

Recommendations

Eligibility

Recommendation 1

2.63 The committee recommends that the NDIS Act is reviewed to assess the permanency provisions in Section 24 (1) (b) and the appropriateness of the reference to 'psychiatric condition' in 24 (1) (a).

Recommendation 2

2.64 The committee recommends that a review of the NDIS (Becoming a Participant) Rules 2016 should be considered to assess the appropriateness and effectiveness of:

- Including the principle of recovery-oriented practice for psychosocial disability, and
- Clarifying that Rule 5.4 which dictates that a condition is, or is likely to be permanent,¹ does not apply to psychosocial disability, to reflect that people with mental conditions will receive ongoing treatments to aid recovery.

Recommendation 3

2.65 The committee recommends that the Australian Government ensures young people with mental ill-health who are not participants of the Scheme, have access to adequate early intervention services.

Recommendation 4

2.66 The committee recommends the NDIA, in conjunction with the mental health sector, develops and adopts a validated fit-for-purpose assessment tool to assess the eligibility of people with psychosocial disability that focuses on their functional capacity for social and economic participation.

Recommendation 5

2.67 The committee recommends the NDIA monitors eligibility rates for people with psychosocial disability to, a) understand the reasons for a higher rejection rate compared to other disabilities; and b) to build a clearer picture of the size and needs of the people who have been found ineligible for NDIS services.

Recommendation 6

2.68 The committee recommends clients currently receiving mental health services, including services under Commonwealth programs transitioning to the NDIS, namely Partners in Recovery (PIR), Personal Helpers and Mentors (PHaMs),

1 Rule 5.4 of the NDIS Rules states that:

An impairment is, or is likely to be, permanent (see paragraph 5.1(b)) only if there are no known, available and appropriate evidence-based clinical, medical or other treatments that would be likely to remedy the impairment.

Day to Day Living (D2DL, and Mental Health Respite: Carer Support (MHR:CS), should not have to apply for the NDIS to have guarantee of continuity of supports and access services.

Planning process

Recommendation 7

3.82 The committee recommends the NDIA develops and proactively markets resources and training for primary health care professionals about the NDIS, especially in regards to access and planning processes.

Recommendation 8

3.83 The committee recommends the Department of Social Services and the NDIA collaboratively develop a plan outlining how advocacy and assertive outreach services will be delivered beyond the transition arrangements to ensure people with a psychosocial disability and those who are hard-to-reach can effectively engage with the NDIS and/or other support programs.

Recommendation 9

3.84 The committee recommends the NDIA, in conjunction with the mental health sector, creates a specialised team of NDIS planners trained and experienced in working with people who have a mental health condition as their primary disability.

Recommendation 10

3.85 The committee recommends the NDIA develops an approach to build flexibility in plans to respond to the fluctuating needs of participants with a psychosocial disability, including allowing minor adjustments to be made without the need for a full plan review.

Recommendation 11

3.86 The committee recommends the NDIA reports on the level of engagement of carers in the planning process.

Recommendation 12

3.87 The committee recommends the NDIA publishes the results of its participants and providers pathways review, particularly in the areas related to mental health, and strategies in place to achieve improved outcomes, as well as updates on progress against targets in its Quarterly Reports.

Continuity of Support

Recommendation 13

4.67 The committee recommend the Australian, state and territory governments clarify and make public how they will provide services for people with a psychosocial disability who are not participants in the NDIS.

Recommendation 14

4.68 The committee recommends the Council of Australian Governments (COAG) conduct an audit of all Australian, state and territory services, programs and associated funding available for mental health.

Recommendation 15

4.69 The committee recommends the National Mental Health Commission be appointed in an oversight role to monitor and report on all Australian, state and territory mental health programs and associated funding, including those delivered through the primary healthcare sector.

Recommendation 16

4.70 The committee recommends the Department of Social Services and the NDIA develop an approach to ensure continuity of support is provided for carers of people with a psychosocial disability, both within and outside the NDIS.

Recommendation 17

4.71 The committee recommends the NDIA in collaboration with the Australian, state and territory governments develops a strategy to address the service gaps that exist for rural and remote communities.

Recommendation 18

4.72 The committee recommends the NDIA provides details how it is ensuring a provider of last resort is available for all NDIS participants unable to find a suitable service provider, regardless of their location, circumstances and types of approved supports.

Information, Linkages and Capacity Building (ILC)

Recommendation 19

4.73 The committee recommends the NDIA monitors the psychosocial disability supports, activities and services that are awarded funding through the ILC grant process to be able to identify and address any emerging service gaps as they may arise.

Recommendation 20

4.74 The committee recommends the NDIA undertakes a review of the effectiveness to date of the ILC program in improving outcomes for people with a psychosocial disability.

Recommendation 21

4.75 The committee recommends NDIA considers allocating specific funding for the provision of mental health services through the ILC.

Forensic disability services

Recommendation 22

5.50 The committee recommends the NDIA urgently clarifies what approved supports are available to NDIS participants in custody and how it monitors and ensures NDIS participants access the supports they are entitled to while in custody.

Recommendation 23

5.51 The committee recommends the NDIA establishes an NDIA unit specialising in the interaction of the Scheme with the criminal justice system.

Recommendation 24

5.52 The committee recommends the NDIA develops a specific strategy to deliver culturally appropriate services for Aboriginal and Torres Strait Islander people with disabilities who are in the criminal justice system.