

COAG Disability Reform Council

2 September 2016

Communiqué

The Council of Australian Governments (COAG) Disability Reform Council (the Council) met today in Sydney and made a number of important decisions to strengthen overall disability reform and support people with disability, their families and carers.

The Council acknowledged there have been significant issues in the first two months of transition to full scheme roll out of the National Disability Insurance Scheme (NDIS) since 1 July 2016. These include issues arising from implementation of the new National Disability Insurance Agency (NDIA) ICT system, particularly the *myplace* portal, which have had serious impacts on participants and providers around Australia whose payments have either failed or been delayed.

The Council also expressed concern at broader operational problems and the flow on effect of *myplace* portal issues leading to a slowdown in the rate of plan approvals for the large number of people that have been deemed eligible for the NDIS since 1 July 2016.

Although the Council acknowledged that issues will arise with a major reform that has the size and complexity of the NDIS, there was unanimous agreement that the impact and scale of the recent issues was unacceptable for NDIS participants, their families and carers, and providers.

The Council noted that in response to the issues that have arisen since the commencement of transition on 1 July 2016, and following a request from the Chair of the Council, the NDIA had:

- Established an NDIS Transition Management Team to address all outstanding portal issues, plan approval targets and communication with the sector;
- Appointed a Chief Operating Officer to oversee all of the NDIA's operational matters during the transition to full scheme roll out;
- Ensured more robust reporting is undertaken on key metrics around portal issue resolution and plan approval rates; and

- Established stronger information sharing arrangements between the NDIA, Commonwealth, State and Territory Agencies.

The Council committed to all governments working closely with the NDIA to resolve current issues and implement a recovery strategy to get participant plan approvals back on track by the end of 2016. The NDIA will provide monthly reports to Council members to ensure appropriate progress against agreed actions and transition targets for plan approvals in relation to bilateral targets in each jurisdiction and monthly reports on key metrics of payment portal performance.

Notwithstanding the focus on ensuring the implementation of the NDIS remains on target, the Council also reached agreement in a number of significant policy areas.

National Disability Strategy

The Council reaffirmed its ongoing commitment to the overarching National Disability Strategy (2010-2020) that all governments signed up to in 2010 to ensure mainstream supports and services are inclusive and accessible for the more than four million people with disability in Australia, not just the 460,000 people with significant and permanent disabilities who are likely to become NDIS participants. Council members agreed to reinvigorate all governments' efforts to drive progress under the National Disability Strategy, including through the Second Implementation Plan. The soon-to-be-established National Disability and Carers Advisory Council will oversee the National Disability Strategy implementation and report to the Council regularly on progress in this regard.

Quality and Safeguarding Framework

The following members of the Council agreed to the national Quality and Safeguarding Framework for NDIS full scheme (Commonwealth, New South Wales, Victoria, Queensland, Western Australia, Australian Capital Territory and Tasmania). South Australia and the Northern Territory noted the Framework agreed to by other jurisdictions. The Framework will proceed to COAG later in the year.

The Framework has been developed through intensive collaboration between all governments, people with disability and stakeholders, and is designed to ensure a safe environment and quality supports for all NDIS participants. It seeks to help participants

resolve problems quickly, and strengthen the capability of NDIS participants, the workforce and providers to operate in the NDIS market.

The Council agreed that the Commonwealth would establish an independent, national complaints and serious incidents system and an NDIS Code of Conduct. The Commonwealth will also establish a national registrar, responsible for registering providers and overseeing providers' compliance with the registration requirements, including compliance with the National Standards for Disability Services.

The Council further agreed that worker screening is a shared responsibility, with the States and Territories responsible for implementing worker screening checks in their own jurisdictions, and the Commonwealth responsible for working with all governments to develop national policy and standards. Governments agreed they also share responsibility for delivering on their commitment to reducing and eliminating the use of restrictive practices in the NDIS, including through the appointment of a national Senior Practitioner to enhance reporting and improve support for participants and providers. The States and Territories will continue to authorise and report on the use of restrictive practices in each jurisdiction.

The States and Territories will continue to deliver quality and safeguard arrangements in their jurisdictions in the transition period to full scheme.

Market Reform

The Council decided to enhance its oversight of the developing market for the NDIS, including by agreement today of the market-related roles and responsibilities of the Commonwealth, State and Territory Governments and the NDIA. In order to monitor and encourage market development, the Council will develop a number of market development indicators.

The Council further agreed a number of strategies to focus attention on development of a strong workforce, including the role of the Commonwealth's Sector Development Fund, to support people with disability, the disability services sector and its workforce to transition to the NDIS.

Governance

The Council discussed a number of changes to ensure a streamlined, flexible and agile governance structure for the NDIS to enable governments to respond and implement solutions quickly as issues arise over transition. Simplified decision and rule-making to enhance accountability, and ensure timely decision-making under the NDIS Act, to enable the NDIS to be more responsive, especially during the rapid scale-up in the transition to full scheme will be the focus of further negotiations. The Chair will seek further input from Council members.

Agreements on changes to governance and access to the DCAF will proceed to COAG for endorsement.