

# COAG Disability Reform Council

## 2018 Terms of Reference

<b>Chair</b>	The Commonwealth Minister for Social Services.
<b>Membership</b>	<p>The Disability Reform Council (the Council) consists of a maximum of two ministers from each jurisdiction — one Minister with portfolio responsibility for disability policy and one Minister with portfolio responsibility relating to Treasury.</p> <p>Each jurisdiction will nominate a Senior Minister as lead representative.</p> <p>The Commonwealth Assistant Minister for Social Services will attend meetings as required for items nominated by the Chair of the Council. Similarly, the Quality and Safeguards Commissioner and the National Disability Insurance Agency (NDIA) CEO will attend meetings as required for items nominated by the Chair. The NDIA Board Chair may attend meetings, at least annually, by invitation of the Chair.</p> <p>The Chair may invite representatives from other agencies to participate in specific meetings or discussion, as appropriate.</p>
<b>Operations</b>	<p>The Council will meet at least twice a year, by TelePresence whenever possible. Further work may be conducted out-of-session.</p> <p>The Council will make decisions in accordance with the <i>National Disability Insurance Scheme Act 2013</i> (NDIS Act), and on the basis of consensus wherever possible. Where consensus cannot be reached, the Council will make decisions on the basis of a majority of members. In these circumstances, jurisdictions in the minority are not bound to implement the decisions that have been made.</p>
<b>Scope of Council responsibility</b>	<p>The Council provides a forum for member Governments to drive national reform in disability policy and implementation, including the National Disability Strategy (NDS) and implementation of the National Disability Insurance Scheme (NDIS).</p> <p>The Council’s work will cover the following themes:</p> <ul style="list-style-type: none"> <li>• Ensure a broad range of reforms are implemented through the NDS to establish inclusive and accessible mainstream services and systems for people with disability, their families and carers.</li> <li>• Provide strategic oversight of the transition to full scheme of the NDIS, including oversight of costs and financial sustainability and implementation risks; and</li> <li>• Make recommendations to COAG on the policy framework for the arrangements for full scheme NDIS.</li> </ul> <p>The Council will have responsibilities under the NDIS Act to:</p> <ul style="list-style-type: none"> <li>• Consider policy matters that relate to the NDIS or arise under the NDIS Act, including; <ul style="list-style-type: none"> <li>– Views on amendments to the NDIS Act; and</li> <li>– Agreement of jurisdictions on NDIS rules.</li> </ul> </li> <li>• Advise the Commonwealth Minister about such matters; and</li> </ul>

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	<ul style="list-style-type: none"> <li>• Make recommendations to COAG about such matters.</li> </ul> <p>The Council will have responsibilities for the following intergovernmental agreements:</p> <ul style="list-style-type: none"> <li>• The National Disability Strategy 2010-2020;</li> <li>• The <i>Intergovernmental Agreement for the National Disability Insurance Scheme (NDIS) Launch</i> including escalation of issues relating to the Bilateral Agreements with states and territories for the transition phase; and</li> <li>• The National Disability Agreement.</li> </ul> <p>The Council will also receive annual progress reports on the National Carer Strategy.</p> <p>The Council will work actively to ensure all mainstream policy, program and service delivery improves outcomes, and performance information is in place to monitor the outcomes of the National Carer Strategy.</p> <p>The Council will ensure that all policy and strategy solutions maintain the person-centred approach of the NDIS.</p> <p>The Council will ensure that clear strategies and other arrangements are in place so that Indigenous people with disability have access to services and facilities and achieve improved outcomes comparable to other people with disability, especially in remote and very remote areas.</p> <p>The Council will continue to consider the impact of regulation on individuals, community organisations and businesses, and identify opportunities to reduce or remove this burden wherever possible.</p>
<b>Review and reporting</b>	<p>The Council will be reviewed annually by COAG against its priorities, including whether there is a continuing need for the Council.</p> <p>The Council will report to COAG annually, and as required, on its progress and to raise issues considered to require First Ministers’ attention (such as major decisions and intergovernmental agreements).</p> <p>The Council can also advise COAG on an exceptions basis, especially when its priorities are not progressing satisfactorily.</p>
<b>Priorities</b>	<p>The Council’s priority actions for 2018 are to:</p> <ol style="list-style-type: none"> <li>1. Provide policy advice, as appropriate, to COAG with respect to the implementation of the National Disability Strategy 2010-2020 (NDS).</li> <li>2. Monitor the NDS second implementation plan, <i>Driving Action 2015-18</i>.</li> <li>3. Monitor implementation and reporting under the National Disability Agreement.</li> <li>4. Monitor arrangements for disability advocacy.</li> </ol>

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5. Consider, and provide advice to COAG where appropriate, all reports and recommendations from the NDIA Board, which include:
  - a) The NDIA Annual Report; and
  - b) NDIA Quarterly Reports on the operation of the NDIA for each period of three months starting on 1 July, 1 October, 1 January or 1 April.
6. Consider the outcomes of the Independent Pricing Review.
7. During 2018, monitor the implementation of the NDIA's participant and provider pathway review and implementation of new participant experience metrics.
8. Monitor arrangements for Specialist Disability Accommodation.
9. Monitor arrangements for the market intervention strategy and maintaining critical supports policy.
10. Monitor the implementation of the recommendations from the Productivity Commission Review of NDIS Costs.
11. Monitor the implementation of the Quality and Safeguarding Framework; establishment of the Quality and Safeguards Commission; arrangements for nationally consistent worker screening; restrictive practices; and community visitors.
12. Provide advice to COAG on full scheme governance and a multilateral agreement for full scheme by end-March 2018.
13. Provide an annual report to COAG for the financial year to 30 June 2018, that includes:
  - a) NDIS performance and participant outcomes and the outcomes of the NDIA's participant and provider pathway review;
  - b) The NDIA's management of costs and financial sustainability;
  - c) Implementation risks and readiness for full scheme;
  - d) The implementation of the National Quality and Safeguarding Framework and establishment of the Quality and Safeguards Commission;
  - e) Market risks and sector and workforce support strategies.
14. Agree future arrangements for the delivery and funding of specialist school transport and personal care in schools.
15. Provide advice as necessary to COAG on the implementation of the *Principles to Determine the Responsibilities of the NDIS and Other Service Systems*, with health, mental health, justice, and child protection interfaces to be the priority.