they needed. The NDIA heard from participants and their families and carers that the previous plan review process could sometimes be a source of stress and anxiety for them.

On 3 August 2020, the NDIA then launched participant check-ins, which continues the more flexible plan review experience and approaches delivered during the COVID-19 pandemic. As part of the participant check-in, the NDIA replaced the standard 'one size fits all' approach to scheduled plan reviews.

During a participant's next scheduled plan review meeting, a planner or Local Area Coordinator (LAC) will talk to them about the new flexible approaches the NDIA may take to review their NDIS plan. This may be:

- new NDIS plan with the same supports
- new NDIS plan with minor changes to current supports
- a full plan review.

If a participant is happy with their plan and it is meeting their needs, a plan renewal is processed. The NDIA is developing an ICT update to simplify this process and allow the plan to be easily renewed. There may be a small number of plans that have been allowed to go through the automated system extension, however, these are post the review conversation with the participant to establish how their plan is working. An ICT release is due in November to implement the simple plan renewal process.



Joint Standing Committee on the National Disability Insurance Scheme (NDIS)
Answer to Question on Notice

Inquiry into NDIS Planning

Reference No: SQ20-000240

INTERNAL PLAN REVIEWS

Question Date: 03 September 2020

Format: Written

Question:

5. The committee was informed that the NDIA is shifting requests for reviews of reviewable decisions to change of circumstances reviews, despite requests clearly fitting the criteria for the former. Is this happening and if so, why?

Answer:

The NDIA does not shift requests for reviews of reviewable decisions (s100 reviews) to change of circumstances reviews (s48 reviews). The NDIA assesses all requests for reviews from participants and/or their authorised representatives against the relevant legislative options. If the request does not meet the criteria of an s100, the participant may have their request considered under s48 of the *National Disability Insurance Scheme Act 2013* (NDIS Act) if there is a change in circumstances or new information to warrant a change to their statement of supports in their plan. These options are discussed with the participant to ensure they are advised of their legislative review rights.

The NDIS Act requires requests for s100 reviews to be lodged within three months from the date a participant was notified of the original decision. If a participant lodges their request for an s100 review outside this timeframe, the NDIA cannot conduct an internal review. This would be an example of a circumstance where the NDIA explores other review types with the participant.

A participant request may, in some instances, fit both an s100 review and an s48 review. In these instances, the NDIA contacts the participant or their authorised representative to discuss the circumstances and the different types of reviews. The participant or authorised representative is then able to make an informed decision on the type of review they would like to proceed with.

A participant or their authorised representative can make a request for an s48 plan review at any time.



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INTERNAL PLAN REVIEWS

Question Date: 03 September 2020

Format: Written

Question:

6. Does the NDIA ask participants for further information before making a decision on an internal review? If not, why?

Answer:

At the time of making a request for an internal review of a decision, participants or their representatives may provide new evidence for the National Disability Insurance Agency (NDIA) to consider.

NDIA delegates undertaking reviews take all reasonable steps to speak to people who have requested internal reviews, to provide them with opportunities to explain their reasons. NDIA delegates also give people the opportunity to explain why a different decision should be made, to provide additional information or evidence and to respond to any adverse information.

Delegates make internal review decisions based on all available evidence. Delegates may seek to clarify information already provided and support people seeking reviews to obtain further evidence to support requests for reviews. NDIA delegates may also seek technical advisory support from within the NDIA to ensure decisions are made based upon the best available evidence.



Joint Standing Committee on the National Disability Insurance Scheme (NDIS)
Answer to Question on Notice

Inquiry into NDIS Planning

Reference No: SQ20-000242

ADMINISTRATIVE APPEALS TRIBUNAL (AAT)

Question Date: 03 September 2020

Format: Written

Question:

7. What systemic analysis of internal reviews and cases settled at the AAT does the NDIA carry out to determine whether particular issues are consistently leading to requests for plan reviews?

Answer:

The National Disability Insurance Agency (NDIA) is committed to continuous improvement. Internal review and Administrative Appeals Tribunal (AAT) trends are elements used to inform the NDIA's approach to planning, service delivery and performance. The NDIA also draws upon regular feedback from participants, their families and carers, as well as the experience of providers and those engaged in the disability sector.

The NDIA monitors applications for internal and external reviews to identify trends and possible systemic issues arising from earlier decision-making. While individual outcomes at internal review and AAT settlement are generally not a reliable guide to outcomes in other cases, trends in requests and applications received can assist the NDIA to identify areas where guidance materials, further training and improvement strategies may assist in improving the participant experience.



**Joint Standing Committee on the National Disability Insurance Scheme (NDIS)
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Inquiry into NDIS Planning

Reference No: SQ20-000243

ADMINISTRATIVE APPEALS TRIBUNAL (AAT)

Question Date: 03 September 2020

Format: Written

Question:

8. How much money does the NDIA spend on legal experts to represent the NDIA at the AAT?

Answer:

During the 2019-20 financial year, the National Disability Insurance Agency (NDIA) spent \$7,181,901 on legal experts to represent the NDIA at the Administrative Appeals Tribunal. Legal expert costs include contracted external legal firms and counsel's fees.



Joint Standing Committee on the National Disability Insurance Scheme (NDIS)
Answer to Question on Notice

Inquiry into NDIS Planning

Reference No: SQ20-000244

ADMINISTRATIVE APPEALS TRIBUNAL (AAT)

Question Date: 03 September 2020

Format: Written

Question:

9. What is the NDIA doing to ensure that the AAT appeals process is fairer for participants?

Answer:

Tribunal Members and Conference Registrars oversee the AAT process and ensure procedural fairness and accessibility for all parties. In the NDIS Division, the AAT takes additional steps to ensure the applicant is given appropriate support during the proceedings. Participants also have access to advocacy appeals services and legal aid to assist them through the process.

The NDIA adopts a non-adversarial approach, to the greatest extent possible, while attempting to assist the AAT and the applicant to obtain information relevant to the decision under review. This reflects the NDIA's strong focus on achieving a good outcome for participants within the confines of the statutory framework.

The NDIA is subject to the *Legal Services Directions 2017* and acts as a model litigant at all times. Importantly, in line with model litigant guidelines the NDIA will defend applications when it is appropriate to do so and in all cases assist the Tribunal to arrive at the correct and preferable decision. In line with these obligations, the NDIA at all times approaches AAT cases fairly and reasonably.



Joint Standing Committee on the National Disability Insurance Scheme (NDIS)
Answer to Question on Notice

Inquiry into NDIS Planning

Reference No: SQ20-000245

FUNDING FOR SUPPORTS

Question Date: 03 September 2020

Format: Written

Question:

10. How does the NDIA determine what supports are 'reasonable and necessary'? Is written guidance available for delegates, and is there any reason why the NDIA could not publish this or similar guidance?

Answer:

To determine reasonable and necessary supports in participants' plans, the National Disability Insurance Agency (NDIA) works with participants to gain a full understanding of their support needs. The planning process may also involve family, carers and significant others. The planning process results in the preparation of a plan of individualised supports.

To determine what funded supports are reasonable and necessary, NDIA delegates assess each support against the criteria in:

- section 34(1) of the *National Disability Insurance Scheme Act 2013* (NDIS Act);
- the NDIS (Supports for Participants) Rules 2013; and
- the NDIS Operational Guidelines.

NDIA delegates must be satisfied the supports:

- are related to the participant's disability;
- do not include day-to-day living costs which are not related to disability support needs, such as groceries;
- represent value for money;
- are likely to be effective and work for the participant; and
- take into account support given to the participant by other government services, family, carer networks and the community.

There are 14 Operational Guides published on the NDIS website. As part of the Participant Service Improvement Plan 2020-21, the NDIA is refreshing the Operational Guidelines to improve consistency of decision making and to simplify the information available to participants on how decisions are made.

Through the refresh of the Operational Guidelines, the NDIA will make more information publically available about how decisions are made. Participants and NDIS decision makers will have access to the same information.

New guidelines will be progressively released over the 2020-21 financial year. The NDIS website has a section to provide feedback on the Operational Guidelines, which will help inform future updates.



Joint Standing Committee on the National Disability Insurance Scheme (NDIS)
Answer to Question on Notice

Inquiry into NDIS Planning

Reference No: SQ20-000246

FUNDING FOR SUPPORTS

Question Date: 03 September 2020

Format: Written

Question:

11. The inquiry was informed that some participants and advocates feel that the NDIA encourages a view among its planners and delegates that participants are out to exploit the system by getting as much funding as possible. What processes does the NDIA have in place to ensure that planners make decisions based on genuine need, rather than cost? Further, how is the NDIA ensuring that it provides participants with transparent reasons for why it chooses to fund some supports and not others, and how much it funds?

Answer:

The National Disability Insurance Agency (NDIA) does not encourage a view among its planners and delegates that participants are 'out to exploit the system'.

The NDIA works with participants, their representatives, families and carers to develop a holistic understanding of participants' support needs during the planning process. When determining whether to fund a support, NDIA delegates must have regard to a range of criteria in the *National Disability Insurance Scheme Act 2013* (NDIS Act), NDIS (Supports for Participants) Rules 2013 and the NDIS Operational Guidelines. Value for money is only one component of the decision.

To determine whether supports meet the reasonable and necessary criteria, the NDIA considers all available evidence, including participant input and lived experience.

The NDIA also considers whether supports should be provided through the NDIS, or another service system.

As part of the Participant Service Improvement Plan 2020-21, the NDIA is committed to:

- Improving the quality of decision letters to make clearer the reasons for how the NDIA has made a decision (in plain English)
- Clarifying and publishing guidelines and procedures so there is consistency in how the NDIA makes decisions and in the information available to planners and participants
- Ensuring all guidelines will come with plain English descriptions and more examples
- Ensuring all NDIA documents use consistent terms and definitions with less jargon
- Publishing information that clarifies what reasonable and necessary means, with case studies and examples.

The NDIA is reviewing and updating the NDIS Operational Guidelines. Further information regarding the Operational Guidelines refresh is available in NDIA SQ20-000245.

Scheme data shows payments to participants have increased, not decreased, over the past four years. The average payment per participant has increased from \$32,300 in 2016-17 to \$50,800 in 2019-20. Additionally, for participants who have had four plans as at 30 June 2020, the average payment per participant has increased from \$26,000 in their first plan, to \$71,000 in their fourth plan, representing a 173 per cent increase in payments compared to the first plan. This shows that significant and increasing funding is being provided to NDIS participants.



Joint Standing Committee on the National Disability Insurance Scheme (NDIS)
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Inquiry into NDIS Planning

Reference No: SQ20-000247

FUNDING FOR SUPPORTS

Question Date: 03 September 2020

Format: Written

Question:

12. Does the NDIA automatically reduce funding for supports at plan reviews?

Answer:

No.

Please refer to NDIA SQ20-000246 for data showing average increases in payments per participant.



**Joint Standing Committee on the National Disability Insurance Scheme (NDIS)
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Inquiry into NDIS Planning

Reference No: SQ20-000248

FUNDING FOR SUPPORTS

Question Date: 03 September 2020

Format: Written

Question:

13. What measures does the NDIA have in place for participants who need to access crisis or emergency funding, outside the Complex Needs Pathway?

Answer:

The Exceptionally Complex Support Needs Program (ECSNP) is a two year national program designed to improve outcomes and experiences for participants with exceptionally complex support needs. The ECSNP operates in addition to the Complex Needs Pathway.

The National Disability Insurance Agency (NDIA) has appointed program providers in each state and territory to deliver the ECSNP. The ECSNP includes an after-hours crisis referral service for National Disability Insurance Scheme (NDIS) participants aged 18 and over who present to key emergency services because of a breakdown of their disability supports.

The phone line is only available for approved referrers including key emergency services such as hospitals, police and ambulance, as nominated by each state or territory government and is not for wider or public dissemination.

Following a referral, ECSNP providers confirm referred people are NDIS participants and their current information to determine the next steps. This may include contacting NDIS providers for additional support or short-term accommodation assistance. Participants often have flexibility in their funded plans and can use those funds to address most unexpected disability support needs impacting their lives.

If NDIS services are not available, or are not the appropriate response, program providers coordinate with approved referrers to support participants during the crisis period. Program providers notify the NDIA by the following business day and the NDIA initiates an appropriate response to the crisis which may include a plan review if appropriate.

The After Hours Crisis Line, and the NDIS generally, does not and is not intended to replace the responsibilities of state and territory mainstream or emergency services for a person in urgent need of accommodation or health related needs such as ambulance or life threatening requirements.



**Joint Standing Committee on the National Disability Insurance Scheme (NDIS)
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Inquiry into NDIS Planning

Reference No: SQ20-000249

FUNDING FOR SUPPORTS

Question Date: 03 September 2020

Format: Written

Question:

14. Does the NDIA informally encourage planners and delegates to prioritise group supports over individualised supports?

Answer:

No.



**Joint Standing Committee on the National Disability Insurance Scheme (NDIS)
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Reference No: SQ20-000250

FUNDING FOR SUPPORTS

Question Date: 03 September 2020

Format: Written

Question:

15. Does the NDIA have an informal policy to reject supports for specific therapy types, such as art therapy, music therapy, physiotherapy and occupational therapy?

Answer:

No.



Joint Standing Committee on the National Disability Insurance Scheme (NDIS)
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Inquiry into NDIS Planning

Reference No: SQ20-000251

INTERFACE ISSUES

Question Date: 03 September 2020

Format: Written

Question:

16. What measures are in place to identify and address interface issues between state/territory/federal systems, such as the criminal justice system and after-school care, and the NDIS?

Answer:

Senior officials from the Department of Social Services, the National Disability Insurance Agency, the NDIS Quality and Safeguards Commission and state and territory governments are continuing to progress a program of work endorsed by the former Disability Reform Council to drive national reform in disability policy and implementation, including through the National Disability Strategy and the National Disability Insurance Scheme (NDIS).

A key priority is to ensure effective interaction between mainstream service systems and the NDIS with a continuing focus on the interactions of NDIS participants with mainstream health, mental health, justice, school education, children and family services, and transport systems. A key priority for the Justice Working Group is the implementation of Justice Liaison Officers, who are a single point of contact for workers within each state and territory justice system, providing a coordinated approach to supporting NDIS participants in youth and adult justice systems.

The School Education Working Group is developing viable approaches to the delivery of Specialist School Transport and Personal Care in Schools.



Joint Standing Committee on the National Disability Insurance Scheme (NDIS)
Answer to Question on Notice

Inquiry into NDIS Planning

Reference No: SQ20-000252

INTERFACE ISSUES

Question Date: 03 September 2020

Format: Written

Question:

17. Please provide an update on the work of Justice Liaison Officers and their work to date, as announced by the COAG Disability Reform Council in October 2019.

Answer:

There are 17 Justice Liaison Officers (JLOs) across all jurisdictions in Australia. JLOs help justice staff working in custodial facilities to understand the National Disability Insurance Scheme (NDIS) pathway. They also work with justice staff to ensure potential and existing NDIS participants who are approaching release have appropriate disability supports in place when they transition back to the community. JLOs also provide assistance in custodial facilities including prisons and youth justice facilities.

The NDIA has ongoing meetings with State and Territory Health and justice officials which provide points of contact for JLOs in each jurisdiction. These meetings link JLOs to custodial facilities with the aim of progressing them to be located in the facilities on a part-time basis. The points of contact also help JLOs to build connections and provide virtual support to a number of justice staff in adult and youth custodial facilities.

COVID-19 has prevented JLOs being able to physically go into custodial facilities. However, restrictions have now eased in some jurisdictions and JLOs continue to work virtually with the various state/territory justice systems. In addition, JLOs have used this time to build on their knowledge and skills, including working with key internal stakeholders in supporting participant outcomes.

JLOs in each jurisdiction:

State/Territory	JLO
ACT (covered by NSW)	-
NSW	3
VIC	4
TAS	1
SA	1
WA	2
NT	3
QLD	3
Total	17



Joint Standing Committee on the National Disability Insurance Scheme (NDIS)
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Inquiry into NDIS Planning

Reference No: SQ20-000253

THE ROLE OF EXPERTS

Question Date: 03 September 2020

Format: Written

Question:

18. What measures does the NDIA have in place to ensure that it is funding supports based on expert advice and not planner opinion?

Answer:

When deciding to include any supports in a participant's plan the National Disability Insurance Agency (NDIA) must be satisfied that the support:

- complies with the general criteria for supports outlined in the National Disability Insurance Scheme (Supports for Participants) Rules 2013
- meets the criteria of section 34(1) of the *National Disability Insurance Scheme Act 2013* (NDIS Act)
- has regard to the objectives and general principles of the NDIS Act
- considers additional guidance on specific types of supports in the Operational Guidelines.

Under the NDIS Act, it is the role of the NDIA delegate to make the decision on the supports to be included in a plan using the criteria outlined.

Before any support is added to a participant's plan the NDIA delegate must be satisfied the support will be or is likely to be effective and beneficial to the participant, having regard to current good practice. The NDIA delegate considers available evidence of the effectiveness of the support which may include:

- the effectiveness of the support for others in like circumstances;
- the lived experience of the participant or their carers;
- published and refereed literature and/or
- expert opinion.

In some instances it may be necessary to seek expert opinion to inform the decision. Examples include high risk assistive technology or disability related health supports. In these cases the NDIA delegate will seek an assessment from a suitably qualified assessor to inform the decision.

For more information regarding the subject matter experts available to provide advice and guidance to NDIA planners, please refer to NDIA SQ20-000254.



Joint Standing Committee on the National Disability Insurance Scheme (NDIS)
Answer to Question on Notice

Inquiry into NDIS Planning

Reference No: SQ20-000254

THE ROLE OF EXPERTS

Question Date: 03 September 2020

Format: Written

Question:

19. What expert teams or experts does the NDIA have for planners to consult with if they are unsure about particular support types or what supports might be appropriate for a participant?

Answer:

The National Disability Insurance Agency (NDIA) has a broad team of subject matter experts with specialist clinical and technical expertise in various disability and health related fields that are available to NDIA Planners. This group is the NDIA's 'Technical Advisory Branch'. There is also a specialised 'Operational Housing Support' team which focusses on accommodation related supports.

In addition, the NDIA has a team of Strategic Advisors that provide expert advice in the following areas:

- Autism
- Early Childhood Early Intervention
- psychosocial disability
- interface with the health sector
- employment
- contemporary innovative supports.

These teams provide individual advice and practice guidance to assist NDIA Planners to make informed and appropriate decisions regarding supports for participants.



Joint Standing Committee on the National Disability Insurance Scheme (NDIS)
Answer to Question on Notice

Inquiry into NDIS Planning

Reference No: SQ20-000255

STAFF TRAINING, EXPERTISE AND SUPPORT

Question Date: 03 September 2020

Format: Written

Question:

20. What training and advice does the NDIA issue to planners and LACs about how to plan appropriately for participants at different developmental and life stages?

Answer:

The National Disability Insurance Agency (NDIA) provides formal training to planners and Local Area Coordinators (LACs) through the New Starter Program, which provides an overview of planning with a particular focus on participants over the age of seven.

This training incorporates skill development to undertake planning conversations, which involves the planner or LAC listening to participants and/or their nominated representatives talk about their life and goals, and, where necessary, asking participants for more detail about their experience, including existing supports and barriers and changes to their circumstances. Discussion about changes in circumstances incorporates changes in life stages relevant to the particular participant, such as the transition of participants into (primary) and out of (secondary) formal schooling and participants who are ready to transition out of the family home into supported or independent living arrangements, or out of supported care into independent living.

Technical and subject matter experts in the NDIA Early Childhood Services team also provide specialised training for all planners and Early Childhood Early Intervention (ECEI) Partners who develop plans for participants 0-6 years.



Joint Standing Committee on the National Disability Insurance Scheme (NDIS)
Answer to Question on Notice

Inquiry into NDIS Planning

Reference No: SQ20-000256

STAFF TRAINING, EXPERTISE AND SUPPORT

Question Date: 03 September 2020

Format: Written

Question:

21. What training and other measures does the NDIA have in place to ensure that planning for participants is carried out in a culturally appropriate way?

Answer:

The National Disability Insurance Agency (NDIA) mandates Contemporary Disability Rights and Aboriginal and Torres Strait Islander Cultural Awareness training for all planning staff.

Staff living and working in Remote and Very Remote locations receive additional and locally-focussed on-the-job training which focusses on building rapport and conversation styles with reference to First Nation Peoples as well as cultural and linguistic diversity.

The NDIA also provides LGBTIQ+ inclusion training.



Joint Standing Committee on the National Disability Insurance Scheme (NDIS)
Answer to Question on Notice

Inquiry into NDIS Planning

Reference No: SQ20-000257

STAFF TRAINING, EXPERTISE AND SUPPORT

Question Date: 03 September 2020

Format: Written

Question:

22. Why does the NDIA not require its planners to have expertise or lived experience in disability or allied health related areas?

Answer:

The National Disability Insurance Agency (NDIA) does not require planners to have lived expertise or lived experience in disability or allied health related areas, however these are highly valued. The NDIA is focused on ensuring employees have the right motivational fit and meet Commonwealth work level standards for internal Agency staff.

All planners and Local Area Coordinators (LACs) attend in-depth training called the New Starter Program, where learners develop skills to actively listen to participants and their nominees about their lived experiences and the impact of their disabilities. This is continued into on-the-job training to learn in more detail about the supports that may benefit participants.

Please refer to SQ20-000259 regarding on-the-job NDIA Staff Training and Development.



Joint Standing Committee on the National Disability Insurance Scheme (NDIS)
Answer to Question on Notice

Inquiry into NDIS Planning

Reference No: SQ20-000258

STAFF TRAINING, EXPERTISE AND SUPPORT

Question Date: 03 September 2020

Format: Written

Question:

23. How is the NDIA addressing staff retention and high staff turnover of planners and LACs?

Answer:

The National Disability Insurance Agency (NDIA) does not have a high turnover rate for planners. The turnover rate for planners is 8.36 per cent for the financial year compared with 8.82 per cent for the broader NDIA. The average separation rate for ongoing APS planners is lower than average turnover across the Commonwealth, which is 9.6 per cent for ongoing staff based on the last State of the Service Report. The current rolling average separation rate for Local Area Coordinators is 9 per cent, noting this figure is impacted by contracts ending for several Partners in the Community.

The NDIA has an engaged workforce which in turn drives high performance. The NDIA Pulse Survey was available to all NDIA workers in May 2020. The results indicate a continued strengthening of workforce engagement, with a response rate of 88 per cent and an Engagement Index* score of 80 per cent (an increase of four per cent from the 2019 APS Employee Census). The Pulse Survey results reflect improved attachment to the Agency, and a strong sense of purpose and commitment to the work among NDIA staff.

The NDIA is continually working with NDIA employees to understand what makes a positive workplace experience. The NDIA has introduced initiatives such as the Just Brilliant Leadership Program, new talent and succession strategies, and a recognition and celebration program (Light Up), that is built on the NDIA values to foster a culture where people feel valued for their contribution and celebrate the achievements of their colleagues. The Just Brilliant Leadership Program is focused on driving a high performance culture in the Agency.

The NDIA has also established an employee experience project to continuously monitor and improve employee experiences and staff retention. The NDIA has further established various networks, such as the Employee Disability Network, LGBTIQ+ network and Aboriginal and Torres Strait Islander Network to understand any concerns among diversity cohorts and to ensure these are addressed appropriately. Feedback from those networks has led to the establishment of Disability Support Officers to ensure the experiences of NDIA employees with disabilities are improved.

*The Engagement Index measures the emotional connection and commitment employees have to working for their organisation. It comprises three elements:

Say—the extent to which team members are advocates of the organisation.

Stay—the extent to which team members are committed to the organisation and want to stay.

Strive—the extent to which team members are willing to put in discretionary effort to excel in their jobs and help the organisation succeed.



Joint Standing Committee on the National Disability Insurance Scheme (NDIS)
Answer to Question on Notice

Inquiry into NDIS Planning

Reference No: SQ20-000259

STAFF TRAINING, EXPERTISE AND SUPPORT

Question Date: 03 September 2020

Format: Written

Question:

24. What training does the NDIA provide to ensure that understand different disability types, the impact of disability on participants' lives, and the types of supports that would benefit participants?

Answer:

All National Disability Insurance Agency (NDIA) staff undertake contemporary Disability Rights and Disability Awareness training. Planners and Local Area Coordinators (LACs) also attend more in-depth training called the New Starter Program, where learners develop skills in listening to participants and their nominees about their lived experience and the impact of their disability. The New Starter Program continues into on-the-job training to learn in more detail about the supports that may benefit participants.

This formal training references and is supplemented by additional materials and external resources about different disabilities and the impacts of these on participants' lives, including Practice Guides, Disability Snapshots and Disability Navigator.

The Disability Navigator was developed in conjunction with Disability Advocacy Network of Australia, and contains interviews with people living with disability, covering topics such as their lived experience, 'use my strengths', 'how to communicate with me', and reference points to learn more about the stated disability.

The Disability Snapshots are facts sheets associated with the most common disabilities in the National Disability Insurance Scheme. The NDIA currently has 23 Snapshots. The Disability Navigator 'tool' includes a wealth of disability information and real-experience videos. The navigator incorporates the Disability Snapshot resources and participant videos for all major disability types. The videos present participant perspectives on (1) My lived experience (2) Strengths and (3) How to engage me.

The NDIA will continue to expand these resources by adding to the library of snapshots and videos, and the useful links and resources associated with each disability type. Both the Disability Snapshot and the Disability Videos were developed in partnership with Disability Advocacy Network Australia.

The NDIA also runs a 'Making the Difference' workshop that covers some of the eLearning, disability snapshots and videos to continue to enhance planners' and LACs' skills, including disability awareness and having respectful conversations with participants.



Joint Standing Committee on the National Disability Insurance Scheme (NDIS)
Answer to Question on Notice

Inquiry into NDIS Planning

Reference No: SQ20-000260

PLANNING IN RURAL AND REMOTE AREAS

Question Date: 03 September 2020

Format: Written

Question:

25. What concrete measures has the NDIA put in place to address its Rural and Remote Strategy, particularly in the context of planning? How has the NDIA measured the success of its strategy to date?

Answer:

The National Disability Insurance Scheme (NDIS) Rural and Remote Strategy recognises that people with disability in rural and remote Australia, including Aboriginal and Torres Strait Islander communities, may require additional support to access the NDIS, receive a plan and utilise their supports.

The National Disability Insurance Agency (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.

The NDIA has committed to funding 240 Community Connectors in over 290 remote Aboriginal and Torres Strait Islander communities, as well as a further 51 Community Connectors supporting Aboriginal and Torres Strait Islander peoples with disability living in urban and rural communities.

The success of the strategy can be measured in part by the number of plan approvals for remote/very remote areas and the proportion of participants in these areas entering the scheme. This share of approved plans has risen steadily over the last four quarters to the end of the June 2020 quarter. Two per cent of all NDIA participants who received a plan in the quarter ending June 2020 were from remote/very remote areas, as compared with 1.4 per cent in previous quarters combined.



Joint Standing Committee on the National Disability Insurance Scheme (NDIS)
Answer to Question on Notice

Inquiry into NDIS Planning

Reference No: SQ20-000261

COMMUNICATION

Question Date: 03 September 2020

Format: Written

Question:

26. What is the NDIA doing to ensure that it communicates better with participants about planning and plan reviews?

The NDIA is committed to communicating effectively with participants. There are multiple ways the NDIA has improved communication with participants about planning and plan reviews, and has simplified processes for many participants.

Service Charter: the NDIS Participant Service Charter defines the experience participants should receive when working with the NDIA, and outlines timing commitments in the Participant Service Guarantee. For example, the Service Charter commits to commencing a scheduled plan review 56 days prior to the scheduled plan review date, providing greater certainty on when a plan review should occur.

Participant check-in: for some participants, a full plan review is not required, and the NDIA now offers a streamlined review process. The NDIA calls a participant to 'check-in' to see how they are. If the participant's circumstances have changed or they would like a full plan review, the NDIA will help them understand what information is required for the plan review meeting. In addition, the participant will have the opportunity to decide if they want to have their plan review meeting face to face, or over video/phone at a time that best suits them.

Longer plans: participants may now request plan durations of up to three years. For participants with support needs which are unlikely to change, a longer plan duration means they do not need to go through frequent plan review processes.

Participant information booklets: 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 are a practical tool to 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.

The booklets are intended for use throughout a person's NDIS journey and can be used to record key information, write questions and collect thoughts.

The Planning booklet covers:

- Understanding your current supports
- Creating an NDIS plan to achieve your goals
- Receiving an approved NDIS plan.

There is an additional factsheet to help participants prepare for their first plan and a 'Getting ready for your first plan' checklist for the participant to complete and bring to their planning meeting.

The using your plan booklet covers:

- Understanding what's in your plan
- Learning how to use your plan
- Choosing and managing supports and services
- Reviewing your plan and progress.

The booklets are available in accessible formats including Braille, Easy English and in Languages Other Than English.

Easier to read Operational Guidelines: the NDIA is refreshing the Operational Guidelines to improve consistency of decision making and to simplify the information available to participants on how decisions are made.

Through the refresh of the Operational Guidelines, the NDIA will make more information publically available about how decisions are made. Participants and NDIS decision makers will have access to the same information.

New guidelines will be progressively released over the 2020-21 financial year. The NDIS website has a section to provide feedback on the Operational Guidelines, which will help inform future updates.



Joint Standing Committee on the National Disability Insurance Scheme (NDIS)
Answer to Question on Notice

Inquiry into NDIS Planning

Reference No: SQ20-000262

PLAN UTILISATION

Question Date: 03 September 2020

Format: Written

Question:

27. What assistance does the NDIA offer participants and the sector for plan utilisation? Do delegates take plan under-utilisation and lack of services into account when deciding to reduce funding for supports at plan reviews?

Answer:

Following plan approval, the National Disability Insurance Agency (NDIA) supports participants to ensure they understand their plans and how to access and use supports to pursue their goals. The NDIA's focus is on ensuring participants understand they have choice and control of what, when, where and by whom most of their support is provided.

The NDIA supports participants to utilise their plans by assisting them to:

- understand the role of their Local Area Coordinator, Early Childhood Partner, or Support Coordinator;
- understand the detail in their plan, including mainstream, informal, community and funded supports;
- understand supports which require a quote and any action they need to take;
- understand how the supports in their plan will be managed and paid for;
- select service providers;
- negotiate their supports and to understand service agreements and service bookings;
- access the myplace participant portal; and
- ensure bank account details are recorded for any self-managed supports, including periodic transport payments.

The NDIA also provides booklets and information on the National Disability Insurance Scheme website to assist participants to understand how to make the most of their funded supports.

After implementation the NDIA monitors participants' plans until plan review. Plan monitoring involves regular review of the plan budget, service bookings, payment requests and periodic payments. This may include contact with the participant, providers and if applicable, informal, community and mainstream services (with participant consent).

Monitoring a participant's plan includes reviewing and problem solving issues around:

- plan budget and utilisation;
- payment requests;
- periodic payments;
- risks which may require a plan review; and
- access and interaction with service providers.

The NDIA does not automatically remove under-utilised supports at plan review. The NDIA considers evidence and a participant's lived experience and input, including their feedback about how they have been able to use the supports funded in the previous plan to help them to achieve their goals.

Where supports have been under-utilised, the NDIA discusses with participants why this is and how this might be addressed in the new plan. The participant may also decide they want to try a different support or change the way the support is delivered, for example by choosing a different provider. Scheme data shows average payments per participant continue to increase – please refer to NDIA SQ20-000246 for further information.

The NDIS is a social insurance scheme. One of the key principles of the NDIS is to take a lifetime approach. This is achieved by investing in people early to build their capacity to help them pursue their goals and aspirations resulting in greater outcomes later in life. As a result it is expected support costs will be minimised over a participant's lifetime due to early investment, capacity building and increased independence.



Joint Standing Committee on the National Disability Insurance Scheme (NDIS)
Answer to Question on Notice

Inquiry into NDIS Planning

Reference No: SQ20-000263

EXCLUDING PARTICIPANTS FROM PLANNING MEETINGS

Question Date: 03 September 2020

Format: Written

Question:

28. The inquiry was informed that some planners may be excluding some participants or their carers from planning meetings, with supporters and advocates also being discouraged from attending. What is the NDIA's position on involving participants and all of their support networks in a planning meeting?

Answer:

The NDIA's position is that it is critical a participant attends a planning meeting, either in person or over the phone to ensure relevant information can be collected to support quality plan development. Under the *National Disability Insurance Scheme Act 2013* people with disability are assumed, so far as is reasonable in the circumstances, to have capacity to determine their own best interests and make decisions that affect their own lives. An important part of the NDIS is that people with disability are supported in their dealings and communications with the NDIA so that their capacity to exercise choice and control is maximised.

The NDIA does not have a policy to exclude participants, their carers, supporters or advocates from attending planning meetings. A participant may nominate who they would like to attend their planning meeting with them. This may be a friend, family member, carer, advocate or anyone of the participant's choosing.

The NDIA acknowledges the important role families and carers play in the lives of people with disabilities, including their involvement in planning meetings. National Disability Insurance Scheme Plans respect and take into account the role of family, carers and informal supports. This includes the completion of a family questionnaire to capture the voice of the family or caregiver in the participant's plan.

Completing the family questionnaire with the family or caregiver assists the NDIA to understand the experience and outcomes of families and caregivers involved in a participant's life. This helps the NDIA to understand the impact the NDIS is having, not only for participants, but also on their family and/or primary caregiver.



Joint Standing Committee on the National Disability Insurance Scheme (NDIS)
Answer to Question on Notice

Inquiry into NDIS Planning

Reference No: SQ20-000264

PRE-PLANNING

Question Date: 03 September 2020

Format: Written

Question:

29. What pre-planning support and resources does the NDIA offer to participants?

Answer:

The National Disability Insurance Scheme (NDIS) website includes a range of information to help participants, their families and carers understand the NDIS.

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 are a practical tool to 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. The booklets are intended for use throughout a person's NDIS journey and can be used to record key information, write questions and collect thoughts.

The Planning booklet covers:

- Understanding your current supports
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The booklets are available in accessible formats including Braille, Easy English and in Languages Other Than English.

An additional factsheet to help participants prepare for their first plan and a 'Getting ready for your first plan' checklist is available on the website for the participant to complete and bring to their planning meeting.



Joint Standing Committee on the National Disability Insurance Scheme (NDIS)
Answer to Question on Notice

Inquiry into NDIS Planning

Reference No: SQ20-000265

TRANSITION TO THE NDIS IN WA

Question Date: 03 September 2020

Format: Written

Question:

30. How many participants in Western Australia that transferred from the Disability Services Commission/WANDIS support to the NDIS received reduced support?
- What is the range in the value of the reduction of support?
How many participants sought a review of the assessment by the NDIS?
- Of those that applied for a review, how many then received an increase in the value of their support package?
- What measures are in place to ensure that high needs participants do not experience a reduction in funding for their ongoing care and support?

Answer:

The National Disability Insurance Agency does not hold or collect information in regards to previous funding arrangements between individual organisations and states and territories.

Of the 19,597 participants with an approved plan who transferred from the WANDIS/DSC program, 1,495 (or eight per cent) requested an s48 or s100 plan review of their first plan (842 for s48 and 653 for s100).

Of the eight per cent who requested a review of their first plan, 78 per cent of the subsequent plans had higher plan budgets than the reviewed plan.

All NDIS participants receive funding for their reasonable and necessary supports based on their goals and their disability related support needs. If a participant's goals or circumstances change they can request a review of their NDIS plan.

Please refer to NDIA SQ20-000246 for an overview of how the NDIA determines funded supports for participants. NDIA SQ20-000254 details the expert advice available to NDIS planners.