



**Australian Government**

**Australian Government response to the  
Joint Standing Committee on the National Disability  
Insurance Scheme report:**

**Progress Report on the implementation and administration  
of the National Disability Insurance Scheme**

JANUARY 2016

**Government Response**  
**Joint Standing Committee on the National Disability Insurance Scheme**

*Progress Report on the implementation and administration of the National Disability Insurance Scheme*

The Australian Government welcomes this report and recognises the important and ongoing work of the Joint Standing Committee on the National Disability Insurance Scheme (NDIS) in reviewing the implementation and administration of the NDIS.

2014-15 was another important year for the NDIS, with trials in the Australian Capital Territory (ACT), Western Australia, and the Northern Territory (NT) joining the existing trials in New South Wales (NSW), Victoria, South Australia (SA) and Tasmania. Over the year, an additional 10,000 participants entered the scheme, bringing the total number of participants to 19,817.

The Government remains committed to the full, nationwide roll-out of the NDIS. As noted by the Committee in its report, both NSW and Victoria have signed bilateral agreements for the transition to full scheme. Transition to full scheme has already commenced in the ACT. Since the report was finalised, the Prime Minister has also signed bilateral agreements with the Premiers of South Australia and Tasmania. The signed agreements, in total, provide certainty for around 64 per cent of the 460,000 Australians with disability expected to be eligible for the NDIS.

The NDIS is a complex and challenging initiative and the Government is determined to ensure that it is sustainable into the future. When delivered, it will address the chronic unmet needs of people with disability, their families and carers.

**Response to the Joint Standing Committee's Progress Report**

The Government agrees, or agrees in-principle, to all of the recommendations made by the Committee.

The National Disability Insurance Agency (NDIA) and its Board, as well as representatives from the Department of Social Services (DSS) and the Treasury, state government officials and key stakeholders, participated actively in sessions held by the Committee leading up to publication of the progress report. The NDIA and DSS have already started work to address many of the recommendations.

The Committee has made several recommendations that will involve further consultation and negotiation with State and Territory Governments. Consistent with current and long-standing arrangements, these will be addressed under the auspices of the Council of Australian Governments (COAG) Disability Reform Council. All Australian Governments continue to work together closely to ensure the Scheme is delivered in a timely, effective and efficient manner.

**Government Response to the Joint Standing Committee on the National Disability Insurance Scheme**

<b>Recommendation</b>	<b>Government Response</b>
<p><b>1.</b> <i>The committee recommends that National Disability Insurance Agency work with stakeholders to ensure that pre-planning information for potential participants adequately provides all information required for people to make well-informed decisions about their disability care and supports.</i></p>	<p><b>Agree</b></p> <p>Pre-planning resources are being reviewed and updated. Feedback from participants has been taken into account to inform the review of materials (by 1 March 2016).</p> <p>The National Disability Insurance Agency is working towards provision of Local Area Coordination services to be available to participants six months in advance of phasing to support with pre-planning. The timing of this is contingent upon bilateral agreements for each jurisdiction.</p>
<p><b>2.</b> <i>The committee recommends that risk management practices around the flexibility of supports within plans are underpinned by the principle of choice and control for participants.</i></p>	<p><b>Agree</b></p> <p>The National Disability Insurance Agency has introduced a new plan format and price guide in response to feedback that the planning process was overly lengthy and the price guide was difficult to interpret.</p>
<p><b>3.</b> <i>The committee recommends that the status of guidance for plan reviews is clarified and communicated consistently across National Disability Insurance Agency publications.</i></p>	<p><b>Agree</b></p> <p>The National Disability Insurance Agency commenced reviewing the Operational Guideline and work practice pertaining to review of plans to ensure clarity and a consistent application. Communication products will also be updated when the Operational Guideline review is complete (by March 2016). Training is also being provided to new and existing staff on plan reviews on a regular basis.</p>

Recommendation	Government Response
<p>4. <i>The committee recommends that the National Disability Insurance Agency and NDIS My Way provide access to training and technical support to those participants who want to self-manage some or all of their plans.</i></p>	<p><b>Agree</b></p> <p>Local Area Coordinators and Community Connectors will work with participants who need assistance to set up self-management as part of their plan implementation.</p> <p>For participants who do not have current capacity to self-manage, the National Disability Insurance Agency can assist them through provision of supports in their plan for capacity building, which can include training to self-manage their plan.</p> <p>The National Disability Insurance Agency is also supporting people to self-manage through ICT improvements and through staff advice on claiming queries from participants.</p>
<p>5. <i>The committee recommends that the National Disability Insurance Agency and the Department of Social Services carry out more in-depth research to assess the viability of various Local Area Coordination delivery models before any commitment is made.</i></p>	<p><b>Agree</b></p> <p>During transition, the Local Area Coordination function will be implemented in a manner that builds on existing capabilities. The National Disability Insurance Agency will work with the Department of Social Services to complete an analysis of the market response to scheme delivery requirements and undertake a limited co-design process to inform arrangements moving forward.</p>
<p>6. <i>The committee recommends that Department for Social Services work with the National Disability Insurance Agency, and state and territory governments to ensure that sector development funding and assistance measures are flexibly designed to support organisations transition into the NDIS and become sustainable service providers.</i></p>	<p><b>Agree-in-principle</b></p> <p>The Department of Social Services works closely with the National Disability Insurance Agency and state and territory governments to identify projects that align with the outcomes of the Sector Development Fund (SDF) and its priorities as outlined in the SDF Strategy. The Market Sector and Workforce Strategy developed with all jurisdictions identified priority areas of work that also could be funded through the SDF. While the SDF looks for projects with national applicability it will also work with jurisdictions to develop projects to address issues unique to that jurisdiction.</p> <p>The SDF has funded a range of capacity building projects for both the sectors such as carers and mental health as well as for individuals and their families. In addition SDF has funded capacity building projects in each jurisdiction and provider readiness projects. SDF is currently planning for new projects to commence throughout 2016, of which some will be led by jurisdictions and the National Disability Insurance Agency.</p>

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<p>7. <i>The committee recommends the National Disability Insurance Agency facilitates information and knowledge sharing from other trial sites across the disability and community sectors in Queensland.</i></p>	<p><b>Agree</b></p> <p>Learnings from trial sites are captured by the National Disability Insurance Agency and by the COAG Disability Reform Council to inform the development of national strategies that are implemented at a local level.</p> <p>The National Disability Insurance Agency is working with the Queensland Government to support existing providers in the transition to the NDIS and highlight the market opportunity in Queensland to current and prospective providers.</p>
<p>8. <i>The committee recommends that the roles and responsibilities of each party in relation to the interface between the Scheme and mainstream services are clearly set out in bilateral agreements between the commonwealth and state and territory governments.</i></p>	<p><b>Agree</b></p> <p>The mainstream interactions are guided by the legislative framework for the scheme (the <i>National Disability Insurance Scheme Act 2013</i> and Rules) and a set of Applied Principles and Tables of support initially agreed by the Council of Australian Governments (COAG) in April 2013.</p> <p>A review of the <i>Applied Principles and Tables of Support used to determine the responsibilities of the NDIS and other service systems</i> was requested by COAG in 2014 to report back by June 2015. This review was undertaken and completed during 2015 and updates to the Principles, and Applied Principles were published on the COAG website in December 2015, along with the Tables of Supports which set out the roles and responsibilities of each party.</p> <p>Bilateral Agreements have been agreed with New South Wales, Victoria, Tasmania and South Australia and all have a schedule on the mainstream interfaces with the NDIS. The 2015 review of the Applied Principles and Tables of Supports identified that escalation procedures are required to address areas where operationalisation of the Applied Principles and Tables of Supports results in unintended consequences. The escalation clauses in the bilateral agreements Agreement will be used to address these areas. All subsequent bilateral agreements will have similar provisions.</p> <p>The COAG Disability Reform Council will continue to review the operation of the Applied Principles and Tables of Supports and provide advice to COAG, as needed.</p> <p>This recommendation is being implemented.</p>

Recommendation	Government Response
<p><b>9.</b> <i>The committee recommends that all options to develop a market that provides choice and control for participants in rural and remote areas be explored, and that any additional funding for disability in the Northern Territory to any provider is conditional on measurable increases in service provision.</i></p>	<p><b>Agree-in-principle</b></p> <p>The Australian Government, in partnership with the National Disability Insurance Agency and state and territory governments, will continue to consider how to best support the development of a market for supports in rural and remote areas.</p> <p>Where appropriate funding from the Sector Development Fund will be sought.</p>
<p><b>10.</b> <i>The committee recommends the Commonwealth government provides funding for research to establish robust data on the scale and nature of disabilities in Indigenous communities.</i></p>	<p><b>Agree-in-principle</b></p> <p>Over time, the National Disability Insurance Agency will develop a comprehensive dataset of information related to NDIS Indigenous participants and this will go some way to filling data gaps that currently exist regarding the scale and nature of disabilities in Indigenous communities.</p> <p>There are options available for organisations to submit proposals for funding to undertake work that will assist the Commonwealth to understand the type and extent of disabilities among indigenous people including those eligible for NDIS. The Commonwealth welcomes proposals that would support effective and robust data collection and analysis in Indigenous communities, in particular, proposals that build on existing structures and processes and do not place an undue reporting burden on communities and organisations.</p>

Recommendation	Government Response
<p><i>11. The committee recommends that the Government, through the Disability Reform Council, make all haste with the finalisation all of the bilateral agreements for the transition phase of the National Disability Insurance Scheme.</i></p>	<p><b>Agree-in-principle</b></p> <p>The Commonwealth is committed to the full, nationwide roll-out of the NDIS.</p> <p>Transition to full scheme has already commenced in the Australian Capital Territory.</p> <p>The Prime Minister has signed bilateral agreements with the Premiers of New South Wales, Victoria, South Australia and Tasmania. The signed agreements, in total, provide certainty for around 64 per cent of the 460,000 Australians with disability expected to be eligible for the NDIS.</p> <p>The early transition to the NDIS in Queensland commences in Townsville and Charters Towers for children and young people (0-18 years), and for all eligible participants from Palm Island from January 2016.</p> <p>The Commonwealth is committed to finalising arrangements with the Northern Territory and Queensland as soon as possible, where viable and affordable proposals are provided, which are also in line with agreed timeframes and funding shares.</p> <p>In Western Australia (WA), a comparative trial of the NDIA and My Way models will inform future directions for disability reform in WA. The Commonwealth has commenced discussions with WA on the future of disability reform in WA.</p> <p>This recommendation is being implemented.</p>

Recommendation	Government Response
<p><i>12. The committee recommends that the Government, through the Disability Reform Council, agree effective roles and responsibilities including funding regarding Information, Linkages and Capacity building (Formerly Tier 2 supports) and access to Mainstream services.</i></p>	<p><b>Agree</b></p> <p>The Disability Reform Council agreed the Information, Linkages and Capacity Building (ILC) Policy Framework in April 2015. This framework provides guidance to the NDIA on the scope and type of ILC activities which should be supported under the NDIS. Implementing ILC is the responsibility of the National Disability Insurance Agency.</p> <p>The National Disability Insurance Agency is currently developing a Commissioning Framework for ILC, which seeks to outline its implementation approach, including outcome measures and investment priorities.</p> <p>In addition to the Commissioning Framework, the National Disability Insurance Agency is working with the Commonwealth, states and territories to developed detailed transition plans which include the new ILC sourcing approach in each jurisdiction.</p> <p>Funding for ILC has been allocated by the Commonwealth. See Department of Social Services Portfolio Budget Statement 2015-16, under ‘community inclusion and capacity development grants’ for Outcome 1 (p239).</p> <p>This recommendation is being implemented.</p>