

Chapter 1

Context of inquiry

Referral of inquiry and terms of reference

1.1 The Joint Standing Committee on the National Disability Insurance Scheme (NDIS) was established on 1 September 2016. The committee is composed of five members and five senators.

1.2 The committee is tasked with inquiring into:

- (a) the implementation, performance and governance of the NDIS;
- (b) the administration and expenditure of the NDIS; and
- (c) such other matters in relation to the NDIS as may be referred to it by either House of the Parliament.

1.3 After 30 June each year, the committee is required to present an annual report to the Parliament on the activities of the committee during the year, in addition to other reports on any other matters it considers relevant.

1.4 The committee is also able to inquire into specific aspects of the Scheme. On 15 August 2018, the committee decided to undertake an inquiry into the provision of assistive technology (AT) under the NDIS, with particular reference to:

- (a) the transition to the NDIS and how this has impacted on speed of equipment provision;
- (b) whether the estimated demand for equipment to be sourced through the AT process in each roll out area was accurate;
- (c) whether market based issues impact the accessibility, timeliness, diversity and availability of AT;
- (d) the role of the NDIA in approving equipment requests;
- (e) the role of current state and territory programs in the AT process;
- (f) whether the regulatory frameworks governing AT are fit-for-purpose; and
- (g) any other related matters.

Structure of report

1.5 This report is comprised of four chapters, as follows:

- Chapter 1 outlines the administration and context of the inquiry;
- Chapter 2 considers the AT application process; and
- Chapter 3 explores issues around the procurement and supply of AT.

Conduct of the inquiry

1.6 The committee received 73 submissions to the inquiry from individuals and organisations. These submissions are listed in Appendix 1.

1.7 The committee also conducted two public hearings:

- 19 October 2018 in Sydney; and
- 22 November 2018 in Melbourne.

1.8 Transcripts from these hearings, together with submissions and answers to questions on notice are available on the committee's website. Witnesses who appeared at the hearings are listed in Appendix 2.

Note on terminology and references

1.9 References to submissions in this report are to individual submissions received by the committee and published on the committee's website. References to Committee Hansard are to official transcripts.

Acknowledgments

1.10 The committee would like to thank the individuals and organisations that made written submissions to the inquiry, as well as those who gave evidence at the public hearings. We are grateful for their time and expertise.

Background information

What is AT?

1.11 The NDIS defines AT as 'any device or system that allows individuals to perform tasks they would otherwise be unable to do or increases the ease and safety with which tasks can be performed'.¹ Hearing aids, wheelchairs, communication aids, and prostheses are all examples of assistive products. Home modifications required as a result of the participant's disability are also considered AT under the Scheme.² Funding for AT may be included in a participant's plan if it is identified as a reasonable and necessary support that relates to the participant's disability, and is the most appropriate and cost-effective solution for their needs.³

Demand for AT

1.12 Of the active participants with AT supports in their most recent plan as at 30 June 2018, it is estimated that around 29,000 participants (25 per cent) required an

1 NDIA, *Assistive Technology Strategy*, October 2015, p. 5.

2 NDIA, *NDIS Operational Guidelines—Home modifications*, <https://www.ndis.gov.au/Operational-Guideline/including-5> (accessed 26 September 2018); and NDIA, *AT Complexity Level Classification*, March 2017, pp. 1–2.

3 NDIA, *NDIS Operational Guidelines—Planning*, <https://www.ndis.gov.au/operational-guideline/planning/deciding-supports-plan.html#10.1> (accessed 27 September 2018); and *NDIS Act 2013*, s. 34; and NDIA, *NDIS Operational Guidelines—Planning*, <https://www.ndis.gov.au/operational-guideline/planning/deciding-supports-plan.html#10.1> (accessed 27 September 2018).

AT assessment to be conducted.⁴ According to the Agency's latest market insight, people with intellectual disability were the largest group of AT participants and account for the highest proportion (20 per cent) of AT expenditure.⁵ Over 2016–17, personal mobility equipment and care products accounted for over 70 per cent of AT expenditure.⁶

The AT Strategy

1.13 Before the NDIS commenced rollout across the country the NDIA developed a strategy for the provision of AT under the Scheme. Its vision was to 'build an empowering, sustainable and consistent approach to ensuring NDIS participants have choice in, and access to, individualised AT solutions that enable and enhance their economic and community participation'.⁷

1.14 The Agency stipulated three strategic priorities:

- (i) Support and stimulate a vibrant and innovative supply-side market by providing a conduit for innovation and promoting the take-up of technology solutions;
- (ii) Support and stimulate informed, active, participant-led demand by empowering participants to choose technology that best supports their needs; and
- (iii) Deliver a financially robust, sustainable scheme that generates economic and social value with the Agency only intervening to optimise outcomes for participants and economic value for the Scheme.⁸

4 NDIA, *answer to question on notice SQ18-000254*, received 21 November 2018.

5 NDIA, *Market Insights Assistive Technology*, Issue 1, November 2017, p. 3.

6 NDIA, *Market Insights Assistive Technology*, Issue 1, November 2017, p. 3.

7 NDIA, *NDIS AT Strategy*, October 2015, p. 3.

8 NDIA, *NDIS AT Strategy*, October 2015, p. 4.

