



# NDIS PARTNERS IN THE COMMUNITY PROGRAM

## FUNDING ROUND 1

### Questions and answers

Note: In this Questions and Answers document, any reference to:

- LAC refers to the “NDIS Partners in the Community” Local Area Coordination Service
- ECEI refers to the “NDIS Partners in the Community” Early Childhood Early Intervention Service

This Questions and Answers document does not, in any way, replace or override information provided in the NDIS Partners in the Community Grant Guidelines, Application for Funding documentation, its attachments and/ or appendices.

#### 1. Eligibility

##### 1.1 Can an organisation apply for LAC or ECEI services in more than one Service Area?

Yes, assuming they are eligible. Please refer to section 4 of the NDIS Partners in the Community Program Guidelines regarding ‘Applicant Eligibility Criteria’.

##### 1.2 Would the NDIA consider appointing the same single provider supplying LAC and ECEI in the same Service Area?

Yes, assuming they are eligible. Please refer to section 4 of the NDIS Partners in the Community Program Guidelines regarding ‘Applicant Eligibility Criteria’.

##### 1.3 Will any details of proposed personnel within an application be maintained as confidential, up to the date of signing the Grant Agreement?

Yes, subject to any exceptions outline in section 6.3 Confidentiality of the NDIS Partners in the Community Program Guidelines.

##### 1.4 Are not for profit organisations eligible to apply?

Yes

##### 1.5 What is a Related Body Corporate? Will my organisation be deemed ineligible if my organisation is reportable to a Related Body Corporate?

Related Body Corporate is defined under Section 50 of the *Corporations Act 2001* (Cth), as:

Where a body corporate is:

- a. a holding company of another body corporate; or



- b. a subsidiary of another body corporate; or
- c. a subsidiary of a holding company of another body corporate;

the first-mentioned body and the other body are related to each other.

An organisation is ineligible to apply for LAC Services if the organisation has a Related Body Corporate who is a Registered Provider of Supports. An organisation is eligible to apply for ECEI Services if the organisation has a Related Body Corporate who is a Registered Provider of Supports.

## **2. Provider Status**

### **2.1 Can an organisation apply for LAC funding if they are a Registered Provider of Supports under the NDIS?**

No. Registered Provider of Supports cannot apply to become a LAC Partner.

If you are uncertain whether or not your organisation has applied for, and been approved as a Registered Provider of Supports, as defined in section 4 of the NDIS Act, NDIA, please check with the relevant Business Manager (or equivalent) in your organisation. If necessary, you may contact [provider.support@ndis.gov.au](mailto:provider.support@ndis.gov.au) to confirm current registration status.

Please note further information relevant to this question can be found in questions 12.1, 12.2 and 12.3.

### **2.2 Can an organisation apply for Early Childhood Early Intervention funding if they are a Registered Provider of Supports under the NDIS?**

Original response: Yes. An Applicant applying to deliver ECEI Services may be a Registered Provider of Supports, but will be expected not to deliver funded supports to any particular individual other than in exceptional circumstances.

Please note response to this question has been revised refer to question 7

### **2.3 Can an organisation apply for LAC funding if they are an Early Childhood Registered Provider of Supports under the NDIS?**

No. Existing Registered Providers of Supports cannot receive LAC funding.

### **2.4 Can an organisation apply to be a Registered Provider of Supports during the life of the grant?**

If an organisation has been awarded funding to undertake ECEI services, it is not expected that they would then apply to become a Registered Provider of Supports unless in consultation with the NDIA and where there was sufficient evidence that this would address a market failure of access to quality early childhood services in a defined area.



An organisation awarded funding to undertake LAC services must not apply to become a Registered Provider of Supports.

**2.5 I am a Registered Provider of Supports in one state but wish to apply for LAC funding in another state.**

Regardless of where you are providing your services, existing Registered Providers of Supports are unable to apply for LAC funding under this grant. However, they are able to apply for ECEI funding, assuming they are otherwise eligible, where it demonstrates to the reasonable satisfaction of the NDIA that exceptional circumstances exist.

**2.6 What policies/measures/indicators will the NDIA apply in evaluating the appropriateness of a provider’s approach to management of any actual, potential or perceived conflict of interest?**

Each notified conflict will be considered by the NDIA on a case-by-case basis. The NDIA will evaluate the appropriateness of the Applicant's approach in the context of the circumstances that have given rise to the conflict, in consultation with the Probity Advisor.

Further detail on Conflict of Interest can be found in section 4 of the NDIS Partners in the Community Program Guidelines regarding ‘Applicant Eligibility Criteria’.

**3. Consortiums and Partnerships**

**3.1 Are consortiums eligible for the funding under the “NDIS Partners in the Community” program?**

The NDIA wishes to enter into an agreement with a single lead entity and joint applications submitted on the basis of a consortium or that two or more persons or entities will be jointly and severally liable will not be considered. However, by excluding consortia there is no intention to exclude the use of subcontractors. The other members would be proposed subcontractors and listed as such in the relevant area of the application form and would need to comply with the Registered Provider of Supports provisions.

For the avoidance of doubt, Applicants cannot be a partnership, an unincorporated joint venture (or a non-entity joint venture), an individual, a sole trader, a trustee or a consortia.

**3.2 Are Local Governments, or consortiums of Local Governments, eligible to apply for the LAC services?**

Yes. A local government can apply for grant funding under the “NDIS Partners in the Community” program. The NDIA will accept an application from a group of local governments on the same arrangements identified in 3.1, above.



**3.3 Can an organisation that is not a Registered Provider of Supports and, therefore, is permitted to apply for LAC funding, subcontract to a different organisation who is an NDIS Registered Provider of Supports?**

Only in limited circumstances. The NDIA will only permit a successful Applicant to subcontract Services if the Applicant demonstrates, to the reasonable satisfaction of the NDIA, that exceptional circumstances exist that mean it has no other options than to subcontract to the Registered Provider of Supports and subject to compliance with the requirements for subcontractors and the NDIA's approval in the Grant Agreement.

Applicants must declare the relationship as an actual, potential or perceived conflict of interest in their application and include details of the proposed mitigation approach to manage this conflict of interest. Applicants should also include details of the nature of the exceptional circumstances that require subcontracting with a Registered Provider of Supports and any actions by the Applicant to overcome these circumstances and the approach to management of the conflict of interest.

**4. Service Areas and Participant numbers**

**4.1 How many Local Area Coordinator partners are you looking to appoint in one Service Area? Also, how many Early Childhood Early Intervention partners are you looking to appoint in one Service Area?**

One.

**4.2 How many Service Areas are you seeking Local Area Coordinators and/or Early Childhood Early Intervention partners?**

The NDIA is seeking Local Area Coordination partners in 16 Service Areas, located in Queensland, South Australia, Victoria and the ACT. The approach to market is also seeking Early Childhood Early Intervention partners in nine (9) Service Areas (Queensland, Victoria and ACT) and the whole State of South Australia.

**4.3 In regard to the volume of people transitioning to become a participant in the NDIS, and the construction of pricing, is there a guaranteed volume? What if the number is not reached?**

The number of people transitioning to the Scheme has been agreed under the respective Bilateral Agreements between the Commonwealth and State/ Territory Governments.

The participant numbers, pricing assumptions and available funding are set out in Annex A to the Statement of Requirements, and are based on the numbers agreed between Commonwealth and State/Territory Governments in respective Bilateral Agreements.



**4.4 Can an organisation submit an application to supply NDIS Partners in the Community services for a specific Local Government Area located within a Service Area?**

No. Applications must be for services supplied to a complete Service Area.

**4.5 My organisation wishes to submit an application for a Service Area that is not listed in the Application for Funding. Where can I find the necessary information for my organisation to apply for that Service Area?**

The services are being rolled-out on a national level over a number of years. This specific funding round is for Local Area Coordinator and Early Childhood Early Intervention Services in the Service Areas outlined in the NDIS Partners in the Community Program Guidelines. Future funding rounds will cover other Service Areas.

**4.6 Is there a guaranteed minimum/ maximum volume of referrals by month?**

No.

**5. Other Topics**

**5.1 Are we required to have a dedicated building in each Service Area? Are we required to have a dedicated building per Local Government Area? If so what are the operating hours for each Service +/- Local Government Area office? Will after hours operations be required? Are there any specific requirements in terms of minimum size, capability and infrastructure for these premises?**

Applicants need to comply with the requirements set out in the Partners in the Community Program Funding Round Application Pack. In their response, Applicants should explain how the end-to-end operational capability, including any systems, processes, facilities and infrastructure required to deliver the NDIS Partners in the Community services will be established and managed.

The NDIA does not have a fixed view on premises required to provide NDIS Partners in the Community Services.

**5.2 Can a LAC co-locate with an unaffiliated Registered Provider of Supports, which itself would otherwise be ineligible to submit an application?**

The Applicant should explain in their application how this would operate and how any actual, perceived or potential conflict of interest would be managed to maintain the independence of its NDIS Partners in the Community role.

**5.3 Do the maximum funds available for Services after the commencement date include cost for serving people not eligible under the scheme?**

Yes.



**5.4 Who is undertaking application assessment?**

The details of the assessment process are outlined in Section 4 of the NDIS Partners in the Community Program Guidelines.

**5.5 Will the NDIA provide all of the necessary portable devices and IT hardware to the staff required for the delivery of LAC Services?**

The IT hardware provided by the NDIA is detailed in the Partners in the Community Program Funding Round Application Pack (Annex D and Annex E).

**5.6 Will NDIA-branded communications products be provided by the NDIA in a range of formats or should these costs be anticipated in Establishment and ongoing budgets?**

The NDIA will produce branded electronically based products and may provide some initial material to Partners. Any material the Partner proposes to develop will need to meet NDIA branding guidelines and should be taken in to account in its proposed fees.

**5.7 What age group is covered by the ECEI?**

0-6 years of age.

**5.8 How much funding is available for this program?**

Please refer to the Pricing Response Schedules Attachments for information on available funding. Note ECEI Pricing Response Schedule will be made available no later than Close of Business Monday 8 August 2016.

**5.9 What is a lead organisation?**

A lead organisation must be an incorporated body which is able to enter into the Grant Agreement.

If you submit a joint application, you must nominate a lead organisation for the application. The lead organisation for the program will, if your application is successful, sign the Grant Agreement, receive the funding and take legal responsibility for performing the activities and meeting the outcomes of the Grant Agreement. The other members would be proposed subcontractors and listed as such in the relevant area of the application form.

**5.10 What are the Terms and Conditions for this grant?**

A copy of the Terms and Conditions for the NDIS Partners in the Community Program Grant Agreement is included in the Application Pack.



**5.11 The Partners in the Community Program documentation states that “Prices must be in Australian dollars (inclusive of GST)”. Are the grant amounts listed against each service area inclusive of GST?**

The funding set out in the Pricing Response Schedule Attachments is the maximum available funding for delivery of LAC services exclusive of GST.

Applicants should complete the Pricing Response Schedule following the instructions provided. Furthermore, any Grant Agreement with a successful Applicant will appropriately reflect the arrangements as to GST.

**5.12 The Application Form asks organisations to confirm whether they have the following documents:**

- a. **Documented organisational and financial policies and procedures.**
- b. **Business plan and/or strategic plan.**
- c. **Risk management plan.**

**Will my organisation be ineligible if the organisation does not have these documents at the time of completing the Application Form?**

No. However, it is expected that organisations will have these documents available within seven (7) days of being requested.

The documents may be used as part of the decision-making process to develop a broad understanding of the organisation’s corporate position and objectives.

## **6. Application Process**

**6.1 When will I know the outcome of my application?**

You will be notified of the outcome of your application at the end of the selection process. For probity reasons, to treat all applicants fairly and equally, it is not possible to give you information about the status of individual applications during the assessment process.

**6.2 If I am not able to submit my application by the due date, can I get an extension?**

Any Application that is lodged after the Closing Time and Date may be rejected. If an Application is late or a request is made to approve a lodgement after the Closing Time and Date, a determination may be made that there were exceptional circumstances beyond the Applicant’s control resulting in an inability to meet the stipulated deadline.

Examples of exceptional circumstances could include, but may not be limited to:

- natural disasters;
- power outages affecting the ability of the Applicant to submit their Application by the stipulated deadline; or
- death or disability of key personnel.



An Applicant who's Application has been deemed to be a Late Application may propose other incidents of exceptional circumstances (other than those listed above). Any proposed incidents of exceptional circumstances will be considered on a case-by-case basis.

Please refer to section 5.6.3 of the Program Guidelines for further information

### **6.3 Where should I go for further information?**

Please email your enquiries to [grants@dss.gov.au](mailto:grants@dss.gov.au) or for general enquiries call the Grants Hotline on 1800 625 136.

### **6.4 What Feedback will be available for this funding round**

Generic feedback will be offered on the strengths and weaknesses of applications at the Community Grants Hub website.

Otherwise, individual feedback will be provided to unsuccessful Applicants if such request is made in writing via email to [grants@dss.gov.au](mailto:grants@dss.gov.au) within one month of notice of an unsuccessful Application.

### **6.5 If I am proposing to use subcontractors, do the subcontractors need to complete a separate application form?**

No. Only the lead organisation needs to complete an application form.

### **6.6 What attachments do I need to include in my application?**

A requirement for the funding round is that attachments specified in the Application Pack **must** be provided with your application, using the templates provided.

If you do not attach the documents specified in the Application Pack your application **will not** be assessed.

Attachments which are not asked for in the Application Pack will not be accepted or assessed.

### **6.7 What information is required to be attached to the application form in relation to Financial Statements?**

The Applicant is required to attach to their application form their organisation's latest available financial information for the past two years (preferably for the 2015-16 and 2014-15 financial years) which may include:

- Statement of Financial Position / Balance Sheet
- Statement of Financial Performance / Income Statement / Profit & Loss Statement
- Statement of changes in equity
- Cash flow statement
- Notes to the financial statements



- Audit reports (if available)

## **7. QUESTIONS ADDED 5/8/2016**

### **7.1 Can an organisation apply for Early Childhood Early Intervention funding if they are a Registered Provider of Supports under the NDIS?**

Paragraph 4.1.1.4 of the Program Guidelines provides:

The Agency expects that neither an ECEI Partner nor a subcontractor which is a Registered Provider of Supports will deliver services to individual participants (0 – 6 year olds) in a Service Area in which the ECEI Partner is providing ECEI Services other than in exceptional circumstances and with the Agency's approval.

### **7.2 The Q&A states – ‘An Applicant applying to deliver ECEI Services may be a Registered Provider of Supports, but will be expected not to deliver funded supports to any particular individual other than in exceptional circumstances.’ What are ‘exceptional circumstances’ and how are they determined?**

The eligibility criteria set out in paragraph 4.1.1.4 of the Program Guidelines provides:

An Applicant applying to deliver ECEI Services may be a Registered Provider of Supports or may propose a subcontractor to deliver ECEI Services which is a Registered Provider of Supports, where the Applicant demonstrates to the reasonable satisfaction of the Agency that exceptional circumstances exist. In considering whether exceptional circumstances exist, the Agency will consider:

- a. whether there are any alternative providers of ECEI Services who are not Registered Providers of Supports;
- b. the Applicant's proposed mitigation approach to manage this actual, potential or perceived conflict of interest.

If an ECEI Services Partner or subcontractor is a Registered Provider of Supports, there will be detailed, comparative monitoring of the length of time and level of funded supports provided.

The Agency expects that neither an ECEI Partner nor a subcontractor which is a Registered Provider of Supports will deliver services to individual participants (0 – 6 year olds) in a Service Area in which the ECEI Partner is providing ECEI Services other than in exceptional circumstances and with the Agency's approval. In considering whether such exceptional circumstances exist, the Agency will require the Applicant to demonstrate processes that consider:

- a. whether families with additional needs would be unable, or unlikely to engage with a separate Registered Provider of Supports after significant effort has been taken by the Applicant to develop rapport and trust;
- b. the availability of appropriate supports from other Registered Providers of Support; and



- c. the Applicant's proposed mitigation approach to manage this actual, potential or perceived conflict of interest.

Clause 34 of the draft Grant Agreement sets out the obligations on any successful ECEI Partner (or any approved Subcontractor providing ECEI Services) in managing conflicts of interest where the Partner or an approved Subcontractor is a Registered Provider of Supports. In particular, clause 34.3 or clause 34.6 (as applicable) sets out detailed obligations on the Partner in relation to the implementation of management strategies for the provision of the ECEI Services.

Clause 8.2.6 of Annex E to the Statement of Requirements (ECEI Services) sets out further requirements in relation to an ECEI Partner or approved Subcontractor who is a Registered Provider of Supports in relation to the funded supports that are approved by the Agency in an individual participant's Plan, including the circumstances where the provision of these disability services would be permitted.

## **8. QUESTIONS ADDED 9/8/2016**

### **8.1 If an organisation is currently a Registered Provider of Supports (RPOs) and provides a plan to transition out of its RPOs status at the end of current contracts, will it be eligible to apply and receive for Local Area Coordination funding?**

No. The eligibility criteria set out in paragraph 4.1.1.3 of the Program Guidelines relevantly provides:

An Applicant which applies to deliver LAC Services, must not be a Registered Provider of Supports as defined under section 4 of the NDIS Act, or:

- a. be a Related Body Corporate (as defined under section 9 of the Corporations Act 2001 (Cth)) of a Registered Provider of Supports; or
- b. have another entity or person in a position to exercise influence over the Applicant who is related to a Registered Provider of Supports, including where:
  - i. a director of the Applicant is also the director of a Registered Provider of Supports;
  - ii. a shareholder or member of the Applicant is a Registered Provider of Supports; or
  - iii. a shareholder or member of the Applicant is also the shareholder or member of a Registered Provider of Supports.

### **8.2 The Program Guidelines were updated a week after the release of the documents on 2 August 2016, what are the changes?**

The phasing dates in the Section 2.2 Table were updated for Townsville, Mackay, Toowoomba and ACT, to ensure they were consistent with the other Service Area Participant phasing date approach. The phasing dates for all Service Areas now reflects the month Participants in a Service Area are due to phase into the Scheme, with associated workload/information gathering to commence prior to this point.



### **8.3 Why has the NDIA uploaded a revised Annex A to the Statement of Requirement?**

As flagged previously, at the time of publishing the *Partners in the Community* documentation, the Early Childhood Early Intervention (ECEI) participant volumes and funding available was not available and was to be provided at a later date. When the information became available, Annex A to the Statement of Requirement was required to be updated to include detailed ECEI participant volumes (refer 'Part D') and associated narrative guidance (refer 'Guidance for reading this Annex').

In addition, the ECEI Pricing Response Schedule was published. The inclusion of both of these attachments ensures the level and type of information is consistent with that of Local Area Coordination (LAC) Services, and ensures Applicants have all relevant information to review, assess and complete their Applications.

### **8.4 In the NDIS Partners in the Community Program Statement of Requirements 2.2.2 and 2.3.2 there is reference to an "Attachment 1 (Schedule) to the Grant Agreement". There is no Attachment 1 to the Draft Grant Agreement. Can you clarify?**

It is standard practice to only publish the Draft Grant Agreement terms and conditions. The Grant Agreement with any successful applicants will include four attachments, being:

- Attachment 1 (Schedule);
- Attachment 2 (Statement of Requirements);
- Attachment 3 (Program Guidelines); and
- Attachment 4 (Deed of Confidentiality, Privacy and IP).

Attachments 2 and 3 have been provided to applicants as part of the Application Pack.

Attachments 1 and 4 will be provided to successful applicants following the application process for inclusion in any final version of the Grant Agreement with any successful applicants.

## **9. QUESTIONS ADDED 12/8/2016**

- 9.1 Do 'exceptional circumstances' apply where there is no other appropriate organisation applying for the ECEI Partner Contract, OR only where there are no other registered Provider of Supports in the area? (Essentially we are wondering if another organisation is successful in tendering for the ECEI Partner role in a particular Service Area, will they be able to also register, or remain registered, as a Provider of Supports (0-6 ECI cohort) even though there are existing ECI Providers capable of delivering these services in the particular Service Area? Our concern is that where a competitive market for ECI service delivery exists in a particular Service Area, allowing that Service Area's ECEI Partner to also register to become a Provider of Supports would give them an unfair advantage. The ECEI Partner's status as the designated ECI expert in a region, along with their ability to develop rapport with a family ahead of their receiving an approved NDIS plan, would likely lead the family to choose the ECEI Partner as their**



**Registered Provider of Supports. In our experience families do not like to explain their situation to multiple Providers).**

The Agency recognises that the engagement of an ECEI Partner (or Subcontractor) which is also a Registered Provider of Supports providing disability and other services to NDIS Participants is likely to give rise to actual, potential or apparent conflicts of interest.

For that reason, the Program Guidelines provide that an Applicant applying to deliver ECEI Services who is a Registered Provider of Supports (or who proposes a subcontractor which is a Registered Provider of Supports) may only be selected as an ECEI Partner where the Applicant demonstrates to the reasonable satisfaction of the Agency that exceptional circumstances exist. If an Applicant cannot demonstrate that exceptional circumstances exist, the Applicant will not be selected as an ECEI Partner.

In considering whether exceptional circumstances exist, the Agency will consider:

- whether there are any alternative providers of ECEI Services who are not Registered Providers of Supports; and
- the Applicant's proposed mitigation approach to manage the actual, potential or perceived conflict of interest.

If the Agency selects an ECEI Partner which is also a Registered Provider of Supports (or an ECEI Partner who engages a subcontractor which is a Registered Provider of Supports) for a Service Area, the Agency will impose restrictions on the ECEI Partner providing disability services to individual Participants (0 – 6 year olds) in that Service Area. In particular, the ECEI Partner (or Subcontractor) will not be able to provide services unless exceptional circumstances exist and the Agency approves the provision of services. In determining whether exceptional circumstances exist in this context, the Agency will require the Applicant to demonstrate processes that consider:

- whether families with additional needs would be unable, or unlikely to engage with a separate Registered Provider of Supports after significant effort has been taken by the Applicant to develop rapport and trust;
- the availability of appropriate supports from other Registered Providers of Support; and
- the Applicant's proposed mitigation approach to manage this actual, potential or perceived conflict of interest.



- 9.2 Given the ECEI grant application and subsequent approvals will occur ahead of the introduction of the NDIS in particular Service Areas (e.g. October 2017), when the NDIA are considering an ECEI Partner's request to become a Registered Provider of Supports, how will the NDIA determine if there are any other existing ECI Providers in the region? Our concern is that some ECEI Providers have yet to register to become NDIS Providers of Supports. Therefore, the NDIA will not know if there is the potential for a market failure until the existing Provider's registrations have been processed.**

Where the Agency receives an Application from an organisation which is currently a Registered Provider of Supports, the Agency will assess the Application as set out in [Q9.1] above.

Where an ECEI Partner (or approved Subcontractor engaged by an ECEI Partner) proposes to become a Registered Provider of Supports during the term of the Grant Agreement, the ECEI Partner will need to demonstrate to the reasonable satisfaction of the Agency that exceptional circumstances exist (see clause 34.7). The Agency will assess whether it is satisfied that exceptional circumstances exist based on the information available at the time the assessment is made. In such case, the Agency may:

- approve the ECEI Partner or Subcontractor becoming a Registered Provider of Supports; or
- in the case of a Subcontractor who proceeds to become a Registered Provider of Supports, require the removal or replacement of that Subcontractor;
- in the case of an ECEI Partner who proceeds to become a Registered Provider of Supports, terminate the Grant Agreement.

- 9.3 Can an ECEI Partner in the Community provide ECI services to a family who have chosen to self-manage their funding and who can therefore choose to purchase services from any Service Provider, including Non-Registered ones? If so, would the same individual notification process for Conflict of Interest apply?**

The provision of disability services by an ECEI Partner to a family who has chosen to self-manage their funding would give rise to an actual, potential or apparent conflict of interest for the purposes of clause 34.1 or clause 34.5 of the draft Grant Agreement (as applicable). This conflict of interest would be managed on an on-going basis under clause 34.3 or clause 34.6 of the draft Grant Agreement (as applicable).

## **10. QUESTIONS ADDED 15/8/2016**

- 10.1 In the ECEI participant numbers released for South Australia, you reference Tier 2 and Tier 3 participants. Are these equivalent to 'Entry Category Two' and 'Entry Category Three' definitions on page E-1-6 of Attachment 2 – SOR ECEI? If not, can you please define Tier 2 and Tier 3?**

The Service Area groupings within the state are defined as follows:



- Early Intervention supports for Tier 2 participants = Estimated clients (those unlikely to need funded supports)
- Early Intervention and plan supports for Tier 3 participants = Expected participants

## **11. QUESTIONS ADDED 16/8/2016**

### **11.1 Can you please confirm which documents are required to be submitted with each Application Form?**

There are two attachments that will be assessed as part of your Application:

- Workforce Deployment, Staff Development and Pre-Implementation Schedule (using the template provided) – assessed as part of your application
- Pricing Response Schedule (using the template provided) – assessed as part of your application

In addition there are a number of supporting documents relevant to the assessment of your Application:

- Statement by a Supplier – Note, this is only required if you are unable to provide your ABN
- Organisation Chart and Corporate Structure (may be submitted as one or two documents)
- Your organisation's two most recent year-end financial statements (either audited or non-audited - may be submitted as one or two documents)

Please note, any extra information or attachments that are not requested as part of this process will not be considered in the assessment.

### **11.2 Is there a version of the Application Form that will show all the questions without having to move between tabs/screens?**

PDF 'Demonstration Application Forms' for LAC and ECEI, showing all the questions, are now available on the webpage.

Please note – the PDF 'Demonstration Application Forms' are for demonstration purposes only and cannot be used to apply for funding. Any completed PDF 'Demonstration Application Forms' will not be accepted.



**11.3 My organisation currently receives block funding from a State Government or grant funding from a Commonwealth or State Government agency to provide certain disability and support services to people with disability who will become Participants in the Scheme once the Scheme is rolled out in the Service Area in which the person lives. Is my organisation eligible to apply to become a LAC Partner?**

An Applicant which applies to deliver LAC Services must not be a Registered Provider of Supports as defined under section 9 of the NDIS Act (see paragraph 4.1.1.3 of the Program Guidelines).

Where an organisation is providing disability services under an existing Commonwealth or State program, it is not necessary for the organisation to become a Registered Provider of Supports. This is because those Commonwealth and State programs do not involve the provision of funded supports to NDIS Participants. Accordingly, an organisation can continue to provide these services ahead of the roll-out of the NDIS in the relevant Service Area and also be eligible to apply to deliver LAC Services.

Once the NDIA is rolled out in a Service Area, a Participant with an NDIS Plan will only be able to purchase funded supports in their Plan from a Registered Provider of Supports. An organisation providing disability services under an existing Commonwealth or State program will only be able to continue to provide services to a Participant (as funded supports in the Participant's Plan) if the organisation is a Registered Provider of Supports. If the organisation is (or plans to become) a Registered Provider of Supports, it should not apply to become a LAC Partner.

**11.4 My organisation is an existing LAC Partner (in a pilot Service Area) and currently receives grant funding from a Commonwealth agency to provide certain disability and support services to people with disability who will become Participants in the Scheme once the Scheme is rolled out in the Service Area in which the person lives. Is my organisation eligible to apply to become a LAC Partner in another Service Area?**

Can my organisation continue to be a LAC Partner and continue to provide certain disability and support services to people with disability in the same Service Area as I am currently doing. That is, can I receive a further Commonwealth or State grant to provide the same disability supports for another 3 years in that Service Area?

See answer to Question 11.3 above. If the provision of disability supports under any further Commonwealth or State grant would require your organisation to be (or become) a Registered Provider of Supports, this would be inconsistent with the requirement as a LAC Partner to **not** be a Registered Provider of Supports.

**11.5 Can I attach any additional documents to the Application, in addition to the Workforce Development, Staff Development and Pre-implementation Schedule and the Pricing Response Schedule?**

No. Only those Attachments required as part of the Application Form(s) will be accepted. Refer to Question 11.3 for a list of required attachments.



**11.6 Can I attach an Organisational Chart to the Workforce Development, Staff Development and Pre-implementation Schedule as an Appendix? We understand that there is room in the text box for further explanation, however are wondering whether charts / models would be accepted as well, or whether an image can be included in the text box?**

No. Only those Attachments required as part of the Application Form(s) will be accepted. Refer to Question 11.3 for a list of required attachments. As indicated at the top of the 'Instructions' tab of the Attachment 1- Workforce Deployment, Staff Development And Pre-Implementation Schedule, additional attachments to this Schedule will not be considered. The Application Form(s) requires Applicants to attach an Organisational Chart as a separate document

**11.7 Is it possible to include attachments to criteria 1, 2 (workflow chart for demonstrated experience) and 3?**

No. Only those Attachments required as part of the Application Form(s) will be accepted. Refer to Question 11.3 for a list of required attachments.

**11.8 Can we put in an attachment of abbreviations for program names etc.?**

No. Only those Attachments required as part of the Application Form(s) will be accepted. Refer to Question 11.3 for a list of required attachments.

**11.9 Is it possible to get an example of the Schedule to Draft Agreement Terms and Conditions? We understand the dates will not be included, but would be interested in a list of requirements linked to dates.**

The Grant Agreement with any successful Applicants will include four attachments, being:

- Attachment 1 (Schedule);
- Attachment 2 (Statement of Requirements);
- Attachment 3 (Program Guidelines); and
- Attachment 4 (Deed of Confidentiality, Privacy and IP).

Attachments 2 and 3 have been provided to Applicants as part of the Application Pack. Attachments 1 and 4 will be provided to successful Applicants for inclusion in any final version of the Grant Agreement with them. The NDIA does not intend to release Attachment 1 or Attachment 4 as part of the NDIS Partners in the Community Program package of documents.

**11.10 Is the funding in the Pricing Response Schedule separate to Establishment Funds?**

The funding amounts outlined in Attachment 2- Pricing Response Schedule relates to the available funding in each Service Area, for LAC or ECEI respectively. Establishment funding has not been provided by NDIA. Applicants are required to indicate their estimate of their establishment costs separately in the relevant Pricing Response Schedule.



**11.11 Can you confirm that the monthly volume of participants according to LAC Services required (Part B of Annex A to the SOR) is the total number of Clients (including Participants) that the LAC will be required to deal with, or does this number just relate to Participant volumes?**

The LAC volumes outlined in Part B of Annex A to the SOR relate to **Participant** volumes for 'LAC in Advance', 'Initial Plan and Implementation Support', and 'Plan review and Full Scheme implementation support'.

**11.12 Is it possible to get LAC function Volumes separated out per Local Government Area (as with Initial Plan Volumes in Part A of Annex B to the SOR)? This would assist with staffing allocation decisions.**

Due to the amount of information, Local Government Area detail has only been provided for LAC Initial Plan Volumes (as you have stated) and will not be provided for the other LAC functions.

**11.13 Does the reference in Part A of Annex B to the SOR refer to volume of people requiring an Initial Plan (eg: people who require LAC in Advance which includes initial Plan preparation) or does it refer to Participants who have an Initial Plan and require Plan implementation?**

The NDIA has made the assumption you mean Part A of **Annex A** to the SOR (rather than Annex B). Part A volumes are for 'Initial Plan and Implementation Support', which reflect the number of Participants being phased into the NDIS in the month identified for plan approval, with additional Local Government Area detail. The volumes in Part A are also included in Part B, with Part B also including information on specific 'LAC in Advance', 'Plan review and Full Scheme implementation support', and 'Number of ongoing Participants'.

The volumes for 'Initial Plan and Implementation Support' are different to 'LAC in Advance' because only Participants streamed as General and Supported receive LAC support for Initial Plans (i.e. people who are self-planning, or those streamed as Intensive, are not included). This information is included in the guidance text at the beginning of Annex A.

**11.14 Is there one job description for Coordinators (as outlined in clause 2.6.7 of the SOR)?**

There are no personnel job descriptions that have been provided as part of the documentation. Applicants must ensure they have suitable personnel to fill the positions identified in clause 2.6.7 of the SoR.



**11.15 In the XLS LAC Pricing Response Schedule for South Australia-Northern Adelaide the 2017-18 FY reflects Participant Volume of 9,681 and the 2018-19 FY reflects Participant Volume of 7,076. We have a consultant who has interpreted that should a LAC operate over the two financial years, that the total Participant Volume is over the two years and should be added together meaning total volume of participants being 16,757 and a total grant of across the two years of \$21,069,543.**

The NDIA funding available for LAC services for SA – Northern Adelaide over the three year period is \$21,069,543. The Participant volumes outlined in Attachment 2 - Local Area Coordination (LAC) Pricing Response Schedule is a simple aggregation to enable summary calculations. Applicants may prefer to refer to Part B of Annex A to the Statement of Requirements for Participant volume disaggregation, and information by service functions.

The total amount of Participants for each financial year should not be added together to determine a total amount of Participants over multiple financial years. Participant numbers may vary each financial year, as Participants leave the Scheme and new Participants join the Scheme.



**11.16** The NDIS Market Position Statement for SA of June 2016 (refer graphic below which is a snapshot of page 9 of the Statement document) indicates a total number of Participants for the Northern Adelaide Region being 9,400 at Jun 2019 (it states this is the cumulative number hence total by that date.)

Snapshot of page 9 of the Market Position Statement document:

Table 1 Number of participants by year and service region (cumulative)

Service region	30 June 2016	30 June 2017	30 June 2018	30 June 2019	Participants per 100km <sup>2</sup>
Adelaide Hills	400	500	800	1,000	70
Barossa, Light, Lower North	400	700	1,100	1,300	40
Eastern Adelaide	600	900	2,000	2,400	2,240
Eyre, Western	300	500	900	1,100	<5
Far North	100	200	400	500	<5
Fleurieu, Kangaroo Island	200	300	700	900	10
Limestone Coast	400	500	1,000	1,300	10
Murray, Mallee	300	500	1,300	1,600	<5
Northern Adelaide	2,700	4,100	7,500	9,400	1,470
Southern Adelaide	1,800	2,800	5,500	6,800	1,030
Western Adelaide	900	1,300	3,300	4,100	2,790
Yorke, Mid North	400	600	1,500	1,900	10
<b>Total</b>	<b>8,500</b>	<b>12,900</b>	<b>26,000</b>	<b>32,300</b>	

Applicants are required to respond based on the information in the Partners in the Community Program Funding Round One documentation, including Attachment 2 – Pricing Response Schedule. The Market Position Statement does not form part of this documentation.

**11.17** How do we interpret the numbers in the Pricing Schedule response? Looking at the Participant Volumes at June 2018 of 9,681 – this is the number that the Market Position Statement document states will be at June 2019.

Is the total in the Market Position Statement incorrect – i.e. Should the total by June 2019 be 16,700 or is the pricing response schedule incorrect and the numbers should be 7,067 by June 18 and 9,681 by June 19?

Just not sure how to position workforce numbers as unsure how many people are estimated to require the services in total:

If in the second year (2018/19) another 7,076 are coming on then how do we account for some clients in year 1 requiring additional assistance (i.e. is the total potential for contacts up to 16,700 if everyone had a question?)

Or are the numbers reflecting an assumption that the estimated total people accessing the NDIS in Northern region will be signed up and in the system by June 2018 and the 7,076 is repeat visits, further clarifications, and general support for people in the system??

Applicants are required to respond based on the information in the Partners in the Community Program Funding Round One documentation, including Attachment 2 – Pricing Response Schedule. The Market Position Statement does not form part of this documentation.



The Participant volumes outlined in Attachment 2- Pricing Response Schedule is a simple aggregation to enable summary calculations, it would be more accurate to refer to Annex A for Participant volume disaggregation and information by service functions. Part A of Annex A reflects 'Initial Plan and Implementation Support', which reflect the number of Participants being phased into the NDIS in the month identified for plan approval, with additional LGA detail.

The volumes in Part A are also included in Part B, with Part B also including information on specific LAC in Advance, Plan review and implementation support, and number of ongoing Participants. The volumes for 'Initial Plan and Implementation Support' are different to 'LAC in Advance' because only Participants streamed as General and Supported receive LAC support for Initial Plans (i.e. people who are self-planning, or those streamed as Intensive, are not included). This information is included in the guidance text at the beginning of Annex A.

**11.18 Could you please provide advice regarding the ECEI Pricing Response Schedule - State of South Australia, "Participant Volumes – (NDIA provided data)" - there's "0" total for 2016-17 quarter, yet \$229,754 provided in funding.**

Funding is available in the State of South Australia Service Area for ECEI Services prior to the phasing of Participants into the National Disability Insurance Scheme. This funding is provided to enable the Partner to meet the phasing requirements and provide the ECEI Services, including the aspects of the ECEI Services that are required to be provided ahead of phasing Participants into the Scheme. This will be reflected in the Grant Agreement with the successful Applicant for South Australia.

Examples of the types of activities a Partner may undertake prior to phasing Participants into the Scheme include:

- gathering information in relation to Clients (including Participants) under clause 3.3 of Annex E to the Statement of Requirements; and
- building community inclusion, engaging in capacity building in the community and providing information to mainstream service providers under clauses 4.2, 4.3 and 4.4 of Annex E to the Statement of Requirements (depending on the requirements set out in the approved Community Capacity Building Plan).

Please note the answer to this question has been revised - see question 14.2.

**11.19 What variables have been considered in the calculation of the ECEI service area funding amounts? For instance I note that by the number of expected Participants the amount of funding differs in different Service Areas.**

Several variables have been taken into account in modelling the available funding for each Service Area, including the number of Participants that are required to be phased into the Scheme. The NDIA does not intend to provide more detail in this regard.



**11.20 In section 4.1.1.4 of the Program Guidelines - Conflict of Interest (ECEI Services) point a) says that preference will be given whether there are any alternative providers of ECEI Services who are not Registered Providers of Supports.**

Does this mean preference will be given to ECEI partner applications from organisations that don't provide support in that service area or to ECEI applications from organisations that are not service providers for anywhere?

The eligibility criteria set out in paragraph 4.1.1.4 of the Program Provides:

An Applicant applying to deliver ECEI Services may be a Registered Provider of Supports or may propose a subcontractor to deliver ECEI Services which is a Registered Provider of Supports, where the Applicant demonstrates to the reasonable satisfaction of the Agency that exceptional circumstances exist. In considering whether exceptional circumstances exist, the Agency will consider:

- a. whether there are any alternative providers of ECEI Services who are not Registered Providers of Supports;
- b. the Applicant's proposed mitigation approach to manage this actual, potential or perceived conflict of interest.

This is an eligibility (and not an assessment) criterion. "Preference" is not given to any Applicant by virtue of their status as a Registered Provider of Supports (or not). An Applicant, who is a Registered Provider of Supports, will only be eligible to provide ECEI Services if it can demonstrate that exceptional circumstances exist and following the Agency's consideration of the two factors outlined in a) and b) above.

An Applicant's status as a Registered Provider of Supports is not limited to any particular geographical area (including, for example, the Service Area in which it delivers disability services). As such, this eligibility criterion applies to any entity which is a Registered Provider of Supports, regardless of the locations in which the entity provides disability services or supports.

**11.21 Are the target numbers based on the number of targets/clients seen in a year or the number of targets on the partners books at all times in the year? What happens if more than the predicted number of people access the partner?**

The Participant numbers set out in Annex A to the Statement of Requirements reflect the numbers of Participants required to be phased into the Scheme each month under the Grant Agreement with any successful Partner. These requirements are consistent with the relevant bi-lateral agreements between the Commonwealth and a State/Territory.

Participants will be referred to the Partner by the Agency for the development of their Plan. Partners will not be required to phase additional Participants into the Scheme. However, under the Grant Agreement, any successful Partner will be required to provide some assistance to people with a disability who are not eligible to become Participants of the Scheme (in particular as part of the community



capacity building services provided by the Partner as part of the LAC and/or ECEI Services).

## 12. QUESTIONS ADDED 22/8/2016

### 12.1 Can a potential Applicant applying to provide LAC Services de-register as a Registered Provider of Supports? If so, and the Applicant does this before the Closing Date and Time (being, 2:00pm on 8 September 2016), will the Applicant be eligible to apply to provide LAC Services under the NDIS Partners in the Community Program?

A person or an entity is a Registered Provider of Supports if the person or entity has been approved by the NDIA's Chief Executive Officer (or delegate) as a Registered Provider of Supports under section 70 of the *National Disability Insurance Scheme Act 2013 (NDIS Act)*.

The NDIS Act does not set out a specific process to "de-register" a Registered Provider of Supports under the Act. Once registered, a person or entity only ceases to be a Registered Provider of Supports if the approval by the NDIA either:

- ceases to have effect, because the approval itself stated that the person or entity would cease to be a Registered Provider of Supports on a specific date; or
- is revoked by the NDIA under the relevant provisions of the NDIS Act.

The NDIA has a specific business process for revoking a person or entity's approval in circumstances where the person or entity no longer wishes to continue as a Registered Provider of Supports. This business process is available on the [NDIS website](#). If you have any queries regarding this business process, please contact [alexandra.gunning@ndis.gov.au](mailto:alexandra.gunning@ndis.gov.au).

To be eligible to apply for the NDIS Partners in the Community Program to deliver LAC Services, an entity must not be a Registered Provider of Supports as at the Closing Time and Date (2:00 pm (AEST) on Thursday 8 September 2016). Accordingly, an organisation that is an existing Registered Provider of Supports (Registered Provider) will not be eligible to apply unless the NDIA has made a decision revoking the entity's approval as a Registered Provider before the Closing Time and Date. Registered Providers should note that a revocation decision may take effect from a later date (eg one month after the revocation decision) to facilitate the transition of Participants to other Registered Providers. The fact that a revocation decision made by the NDIA before the Closing Time and Date takes effect at some later time (including possibly after the Closing Time and Date) will not affect an Applicant's eligibility to submit an Application under the NDIS Partners in the Community Program.

Where an organisation requests that the NDIA consider revoking its approval as a Registered Provider in accordance with the business process, the NDIA will deal with the request within the timeframes outlined in the business process. Registered Providers should note that the revocation process involves various steps, and it is important for them to complete each relevant step promptly. To assist the NDIA in



managing the revocation process, the NDIA requests that any Registered Provider who is considering submitting an Application under the NDIS Partners in the Community Program brings this to the NDIA's attention at the time it requests that the NDIA consider revoking its approval as a Registered Provider in accordance with the business process.

Please note the Closing Date and Time have been amended to 2:00 pm (AEST) on Thursday 22 September 2016. Further information relevant to this question can be found in question 14.

**12.2 Our organisation is a Registered Provider of Supports but currently only provides minimal funded supports to Participants. Can our organisation continue to provide these funded supports (as a Registered Provider of Supports) until the outcome of the NDIS Partners in the Community Program grant application process is known? If our organisation is appointed as a LAC Partner, we could then apply to revoke our approval as an Registered Provider of Supports (rather than cease providing supports, not be appointed and have to reapply again for approval as an Registered Provider).**

No. An Applicant which applies to deliver LAC Services must not be a Registered Provider of Supports as defined under section 9 of the NDIS Act as at the Closing Time and Date (2:00 pm (AEST) on Thursday 8 September 2016). Accordingly, if your organisation wishes to submit an Application, it would be necessary for your organisation to have its approval as an Registered Provider revoked before the Closing Time and Date. See Question 12.1 above in relation to the process for having an approval as an Registered Provider revoked by the NDIA.

Please note the Closing Date and Time have been amended to 2:00 pm (AEST) on Thursday 22 September 2016. Further information relevant to this question can be found in question 14.

**12.3 If my organisation has received a revocation decision from the NDIA but that revocation will not take effect until after the Closing Time and Date, am I still eligible to apply? I note that the Application Form states I am ineligible to apply if I am still a Registered Provider of Supports.**

Yes, you are eligible to apply if you have received a Notification of Revocation decision from the NDIA dated prior to submitting your application (before the Closing Time and Date), regardless of the date of effect. You must keep a copy of the revocation decision as you may be requested to provide this documentation at a later date. In order to submit your Application you should select 'no' in response to the question about whether your organisation is a Registered Provider.



### **13. Pricing Response Schedule and Participant Volumes**

**13.1 Can the LAC Pricing Response Schedule be re-issued to allow points of an FTE to be entered into cells E44 to E68 (e.g. 1.5)?**

No, the Pricing Response Schedule cannot be re-issued. The values for FTE are set to whole positive numbers.

**13.2 Can NDIA confirm the units used in Annual Salary (cells: F44-F66) are a one quarter share of the annual salary, not the full annual amount?**

Yes, the units used in the Annual Salary cells are one quarter shares of the annual amount.

**13.3 We note that the On-cost fields are to include ‘Super, Long Service Leave, Insurances, and Payroll Taxes’ and we assume base salary is as the name implies. Can you please confirm your preferences for where calculated costings for the following should be included: Allowances, Penalties and Annual leave loadings?**

Costings for allowances, penalties and annual leave loadings would most suitably be included under the heading ‘Other’ in Part 2 – Service Areas Funds of the Pricing Response Schedule.

**13.4 Are providers expected to amortise the cost of establishment across the contract period and meet through operational period funding? And is there any guidance on the quantum of establishment funding that will be covered for different regions?**

The funding amounts outlined in the Pricing Response Schedules relate to the available funding in each Service Area for LAC Services or ECEI Services respectively. Establishment Funds have not been provided for in the funding amounts outlined.

Applicants are required to indicate their estimate of their establishment costs, and cost types, in the relevant Pricing Response Schedule.

It is expected that Applicants will, to the extent possible, make use of existing premises, staff, networks and relationships to minimise the need for Establishment Funds. (Refer to clause 2.10 in the Statement of Requirements as an example of this.)

**13.5 Can NDIA confirm that the available funding amounts shown across line 13 are nominal dollars for each period: i.e. include any indexation effects to each relevant period?**

Refer to row 103 of the Pricing Response Schedule ‘Instructions’ tab – The charges will not be indexed during the Period of the Agreement as the available funds described in this Schedule already include indexation.



- 13.6 Looking at the Pricing Response Schedule for Northern Adelaide, the funding allocated for the Jan-Mar 2017 quarter is \$128,984. At this stage, according to Annex A, Part B to the SOR the LAC will be servicing 957 Prospective Participants LAC in Advance services (being 323 – Phasing Date July 2017, plus 317 – Phasing Date August 2017, plus 317 – Phasing date September 2017). This works out to be \$134.70 per Prospective Participant funded for that quarter. Is this correct?**

Any allocation of funding to LAC Services is a matter for the applicant, as is the choice of how to calculate and structure their Service Area Coordinator cost. In making this choice it will be important to consider all available information and all available funding. (For example, work undertaken in July 2017 will be undertaken with available funding for two quarters; January to March and April to June 2017.)

The available funding reflects the changes in expected workloads. Funds available in Northern Adelaide will need to be sufficient to provide: any LAC in Advance and Initial Plan and Implementation for new entrants to the NDIS; Plan Review and Full Scheme Planning for existing Participants in the NDIS who are transferring to the Partner for LAC Services; and a 20% work effort on delivering Information, Linkages and Capability Building to people with disability who are not Participants in the NDIS.

Applicant cost responses must be as per the direct and indirect cost categories identified in Pricing Response Schedule.

- 13.7 LAC in Advance Activities include developing an Initial Plan 4 weeks in Advance of Phasing Date for approval of NDIA at Phasing Date. This involves extensive and intensive Activities by the proposed LAC workforce which do not appear to be funded appropriately or relevantly for each Quarter. Is this correct?**

Refer to section 3.1.1 of Annex D to the Statement of Requirements. The Partner must, on a rolling basis from six months in advance of a prospective Participant's Phasing Date (except if the Grant Agreement commences on a date that is less than six months in advance of the Phasing Date, in which case from commencement of the Grant Agreement), provide support to prospective Participants to engage with the Scheme.

The amount of funding identified for each Service Area has considered the LAC Services and ECEI Services required in that Service Area.

- 13.8 The Participant volumes in the Pricing Response Schedule only refers to LAC in Advance, Initial Plan and Implementation and Review and Full Scheme Plans. The proposed LAC workforce will also be required to allocate 20% of its total work effort to Information, Linkages and Capability Building. Is there a 20% loading in funding to pay the workforce for these Activities?**

No. All relevant elements of all LAC functions, including the 20% of total work effort being allocated to Information, Linkage and Capacity Building (ILC), is considered and included in the Service Area funding.



### **13.9 The Pricing Response Schedule includes 'NDIA Funding Available', what does this amount cover?**

The Pricing Response Schedule includes the NDIA Service Area funding available for each Service Area. This comprises:

For LAC Services -

- LAC in Advance (where Participant numbers are counted in the month of Plan approval – indicating the month in which LAC in Advance work should be completed)
- Initial Plan and Implementation Support (by Plan approval month – indicating the month in which the Initial Plan is due to be approved and the Implementation Support work commences)
- Plan Review and Full Scheme Planning (by the month the Plan is due for approval – indicating the month in which the Full Scheme Plan is due to be approved and the month by which Plan Review and Full Scheme Planning should be completed)
- 20% of total work effort on Information, Linkages and Capability Building activities.

For ECEI Services -

- Estimated clients (meaning the number of children with disability who are not Participants)
- Expected Participants (by Plan approval month - indicating the month in which a Plan is expected to be approved)

The NDIA Service Area funding available does not include Establishment costs.

## **14. Correction of figures for South Australia and Extension of the Closing Time and Date**

### **14.1 How do the changed figures affect any work I have done for South Australia ECEI Services?**

Applicants considering applying for a grant to provide ECEI Services in South Australia should only refer to the figures published on 1 September 2016.

The scope of work has not changed. The NDIA is seeking an NDIS Partner to deliver ECEI Services to the whole State of South Australia. The Participant Volumes and available funding were previously underreported, and now correctly reflect the scope of work for the whole State.

### **14.2 How do the changed figures affect any answers previously given to applicant's questions?**

These new figures mean that both question and answer 11.20 are now incorrect. The scope of services covered by the corrected funding includes:



- each of the 12 areas that comprise the State of South Australia, and;
- a start date for any contract of 1 March 2017;
- ECEI Participants aged 0-6 years whose Initial Plans are due for approval from 1 March 2017 to 30 June 2019; and
- existing Participants aged 0-6 years whose plan reviews are due for approval from 1 May 2017 to 30 June 2019 and costs that are associated with the Plan Review activities that occur up to 2 months prior to plan approval (ie. May and June 2017) are included in the months of March 2017 and April 2017.

The funding does not include:

- children aged 0 to 6 living in remote areas as defined in Annex A; and
- children aged 0 to 6 that are streamed as “super-intensive”.

The answer to question 4.2 can be extended with the following words: For the purposes of the draft Grant Agreement, the whole State of South Australia will be treated as one "Service Area" for the provision of ECEI Services.

**14.3 In the Program Guidelines it says the whole state of South Australia must be applied for in relation to ECEI Services. Can you please clarify whether it is indeed the whole state, or whether one ECEI Partner must apply for the 4 areas listed (which is NOT the whole state)?**

The table in paragraph 2.2 of the Program Guidelines states that, in relation to the delivery of ECEI Services in South Australia, Applicants must apply to deliver ECEI Services in the *whole* State.

The corrected data now includes funding and Participant Volumes for the whole of South Australia.

**14.4 In the numbers provided regarding ECEI in SA in the pricing response schedule and also in Annex A Part D, can you please specify the number of existing participants who already have funded plans and will require plan reviews versus children entering ECEI for the first time?**

Please refer to the corrected data provided in Part D to Annex A of the Statement of Requirement. Figures provided for ECEI Services in South Australia now describe the full scope of ECEI Services required.

**14.5 How does the extension of the application period affect any answers previously given to applicant's questions?**

The reference to the Closing Time and Date in questions 12.1 and 12.2 should now refer to 2:00 pm (AEST) on Thursday 22 September 2016.



## QUESTIONS ADDED 6/9/2016

### 15. MANAGEMENT OF CONFLICTS OF INTEREST/REGISTERED PROVIDERS OF SUPPORT – BOTH LAC AND ECEI SERVICES

**15.1 Can an entity, who is a Registered Provider of Supports, establish a separate legal entity to deliver LAC and/or ECEI Services under the Partners in the Community Program? Is this separate legal entity eligible to apply for the Partners in the Community Program?**

Whether or not an organisation decides to establish a separate legal entity to apply (ie. to be the Applicant) is a matter for each organisation. However, that separate legal entity will need to comply with the eligibility criteria in paragraph 4.1.1.1 of the Program Guidelines and other requirements that apply in respect of Registered Providers of Supports.

Paragraphs 4.1.1.3 and 4.1.1.4 of the Program Guidelines set out the eligibility criteria and other requirements for Applicants applying to deliver LAC and/or ECEI Services, where the Applicant or a subcontractor is a Registered Provider of Supports.

In particular, paragraph 4.1.1.3 (which is relevant to Applicants applying to deliver LAC Services) provides:

An Applicant which applies to deliver LAC Services, must not be a Registered Provider of Supports as defined under section 9 of the NDIS Act, or:

- (a) **be a Related Body Corporate** (as defined under section 9 of the *Corporations Act 2001* (Cth)) of a Registered Provider of Supports; or
- (b) **have another entity** or person in a position to exercise influence over the Applicant who is related to a Registered Provider of Supports, including where:
  - (i) a director of the Applicant is also the director of a Registered Provider of Supports;
  - (ii) a shareholder or member of the Applicant is a Registered Provider of Supports; or
  - (iii) a shareholder or member of the Applicant is also the shareholder or member of a Registered Provider of Supports.

(emphasis added)

In addition, paragraph 5.5 of the Program Guidelines provides:

Applicants must undertake reasonable enquiries to identify all actual, potential or perceived conflicts of interest they consider will or may arise through the submission of an Application, including any conflicts of interest in relation to a



Registered Provider of Supports. Applicants must identify all of these actual, potential or perceived conflicts of interest in their Application, including a description of the conflict and its proposed mitigation and how the conflict will be monitored to ensure it does not compromise the outcomes sought under the Program.

...

A conflict of interest arises where:

- (a) a person makes a decision or exercises a power in a way that may be, or may be perceived to be, influenced by either material personal interests (financial or non-financial) or material personal associations; or
- (b) due to a **direct or indirect relationship** or interest, the Applicant or **its related entities**, personnel or subcontractors is, or may reasonably be perceived to be, unable to discharge their obligations or duties to the NDIA in an objective and independent manner to the best of their ability...

(emphasis added)

## **16. MANAGEMENT OF CONFLICTS OF INTEREST/REGISTERED PROVIDERS OF SUPPORT – LAC SERVICES**

### **16.1 What is the time period for Registered Providers of Support to transition Participants from its provision of funded supports?**

See response to questions 12.1 and 12.3 of this Question and Answers document.

### **16.2 Will an application to provide LAC Services from a Registered Provider of Supports be accepted where there is a transition out plan in place to de-register by February if successful and limited services are currently being provided?**

No. An Applicant which applies to deliver LAC Services must not be a Registered Provider of Supports as defined under section 9 of the NDIS Act as at the Closing Time and Date. Accordingly, if your organisation wishes to submit an Application, it would be necessary for your organisation to have its approval as a Registered Provider revoked before submitting your application.

See also response to questions 12.1 – 12.3 of this Question and Answers document.

### **16.3 Given the requirement that LACs cannot be Registered Providers of Support, anywhere in Australia, are you able to provide examples of the type of organisations you expect to become Partners?**

Paragraph 4.1.1 of the Program Guidelines sets out the types of entities that are eligible to apply to become a LAC Partner.



Paragraph 1.4.1 of the Statement of Requirements provides:

The NDIS Partners in the Community Program enables the Scheme to be implemented at a local community level. The NDIA will partner with suitably experienced and qualified organisations, with strong local knowledge and understanding of the needs of people with disability or developmental delay, to deliver either or both LAC Services and/or ECEI Services as part of the NDIS Partners in the Community Program.

**16.4 Is an entity eligible to apply to the NDIS Partners in Community Program if it is a Registered Provider of Supports but only provides services in a different region to the Service Area for which it proposes to apply to deliver LAC Services?**

See responses in this Question and Answers document to questions 2.5 and 11.22 (for a similar question in relation to ECEI Services).

**16.5 What is the NDIA's current thinking in relation to any potential conflict of interest service providers may have when delivering LAC services?**

The NDIA's position on conflict of interest for Partners who are delivering LAC Services is set out in the Application Pack. See in particular: paragraphs 4.1.1.3 and 5 of the Program Guidelines; and clauses 33 and 34 of the draft Grant Agreement.

**17. MANAGEMENT OF CONFLICTS OF INTEREST/REGISTERED PROVIDERS OF SUPPORT – ECEI SERVICES**

**17.1 The Program Guidelines state that “The Agency expects that neither an ECEI Partner nor a subcontractor which is a Registered Provider of Supports will deliver services to individual participants (0 – 6 year olds) in a Service Area in which the ECEI Partner is providing ECEI Services other than in exceptional circumstances and with the Agency's approval”. What is the definition of “services” of a Registered Provider of Supports? Does it apply specifically to the 0-6 year old age group or any age group?**

The reference to "services" in paragraph 4.1.1.4 of the Program Guidelines is to the provision of funded supports to a Participant under the Participant's Plan. The Agency expects that the ECEI Partner or subcontractor will not deliver funded supports to individual Participants (0-6 year olds) in the Service Area in which it is delivering ECEI Services, other than in exceptional circumstances and with the Agency's approval.

More generally, the provision of any services by a successful ECEI Partner or subcontractor as a Registered Provider of Supports to any Participant (including in other areas to the Service Area in which the ECEI Partner or subcontractor is delivering ECEI Services) may give rise to an actual, apparent or potential conflict of interest and must be managed in accordance with the clauses 33 and 34 of the Grant Agreement.



**17.2 Can an ECEI Partner provide funded supports to a Participant? If so:**

- **What constitutes ‘exceptional circumstances’?**
- **What is ‘choice and control’, what if the family would prefer to stay with the ECEI Partner for provision of funded supports?**
- **How will this work in areas where there are few Registered Providers of Support?**
- **If a Partner has a subcontractor who is a Registered Provider of Supports – what are the safeguards?**
- **How will this be monitored and what are the consequences of any breach?**

Please see the responses to the following questions in this Question and Answer document: question 7.1; question 7.2; question 9.1; and question 11.22.

Please also see the requirements of clauses 33 and 34 of the draft Grant Agreement in relation to the monitoring and consequences for failure to effectively manage a conflict of interest, including in relation to approved Subcontractors.

**17.3 Clause 8.2.6 of Annex E to the Statement of Requirements refers to exceptional circumstances for the ECEI Partner or contractor being able to provide the funded supports. Can you confirm that the Agency will uphold this requirement for the successful ECEI Partner in South Australia? Can you provide further information about suitable mitigation approaches to manage conflict of interest for ECEI Partners who are Registered Providers of Support?**

Clause 8.2.6 of Annex E to the Statement of Requirements (ECEI Services) gives effect to the requirements set out in the final paragraph of paragraph 4.1.1.4 of the Program Guidelines.

This requirement will apply to all ECEI partners engaged by the NDIA through this Grant process. See question 17.1 of this Question and Answers document for a discussion of this requirement.

In relation to suitable mitigation approaches to manage a conflict of interest, see the response to question 2.6 of the Question and Answers document.

**17.4 Can you clarify the situation about whether it is possible to be an NDIS Early Childhood provider in the same Service Area as being an ECEI Partner?**

Please see the responses to the following questions in this Question and Answer document: question 2.2; question 7.1; question 7.2; question 9.1; question 9.2; question 9.3; question 11.5; and question 11.22.



## **18. STATEMENT OF REQUIREMENTS (BOTH LAC AND ECEI SERVICES)**

### **18.1 How will "capacity" in capacity building be measured? Will it be defined by the Partner organisation or the NDIA?**

Under clause 2.9.1 of the Statement of Requirements, the Partner must deliver to the NDIA a plan which details how the Partner will identify, analyse and build strengths within the community within the Service Areas it is delivering NDIS Partners in the Community Services in the Community Capacity Building Plan for the NDIA's approval.

Under clause 2.9.4 of the Statement of Requirements, the Community Capacity Building Plan must detail tools that will be used and the timeframes for:

- strengthening the community and mainstream service capacity;
- identifying and mapping assets and capabilities including existing plans and shared priorities;
- building connections to the community that may be useful to build community economic and social opportunities for people with disability;
- understanding diversity within the communities and the needs and possible supports for different cohorts of people with disability;
- building connections to the disability support providers and mainstream services to ensure diversity in choice for people with disability; and
- identifying priority areas of effort to enhance and strengthen opportunities for Clients and Participants.

The requirements to build community inclusion and engage in capacity building in the community as part of the delivery of the LAC and/or ECEI Services must be in accordance with the Community Capacity Building Plan, see:

- clause 4.4 of Annex D to the Statement of Requirements (LAC Services) – see in particular clause 4.4.4; and
- clause 4 of Annex E to the Statement of Requirements (ECEI Services) – see in particular clause 4.1.3.

### **18.2 Are Partners required to have an office in each Service Area? Why is this important?**

Clause 2.10 of the Statement of Requirements sets out the requirements for premises for the delivery of both LAC and ECEI Services. In particular:

- there must be at least one permanent premises in each Service Area; and



- in each Local Government Area, the Partner must have or have access to the use of a premises at which it will provide Services to Clients, including Participants.

The importance of having premises in each Service Area relates to the importance of the Partner having a presence in the community. The Applicant's ability to establish and/or expand an active, visible presence on the ground will be taken into account in the assessment of Criterion 4.

See also clauses 3.2.5 and 3.2.6 of Annex E to the Statement of Requirements (ECEI Services) for requirements in relation to ECEI Services specifically. See questions 20.13 – 20.15 of this Question and Answers document for a discussion of these requirements.

## 19. LAC SERVICES

### 19.1 Will care coordination and care connection service lines be replaced with the introduction of Local Area Coordination?

Under clause 4 of Annex D to the Statement of Requirements (LAC Services), Partners are required to undertake various activities to assist Participants to implement their Plans. Consequently, Participants who are supported by a Local Area Coordinator will not have funded supports for connection or coordination.

If a Partner considers a Participant needs a greater level of support than is provided under LAC Services to implement and manage their Plan, the Partner can recommend to the NDIA that the Participant be re-streamed under clause 3.8 of Annex D to the Statement of Requirements.

## 20. ECEI SERVICES

### 20.1 For the ECEI Function 3, the Partner will provide "initial supports". "Such support may include, but are not limited to, access to information, and direct provision of strategies, family-based education, therapy, parenting support, service planning and access to the community." Initial supports includes "providing a range of suitable supports for children and their families who do not require specialist or intensive support". What is the definition of "specialist or intensive support"?

The ECEI Partner is only required to provide support to Stream 5 Participants, and not Participants who have more intensive and/or complex requirements (see clauses 1.6.2 and 1.6.3 of Annex E to the Statement of Requirements).



**20.2 If the ECEI Partner is not a registered provider of services, how will “therapy” and the other services proposed be provided under the quality framework for the “initial supports”?**

Applicants must comply with the National Disability Standard, or equivalent (and satisfy the NDIA on this point). And applicants should also comply with any existing State-based accreditation arrangements in place for providers of early childhood supports. See clause 3.2 of the Statement of Requirements.

**20.3 Is there specific data available on early childhood requests to access the Scheme that have been deemed eligible to access the NDIS to determine capacity and capability to meet the key performance indicator of “<50% of children”? What supports will the NDIA provide in managing participant (and potential participant) expectations?**

The approach to ECEI throughout Annex E to the Statement of Requirements requires that in addition to providing support and assistance to Participants, Partners will support and assist individuals who will not meet access requirements to become a Participant. For example, refer to clauses 1.4, 5.1 and 6.1 of Annex E to the Statement of Requirements.

Partners will need to have a good understanding of what will constitute ‘reasonable and necessary’ supports under the *National Disability Insurance Scheme Act 2013*, in order to meet the key performance indicator that 95% of people whom the Partner assists to complete an access request are determined by the NDIA to be eligible for the Scheme (refer to Annex C to the Statement of Requirements - ECEI Services - Level 1 Performance Indicators – Function 4 Access Recommendations).

Partners should not be encouraging people to make access requests where there is no expectation that the person is eligible for the Scheme.

The NDIA will seek to work together with ECEI Partners to successfully implement the Scheme, including in relation to:

- access requests;
- explaining the opportunities the Scheme is expected to deliver to individuals; and
- appropriately managing expectations of children, families and carers within the Scheme Objectives.

**20.4 In Annex C to the Statement of Requirements (Performance Indicators Schedule), there is a performance indicator that “<50% of children who connect with the Partner are referred for access to the NDIS”. How was this 50% target determined?**

No additional information will be provided on the determination of performance indicators. However, during the NDIS trial, NDIA experienced a high number of



enquiries from families of young children and not all of these children met the access requirements to be eligible as a Participant. ECEI Partners are to provide assistance to families to link to appropriate other mainstream and community supports, or provide time limited initial supports for these children.

**20.5 Clause 5.1.1 of the Annex E to the Statement of Requirements refers to ECEI Partner support that may include, but is not limited to, access to information, and direct provision of strategies, family based education, therapy, parenting support, service planning and access to the community. In this context, is it essential the ECEI partner provide a trans-disciplinary model of service delivery (ie. multiple disciplines in regionally located teams)?**

The principle of access to trans-disciplinary support is considered by the NDIA to be a core principle underlying the ECEI approach. However, potential Applicants may choose how to frame their approach to ECEI Service delivery in any application and will be assessed according to the Assessment Criteria set out in clause 4 of the Program Guidelines.

**20.6 Can you confirm whether the three entry categories (1. Defined programs, 2. State non-defined programs & 3. New) are all included in the client numbers for 2017-18 and 2018-19 for ECEI Services?**

Yes. The ECEI Participant and Client volumes set out in Part D of Annex A to the Statement of Requirements are inclusive of all three entry categories.

Please note the figures for ECEI Services in South Australia set out in Part D of Annex A to the Statement of Requirements were updated on 1 September 2016 – see <https://www.dss.gov.au/grants/grants/ndia-partners-in-the-community-local-area-coordination-services-and-early-childhood-early-intervention-services>

**20.7 What is the breakdown of client numbers in South Australia for 2017-18 and 2018-19 who are already NDIS clients (category 1 & 2) for whom the ECEI partner would provide Function 7 (as per 2.3.1 Annex E to the Statement of Requirements) and new clients (category 3) for whom the ECEI partner would provide Function 1-7?**

The ECEI Participant and Client volumes are set out in Part D of Annex A to the Statement of Requirements.

Please note the figures for ECEI Services in South Australia set out in Part D of Annex A to the Statement of Requirements were updated on 1 September 2016 – see <https://www.dss.gov.au/grants/grants/ndia-partners-in-the-community-local-area-coordination-services-and-early-childhood-early-intervention-services>.



**20.8 Is it possible to have a breakdown of the expected plan reviews of existing Participants versus number of children likely to access ECEI for the first time for South Australia?**

The ECEI Participant and Client volumes are set out in Part D of Annex A to the Statement of Requirements.

Please note the figures for ECEI Services in South Australia set out in Part D of Annex A to the Statement of Requirements were updated on 1 September 2016 – see <https://www.dss.gov.au/grants/grants/ndia-partners-in-the-community-local-area-coordination-services-and-early-childhood-early-intervention-services>.

**20.9 How is the delivery of ECEI Services going to be managed in Remote and Very Remote areas of South Australia?**

Under clause 1.5.1(b) of Annex E to the Statement of Requirements, ECEI Services excludes service delivery for all people living in Remote or Very Remote areas of a Service Area (as identified in Annex A to the Statement of Requirements (Service Areas, Volumes and Remote). This will be managed by the NDIA.

We note the same exclusion applies to LAC Services for all jurisdictions of this Round One of the Partners in the Community Program – see clause 2.3.1(d) of Annex D to the Statement of Requirements.

**20.10 As this is Round One of the Partners in the Community Program, and there is one ECEI Partner in South Australia (as the whole State must be applied for as one "Service Area"), does this mean there will be no other Partners for South Australia in future rounds?**

The NDIA is unable to comment on future rounds of the Partners in the Community Program beyond this Round One (which relates to funding in relevant jurisdictions up until June 2019).

**20.11 Is a breakdown of client numbers in other Service Areas for the ECEI Partner available in South Australia?**

The ECEI Participant and Client volumes are set out in Part D of Annex A to the Statement of Requirements.

Please note the figures for ECEI Services in South Australia set out in Part D of Annex A to the Statement of Requirements were updated on 1 September 2016 – see <https://www.dss.gov.au/grants/grants/ndia-partners-in-the-community-local-area-coordination-services-and-early-childhood-early-intervention-services>.

The updated figures provide an indication of client numbers in 12 areas within South Australia, however the whole State of South Australia must be applied for and is treated as one 'Service Area' for the purposes although for the purposes of the draft Grant Agreement (refer to clause 2.2 of the Program Guidelines).



**20.12 Can you confirm the Remote or Very Remote areas in Annex A to the Statement of Requirements with respect to the Far North and West of the state of South Australia for ECEI Partners?**

The Remote and Very Remote areas of South Australia are set out in Part C of Annex A to the Statement of Requirements. These areas apply to both LAC and ECEI Services.

**20.13 Clause 3.2.6 Annex E to the Statement of Requirements (ECEI Services) refers to the need for an office location in the Service Area for meeting families. Does this mean there are a minimum of 12 offices required in South Australia?**

Clause 2.10.1 of the Statement of Requirements and clause 3.2.6 of Annex E to the Statement of Requirements (ECEI Services) require an ECEI partner to have at least one permanent premises in each Service Area.

While the whole of the State of South Australia will generally be treated as a single "Service Area" for the purposes of ECEI Services, the NDIA would expect that the ECEI Partner has at least one permanent premises in each of the twelve Service Areas in South Australia (as identified in the Bilateral Agreement between the Commonwealth and the State of South Australia for Transition to a National Disability Insurance Scheme at <https://www.coag.gov.au/node/530>).

**20.14 Clause 2.10.2 in the Statement of Requirements refers to the ECEI Partner having or having access to the use of premises in each LGA. Are you able to provide any further information about this requirement?**

Clauses 2.10.3 to 2.10.4 set out the requirements for these premises.

**20.15 Clause 5.4.2 of the Statement of Requirements refer to the NDIA providing Partners with meeting rooms/desks at their premises for partners to meet with Participants. Is there a commitment from the NDIA to setting up additional offices in South Australia?**

The NDIA is not in a position to comment on any future commitments to set up additional offices in South Australia.

Over time, the NDIA intends to liaise with LAC and ECEI Partners in relation to its office footprint.



## 21. APPLICATION PROCESS

### 21.1 If an organisation is applying for LAC and/or ECEI funding in multiple Service Areas will it need to complete one Workforce Deployment, Staff Development and Pre-Implementation Schedule for each of the Service Areas?

Paragraph 4.3.2 of the Program Guidelines provides that Applicants applying for multiple Service Areas must only complete the Workforce Deployment, Staff Development and Pre-Implementation Schedule once, for a single Service Area.

As noted in paragraph 4.3, if an Applicant is applying to provide both LAC and ECEI services, it will be necessary to complete the Workforce Deployment, Staff Development and Pre-Implementation Schedule in each Application (i.e. once for LAC and once for ECEI).

To re-emphasise the point:

- Applicants applying to provide LAC Services in one or more Service Areas must complete one Workforce Deployment, Staff Development and Pre-Implementation Schedule for just one Service Area;
- Applicants applying to provide ECEI Services in one or more Service Areas must complete one Workforce Deployment, Staff Development and Pre-Implementation Schedule for just one Service Area; and
- Applicants applying to provide both LAC Services and ECEI Services in one or more Service Areas must complete two Workforce Deployment, Staff Development and Pre-Implementation Schedules – one for LAC Services in one Service Area, and one for ECEI Services in one Service Area.

For further information, the Workforce Deployment, Staff Development and Pre-Implementation Schedule allows Applicants for LAC Services to complete a response for each of the LAC Functions. The same option of addressing each function is not available to Applicants applying for ECEI Services, but a Workforce Deployment, Staff Development and Pre-Implementation Schedule is still required for an Application for ECEI Services.

In the Workforce Deployment, Staff Development and Pre-Implementation Schedule Applicants are also required to:

- provide a project schedule against which all aspects of the Establishment Plan and all other planning requirements and outputs will be monitored, including the overall readiness for service delivery in the Service Area; and



- provide background detail regarding the manner in which the establishment activities will be undertaken during the pre-implementation period.

**21.2 Can you confirm whether the establishment plan will be required by the successful applicant rather than as part of the application process?**

Clause 2.3.1 of the Statement of Requirements provides:

The Partner must deliver to the NDIA a plan for the establishment and management of the end to end capability required to deliver the NDIS Partners in the Community Services (Establishment Plan) which will provide the overarching structure for all other plans required.

The Establishment Plan is not required as part of the Application Process. However, Applicants must complete the "Establishment Funds" section in the LAC and/or ECEI Pricing Response Schedule(s) (including a description of the costs required).

**21.3 It was stated in the presentation to provide specific details about establishment costs, but it appears there is only 250 characters to respond to this in the Pricing Response Schedule. Is this correct and if so, is it sufficient space for the details required?**

The instructions provided in the "Instructions" tab of the Pricing Response Schedule provide that the description fields under *each* of the elements of the Establishment Funds table (in Part 2) have a character limit of 250 characters (which includes spaces). This limit must be observed.

**21.4 Where can we find a map of Service Areas in Queensland? We were told there would be 13 in total. Is that correct?**

Information in relation to the roll out of the full scheme in all states and territories, including maps, is available on the NDIA's website at the following address:

<https://myplace.ndis.gov.au/ndisstorefront/about-us/our-sites.1.html>

In particular, information for Queensland can be found at the following address:

<https://myplace.ndis.gov.au/ndisstorefront/about-us/our-sites/qld.1.html>

Information in relation to the roll out of the full scheme in Queensland is also available in the Bilateral Agreement between the Commonwealth and the State of Queensland for Transition to a National Disability Insurance Scheme at the following address:

<https://www.coag.gov.au/node/532>



There are 14 Service Areas in Queensland (as the area identified as Brisbane constitutes two Service Areas: Brisbane North and Brisbane South).

**21.5 Can you explain in more detail the Pricing Response Schedule and how you have planned for it to work in practice?**

The Pricing Response Schedule is required to be submitted as part of each Application to deliver either LAC or ECEI Services in each Service Area. The responses provided by Applicants will be used in the assessment of that Application.

Further information on the information requested by the Pricing Response Schedule and its relationship with Annex A to the Statement of Requirements is provided in response to question 13 of this Question and Answers document.

**21.6 Can you advise the title of the previous webinar in relation to commissioning that the presenters referred to? What is the link to that page?**

Previous webinars in relation to the NDIS are available on the NDIA's website at:

<https://myplace.ndis.gov.au/ndisstorefront/people-disability/videos-and-stories/webinars.html>

The 'NDIS Update to Industry 4.15pm Monday 20 June' Webinar offers discussion on the NDIS strategy including engaging on a community level to ensure effective service planning for participants. This webinar provided an update to the industry regarding the NDIS commissioning framework and pipeline activities.



## QUESTIONS ADDED 13/9/2016

### 22. REGISTERED PROVIDERS OF SUPPORTS – LAC SERVICES

**22.1 Can you please send me a link to the business process for the revocation of an entity's approval to be a Registered Provider of Supports?**

The business process for the revocation of approval to be a Registered Provider of Supports is available at:

<https://myplace.ndis.gov.au/ndisstorefront/providers/RPoS-Deregistration-Process.html>.

See also the responses to question 12 above, and if you have any queries regarding this business process, please contact [alexandra.gunning@ndis.gov.au](mailto:alexandra.gunning@ndis.gov.au).

**22.2 Can an entity continue to provide services in the interim and then, if it is appointed as a LAC Partner, apply to revoke at that time (rather than cease services, not be appointed and have to reapply again). As a local government, we only provide minimal services currently but we are a Registered Provider of Supports.**

No. See responses to questions 16.2, 12.1, 12.2 and 12.3 above.

**22.3 Is it allowable and legal under NDIS legislation for an NDIS Registered Provider of Supports in Australia to be subcontracted by a LAC Partner (who is not a Registered Providers of Supports) to provide Local Area Coordination supports in regions of Queensland?**

The eligibility criteria set out in paragraph 4.1.1.3 of the Program Guidelines provide that an Applicant (who is not a Registered Provider of Supports) may only propose to subcontract all or part of the delivery of LAC Services to a Registered Provider of Supports, if it can demonstrate to the reasonable satisfaction of the Agency that exceptional circumstances exist. In considering whether exceptional circumstances exist, the Agency will consider the:

- a) nature of the exceptional circumstances described by the Applicant that require subcontracting with a Registered Provider of Supports;
- b) availability of alternative providers which are not Registered Providers of Supports; and
- c) Applicant's proposed mitigation approach to manage this actual, potential or perceived conflict of interest.

**22.4 If we revoke our current small service lines as a Registered Provider of Supports do we have to have the Participants transitioned to an alternate provider by 22 September? If not, when do they need to be transitioned by? We note that to revoke, the newly released guidelines for this indicate the need for a month's transition, how does this impact our ability to apply for LAC. In other words if we revoke today will we still be**



**technically registered on 22 September? And will the application be accepted if the process has commenced?**

Under the business process for the revocation of an entity's approval to be a Registered Provider of Supports, an entity whose registration is revoked may be subject to a transitional period (which may, *for example*, be one month) within which Participants are able to select an alternative Registered Provider of Supports. The entity will have until the end of the specified period to effect this transition.

Entities who have received a Notification of Revocation decision from the NDIA dated prior to the Closing Date and Time for Applications to the Partners in the Community Program (being, by 2:00pm on 22 September 2016) will be eligible to apply. The revocation may take effect at a later time after 22 September 2016 to allow for a transitional period.

See responses to questions 12.1, 12.2 and 12.3 above.

**22.5 Can you please explain how in NSW a current LAC Services provider can be also a Registered Provider of Supports but this is not the case in the new grant round?**

The arrangements with LAC Providers in NSW were implemented under the *Local Area Coordination (LAC) Transition Services Programme Guidelines* (November 2015), and are transitional arrangements.

## **23. LAC SERVICES**

**23.1 Will the care coordination and connection service lines be provided by the LAC or will it be a continuing paid service line in individual plans?**

See response to question 19.1 above.

**23.2 Could you please let us know if the NDIA will fund the cost of marketing the LACs and the NDIS, or if that should be included in Establishment Funds in the Pricing Response Schedule?**

The NDIA will have generic communications on the role of LAC and will make available some branding and Scheme information. Co-branding costs must be covered by the Partner. See, for example, clause 32 of the draft Grant Agreement, which sets out the requirements for use of the Scheme logo by Partners.

**23.3 Clause 3.3.1 of Annex D requires Partners to provide support to prospective Participants to engage with the Scheme, or "LAC in Advance", for the six months prior to the Phasing Date for the relevant Service Areas, unless there is less than a six month period between the date the Grant Agreement commences and Phasing Date (in which case, the support is provided from commencement of the Grant Agreement). Does the NDIA have a view on when it expects the tender process to complete and contracts to**



**be executed? This has direct relevance to the three early Queensland regions for whom the six month period has already commenced?**

The NDIA is not in a position to comment on the date it expects the assessment process to conclude and contracts to be executed.

For the three Queensland Service Areas with the Phasing Date of February 2017 for LAC Services (being Townsville, Mackay and Toowoomba), interim community and Participant readiness supports have been implemented by the NDIA. Any successful Partner in these three Service Areas will not be expected to provide LAC in Advance Services during the six month period prior to February 2017.

## **24. ECEI SERVICES**

**24.1 Can you please confirm if the wording of clause 1.6.2 of Annex E to the Statement of Requirements (ECEI Services) is correct as it suggests the NDIA will be delivering support to clients? If this is the case, can you please provide examples of the types of support the NDIA would provide in these circumstances?**

Clause 1.6.2 of Annex E sets out the five Participant streams, being:

- a) Stream 1 Participants: are those who wish to self-plan;
- b) Stream 2 Participants: are those who will receive assistance in developing a Plan and implementing that Plan after it has been approved by the NDIA;
- c) Stream 3 Participants: are those requiring a higher level of support to engage effectively and confidently with the Scheme;
- d) Stream 4 Participants: who have more intensive and/or complex support requirements that will be delivered directly by the NDIA; and
- e) Stream 5 Participants: children between the age of 0-6 years who are identified as exhibiting some degree of developmental delay or disability and who are likely to benefit from early intervention supports, and who may or may not need to become a Participant in the Scheme.

The five Streams set out above are the five Streams for the Scheme. Stream 5 is unique to the provision of ECEI Services. Under clause 1.6.3 of Annex E, ECEI Partners are required to deliver ECEI Services to Stream 5 clients.

The NDIA will provide support to Participants (age 0-6 years) who have more intensive and/or complex requirements (namely, super intensive and/or complex requirements).

Under clause 1.6.3 of Annex E, ECEI Partners are required to deliver ECEI Services to Stream 5 'participants'. In this regard, the use of the term participant may be confusing because Stream 5 includes children 0-6 years who may not become



Participants in the Scheme, as well as those who will become Participants in the Scheme.

Please see response to Question 20.1 above.

## **25. BOTH LAC AND ECEI SERVICES**

### **25.1 What level of cover is adequate to satisfy the requirement to effect and maintain cyber incident insurance under paragraph 2.10 of the Program Guidelines?**

Clause 45.1 of the draft Grant Agreement provides:

The Partner agrees to have current and adequate insurance appropriate to the Activity. Any additional requirements are specified in the Schedule.

Specific requirements in relation to insurance will be negotiated with successful Partners and set out in the Schedule to the Grant Agreement. While there is no level of cover specified in the Program Guidelines for cyber incident insurance, applicants may wish to indicate what insurance they have in place and, if inadequate or inappropriate to the Activity, what will be done to ensure adequate insurance appropriate to the Activity will be put in place.

### **25.2 What is the role of the "Workplace Trainer" referred to in clauses 2.6.8 – 2.6.10 of the Statement of Requirements?**

Workplace Trainers are required to provide internal training to Partner Personnel (see, for example, clause 2.6.12 of the Statement of Requirements) and deliver other staff development activities as set out in the Workforce and Training Plan (including, for example, induction and orientation and the NDIA Pathway Training (when this training module is finalised)).

Workplace Trainers are responsible for certifying to the NDIA the successful completion of competency training by all relevant Partner Personnel. Partner Personnel will only be given access to the NDIA IT System after this certification is acknowledged (see clause 2.6.14 of the Statement of Requirements).

See also the Workforce Deployment, Staff Development and Pre-Implementation Schedule for further information.

### **25.3 Are the roles listed in clause 2.6.7 of the Statement of Requirements compulsory? Do they need to be covered in our staffing model? Is it sufficient if we cover these competencies in other existing roles in our organisation (for example, community liaison, Chief Executive)?**

The Partner must ensure it has sufficient Personnel to fill the roles set out in clause 2.6.7 of the Statement of Requirements.



Each Applicant should demonstrate how it proposes to fill these roles within its organisation in its response to the Workforce Deployment, Staff Development and Pre-Implementation Schedule.

**25.4 In Annex A to the Statement of Requirements, why do the number of ongoing Participants decrease slightly from January – June 2018?**

Participant numbers may vary each quarter and each financial year as Participants leave the Scheme and new Participants join the Scheme. Some Participants may also elect to self-manage after a period of support from the Partner.

See also response to question 11.15 above.

**25.5 In Annex A to the Statement of Requirements, why are there no figures for Initial Plan and Implementation January – June 2018?**

The question does not make clear which Service Area(s) are being referred to. Introduction to people to the National Disability Insurance Scheme is intended to occur according to the timelines agreed in the relevant Bilateral Agreement between the Commonwealth of Australia and the relevant State or Territory for transition to a National Disability Insurance Scheme.

Non-specific guidance might be offered that, generally, where numbers for Initial Plan and Plan Implementation reduce, the numbers for Plan Review and Full Scheme planning will increase. This may indicate that the bulk of people who will be phased into the Scheme have been phased into the Scheme and have passed the stage of requiring 'Initial Plan and Plan Implementation' services.

**25.6 If a Partner incurs a loss in the first year due to one-off establishment costs (i.e. funds spent exceeds funds available), can the Partner offset this loss against any surpluses in subsequent years? For example, Loss in Year 1 is \$300k & surplus in Year 2 is \$400k, will the Partner only be required to return \$100k?**

Establishment Funds are provided to the Partner to cover one-off establishment costs. See clause 2 of the Statement of Requirements and the Pricing Response Schedule for further information.

The Partner will not be able to set-off establishment costs against any surpluses in the quarterly funds provided for the delivery of LAC and/or ECEI Services.

**25.7 How is funding paid to the Partners, i.e., is it quarterly in advance, quarterly in arrears or some other timing?**

The payment of funds to Partners will be set out in the Schedule to the Grant Agreement with successful Partners. The NDIA anticipates that funds will be paid to



Partners either monthly or quarterly in advance. The frequency of payments to Partners will be subject to negotiation with any successful Applicants.

**25.8 Will NDIA be coordinating a list of organisations interested in tendering and or partnering, in a similar way to what was done for the Regional Assessment Service tender process?**

No. The NDIA will not be coordinating a list of organisations interested in applying for the NDIS Partners in the Community Program.

## **26. LAC SERVICES**

**26.1 In Schedule 2 to Annex C to the Statement of Requirements (Performance Indicators Schedule), Performance Indicator 8 (of the level 2 Performance Indicators) is: "No more than 10% of Participants have expenditure that is 10% more or less than expected expenditure approved in the Plan". Is this based on the initial approved Plan and the service linking phase whereby the service provider are engaged, or is it ongoing throughout the program?**

This requirement will be measured against the Plan approved by the NDIA. Plan expenditure will be assessed against the goals and funding requirements of the Plan at any particular point in time and this will vary over the life cycle of each Participant's Plan.

**26.2 Are the Participant numbers listed in Part B of Annex A mutually exclusive or inclusive of LAC in Advance Participant numbers and Initial Plan & Implementation Support Participant numbers? For example, in Mackay in Feb 17, are the 235 Initial Plan & Implementation Participant numbers included in the 323 LAC in Advance Participant numbers, or in addition?**

The Participant numbers shown for LAC in Advance services forecast the total number of people who are expected to receive LAC in Advance services from the Partner. This number is made up of both people who will go on to receive more services from the Partner and people who will elect to self-manage, or receive services from someone other than the Partner.

It is expected that the numbers of Participants receiving LAC in Advance Services will exceed the number of Participants receiving Initial Plan & Implementation Services, as not all Participants who receive LAC in Advance services will go on to receive Initial Plan and Plan Implementation services from the Partner.



## 27. APPLICATION PROCESS

- 27.1 Is there a separate Workforce Deployment, Staff Development and Pre-Implementation Schedule for ECEI as the attachment on the website only refers to LAC?**

Refer to the response provided to question 21.1 above.

- 27.2 Can you please clarify the meaning of "nominal allocation of effort" in item 1(e) of the Instructions tab in the Workforce Deployment, Staff Development and Pre-Implementation Schedule?**

"Nominal allocation of effort against each function" refers to the amount of effort the Applicant considers each FTE resource will allocate towards the functions set out in the table in the "Workforce Deployment" tab of the Schedule.

For example, an Applicant may decide that an FTE resource may allocate 30% of its effort to the LAC in Advance Function.

- 27.3 I missed the industry briefing webinar. Is there a recording I can listen to?**

A recording of the industry briefing webinar is available at: <https://myplace.ndis.gov.au/ndisstorefront/people-disability/videos-and-stories/webinars.html>

- 27.4 What is the Applicant entity's Date of Incorporation? The notes state "the date upon which your ABN was registered". However, the date of incorporation and the date upon which our ABN was registered are different (i.e. one is in 1987, the other is in 1999). Can you please clarify whether you want the applicant's date of incorporation (which seems more relevant than ABN registration), or registration of ABN?**

The date of incorporation is required (and not the date the ABN was registered). However, Applicants can provide both dates in their response.

## QUESTIONS ADDED 20/9/2016

### 28. both lac and ecei services

- 28.1 Will the NDIA provide to all LACs and ECEI Coordinators a mobile telephone and laptop? If so, will the NDIA provide the above equipment per worker or per FTE? For example, a Partner may have 50 FTE but 70 workers (e.g. due to part time work).**

Clause 5.3.3 of the Statement of Requirements lists the IT hardware and associated software that will be supplied to the Partner to be used by Partner Personnel in the performance of the Services. This clause does not refer to provision of a mobile phone. (Also refer to clause 24.2 of the draft Grant Agreement.)



The number of devices to be supplied to the Partner will be agreed with any successful Partners based on the workforce modelling.

**28.2 Could you define the responsibilities of the "Partner Representative" and the "Partner Executive Representative"?**

The draft Grant Agreement sets out a number of responsibilities for the Partner Representative and the Partner Executive Representative. See in particular the requirements set out under the following clauses of the draft Grant Agreement:

- clause 11 (monitoring progress); and
- clause 49 (Dispute Resolution).

In addition, clause 5.3.9 of the Statement of Requirements sets out the Partner Representative's responsibility in relation to the NDIA IT System.

**28.3 If the Partner is successful in multiple service areas, can one service areas deficit be offset against the funding surplus of another service area to assist with unfunded service establishment costs?**

The Partner will be required to spend and account for the Grant funds in accordance with clauses 17 and 18 of the draft Grant Agreement.

**28.4 To meet the training requirements of the NDIA, at what point do all staff need to be employed? For example, one month out from the commencement of the phasing of Participants or three months out?**

Under clause 2.6.1 of the Statement of Requirements, the Partner must deliver to the NDIA a plan which details the Partner's approach to building and training an appropriately skilled workforce to meet the requirements of the Statement of Requirements for the delivery of NDIS Partners in the Community Services (Workforce and Training Plan) from the Activity Start Date, inclusive of undertaking required background checks and training for all Personnel. The Activity Start Date will be the date specified in the Schedule to the Grant Agreement as the date by which relevant Activities must start.

Clause 2.6.4 of the Statement of Requirements sets out what must be included in the Workforce and Training Plan, including the Partner's recruitment strategy to engage and mobilise staff with the experience and qualifications required to ensure it has a workforce capable of delivering the NDIS Partners in the Community Services over the term of the Grant Agreement and specifically allow for In Advance requirements and the phasing of Participants. The NDIA expects that this would include the Partner's approach to ensure all training requirements are met for its staff.



**28.5 Is the cost in training all staff allocated to Establishment Funds or is it covered by the first quarterly payment of the Service Area Funds (prior to commencement of the phasing of the Participants)?**

The Partner may allocate Establishment Funds to meet all of the initial training requirements, including the training requirements for all Workplace Trainers. The Partner should set out in its response to the Pricing Response Schedule the amount it expects to incur in relation to these training costs.

The NDIA expects that the proposed approach to delivery of the Services proposed by the Partner incorporates ongoing training costs (including the ongoing training of Coordinators by Workplace Trainers) and that this will be covered by the regular payments of Service Area Funds.

**28.6 To be able to prepare for Transition Out phase both within the budget and the implementation schedule, it would be useful to have a clear understanding of what Transition Out will look like? Is it complete cessation of all NDIA funding but continued service delivery? Is it termination of the Partners in the Community Program?**

Any Transition Out planning should account for the transition of service delivery to the NDIA or a replacement provider.

The Partner must facilitate the orderly transfer of responsibility for and conduct of the Activity to the NDIA or a new Partner appointed by the NDIA. Transition Out will minimise any disruption or deterioration of the NDIS Partners in the Community Services and ensure there are effective strategies in place for the continuity of services for Clients.

Transition Out services will commence four months prior to the cessation of the Grant Agreement (either because it is expiring or because it has been terminated).

Refer to clause 4 of the Statement of Requirements and clause 48 of the draft Grant Agreement.

**28.7 When budgeting for vehicles, where should the costs be allocated? Hypothetically, if there are 20 LAC and/or ECEI Coordinators requiring 10 cars that cost approximately \$120k / year (half lease, half operating) does this sit under Transport in Establishment Funds, Regional Costs in Direct Costs or both?**

The NDIA expects that some of these costs could be captured as Establishment Funds – see, in particular, the notes in the "Instructions" Tab of the Pricing Response Schedule in relation to Establishment Funds which provides that Establishment Funds may include:

The number and type of vehicles or other transport arrangements (e.g. transport allowance) that will be implemented to ensure that [LAC and/or



ECEI Coordinators] are mobile and able to have an effective regular physical presence in the Service Area.

Establishment Funds should cover initial costs incurred to ensure readiness for provision of Services. If the Applicant expects to incur ongoing costs, these costs would need to be met through the regular payments of Service Area Funds.

In the Pricing Response Schedule under Service Area Funds - Direct Costs, refer to the Regional Costs category. This includes vehicle operating costs, regional loadings and other direct costs associated with the Coordinator's ability to provide Services in a Service Area.

Applicants should set out details of any such costs in its response to the Pricing Response Schedule.

**28.8 What costs are allowable to be claimed as Establishment Funds? If premises, equipment and vehicles are leased for the term of the grant, is it possible to claim the total cost of lease/s as 'Establishment Funds' even though the cost will be ongoing to us for the term of the lease/s. For example, if office space is leased/rented for a period of 24 months at cost of \$100 per month (payable monthly), does the total amount of \$2,400 fall under the 'Establishment Funds' guidelines.**

Please see the notes in the "Instructions" Tab of the Pricing Response Schedule in relation to Establishment Funds which provides guidance in relation to what costs can be claimed as Establishment Funds.

Establishment Funds should cover initial costs incurred to ensure readiness for provision of Services. Ongoing costs should be met through the regular payments of Service Area Funds.

Using the example provided in the question, the \$100 monthly lease/rental cost would form part of the Service Area Funds – Indirect Costs, Corporate Overheads which includes “indirect costs associated with ongoing operations including HR costs, finance costs, *facility costs*, corporate costs and governance costs.” (Emphasis added.)

**28.9 Bundaberg is not listed in Part C of Annex A to the Statement of Requirements.–Does this indicate Bundaberg catchment is purely LGA 2011 Bundaberg?**

Part C of Annex A lists the Remote and Very Remote suburbs in the relevant Service Areas/LGAs. Bundaberg is not listed in Part C of Annex A as it is not a Remote or Very Remote area.



**28.10 Does the NDIA consider it acceptable for an Applicant who is engaging subcontractors for some of the service provision, to treat the relevant subcontractor's premises which are utilised in the course of the service provision, as the 'permanent premises' for the purposes of clause 2.10.1 of the Statement of Requirements?**

The NDIA is prepared to consider whether or not this would be acceptable on a case by case basis.

**28.11 What software will be installed by the NDIA to the hardware provided to Partner Personnel and which software will not be allowed? For example, can Skype for Business, Internet Explorer 11, Chrome browser, Citrix be downloaded onto the NDIA's hardware?**

Clause 5.3.3(a) of the Statement of Requirements sets out a list of the software that will be pre-loaded onto the mobile device supplied by the Commonwealth.

Applicants should proceed on the basis that no other software will be able to be loaded onto the mobile device. The device will be pre-loaded with an internet browser and Partner Personnel will be able to access various programs via the internet.

**28.12 How do Partner Personnel access the NDIA IT systems? Is it via secure tunnel or Citrix session through the public internet? How much data traffic (bandwidth use) is expected to traverse the internet back to the NDIA?**

Partner Personnel will be able to use the mobile device to connect to the NDIA IT Systems via a standard internet connection. Partner Personnel will also be able to use the mobile device in offline mode.

The NDIA is not in a position to estimate the amount of data traffic required.

**28.13 The NDIA will be installing MS Outlook 2013 on the Surface Pro's. Will we be using the NDIA Exchange Server for the purposes of providing email mailboxes or will we be hosting staff mailboxes on our organisation's Exchange servers? Will our staff use our organisation's email address or an ndis.gov.au email address?**

Partner Personnel will be assigned an ndis.gov.au email address, and email mailboxes will be hosted through the Commonwealth's exchange server using the NDIA Standard Operating Environment on the supplied IT Hardware.

**28.14 Can you explain why the LAC Participant volumes for Toowoomba commence at 3,128 in January to March quarter and there is no transition period to establish service capabilities?**

For the three Queensland Service Areas with the Phasing Date of February 2017 for LAC Services (being Townsville, Mackay and Toowoomba), interim community and Participant readiness supports have been implemented by the NDIA. Any successful



Partner in these three Service Areas will not be expected to provide LAC in Advance Services during the period prior to February 2017.

It is expected that a successful Partner would establish Service capabilities between the period of contract signing and February 2017. Also note, that for February 2017 a successful Partner will be responsible for Initial Plan and Implementation for 649 people becoming Participants, and provide services as required to the remaining 619 Participants who transitioned into the NDIS prior to February 2017 and are shown in the figure for Ongoing Participants.

**28.15 What is the rationale behind the fluctuations in the phasing of Participants set out in Annex A to the Statement of Requirements?**

The fluctuations in phasing of Participants reflects the requirements in the relevant Bilateral Agreement for Transition to a National Disability Insurance Scheme between the Commonwealth and the relevant State. These agreements provide for the number of Participants who must enter the Scheme in each quarterly period.

**28.16 Is there any flexibility to negotiate the Participant volumes to enable employment service continuity and continued engagement of LACs and ECEI Coordinators, management of training etc. during the whole contract period?**

See Question 28.16. The required number of Participants for each quarter reflects the requirements in the relevant Bilateral Agreement between the Commonwealth and the relevant State. The NDIA is not in a position to vary these required numbers.

**28.17 If a Partner makes a loss in the first two years of the grant can it recover its losses in the third year?**

The Partner will be required to spend and account for the Grant funds in accordance with clauses 17 and 18 of the draft Grant Agreement.



**28.18 Can you please also clarify in the Statement of Requirements, Attachment 2, Annex D, page D12, the last sentence in 3.8.3 appears to have an error message for a clause reference regarding intensive Participants? Can you please advise on the wording for this section?**

The following paragraph can be disregarded:

*“See clause Error! Reference source not found. for details on LAC Services responsibilities for Intensive Participants.”*

**28.19 Are premises costs (e.g., rent, utilities, etc.) for offices in each Service Area to be included in the Direct Costs section under ‘Regional Costs’, as these costs are associated with the Co-ordinators ability to provide service in the area?**

Please see the notes in the "Instructions" Tab of the Pricing Response Schedule in relation to Establishment Funds which provides guidance in relation to what costs can be claimed as Establishment Funds.

Establishment Funds should cover initial costs incurred to ensure readiness for provision of Services. Ongoing costs should be met through the regular payments of Service Area Funds. In relation to premises, start-up costs may be claimed under Establishment Funds, but ongoing costs such as rent and utilities would be claimed through regular Service Area Funds payments.

## **29. ECEI services**

**29.1 The "Instructions" Tab of the LAC and ECEI Pricing Response Schedule provides:**

**Establishment Funds: A fixed fee for the Establishment Services, which the Partner will be entitled to invoice upon the achievement of certain deliverables or milestones.**

**Does this mean that Establishment Funds are excluded from the overall budget and are reimbursed in addition to the Service Area Funds?**

Yes. Establishment Funds are upfront costs paid to each successful Partner in addition to the quarterly payment of Service Area Funds.

For more information, see:

- the "Instructions" Tab of the LAC and ECEI Pricing Response Schedule; and
- clause 2 of the Statement of Requirements.



### 30. application process

**30.1 If the proposed staffing structure is comprised of a range of staffing levels, qualifications and salary rates, do we need to combine and average these out over the total FTE to come up with a per/coordinator cost?**

Applicants should set out their staffing structure, including staffing levels in the Workforce Deployment, Staff Development and Pre-Implementation Schedule.

Applicants are also required to provide a quarterly FTE allocation commensurate with the level of services required, in the Pricing Response Schedule.

Applicants should set out their response in relation to the per coordinator cost in the Service Area Funds section of the Pricing Response Schedule. As set out in the "Instructions Tab" for Service Area Funds, the per-coordinator cost may include indirect costs for work undertaken by management and operational personnel necessary for the effective management and operations of the Services. Accordingly, these costs should be taken into account by each Applicant in determining the per coordinator cost. The coordinator cost outlined should be reflective of the relevant staffing base to enable provision of Services.

**30.2 What is the total number of Clients including Participants that the Partner is working with each month (excluding ILC)? Is it the figures provided for LAC Services plus the total number of ongoing Participants figure?**

The "Number of Ongoing Participants" figure in Part B of Annex A (Service Areas, Volumes and Remote) to the Statement of Requirements includes those Participants already in the NDIS, as well as any new entrant Participants in that month. The figure is adjusted on the basis of NDIA modelling of change, including the number of people leaving the Scheme, the number of people electing to self-plan and the number of people who may be restreamed and no longer be the responsibility of the Partner.

The total number of clients does not equal the figures provided for LAC Services plus the Total number of ongoing Participants figure. There is no simple addition of figures provided in Annex A that will add up to the "Number of Ongoing Participants". It provides a monthly indication of the number of people the Partner 'has on their books' (so to speak) and the other figures (LAC in Advance, Initial Plan and Plan Implementation and Plan Review and Full Scheme planning) provide a month-by-month forecast of the level of work required for Participants in the month for plan approval. This is because the Partner is expected to be responsive to the needs of individuals as they arise – many will not require regular contact. Contact with most Participants will be most focused during the early stages of Plan implementation and will need to be flexible and responsive to each Participant's



needs after that point, with the goal of assisting as many Participants as possible to self-manage, and self-direct their Plan and goals.

**30.3 Can you please confirm that the Plan Review and Full Scheme Planning Activities volumes noted in Annex A to the Statement of Requirements, include the Planning and Full Scheme activities the Partner must undertake for ongoing Participants?**

Yes.

**30.4 Can you please identify the total correct number of prospective Participants, Participants and Ongoing Participants we will be dealing with, regardless of their activity?**

Please refer to Annex A to the Statement of Requirements for the number of prospective Participants. These figures should form the basis of each Applicant's responses. To the extent that the figures contained in the Pricing Response Schedules create any confusion, please refer back to Annex A.

**QUESTIONS ADDED 21/9/2016**

**31. Training**

**31.1 What is the indicative timeframe for the rollout of the "Train the Trainer" workplace training?**

The training modules for NDIS Partners in the Community Services are currently delivered to Partner Personnel by the NDIA.

Workplace trainers are expected to be competent in all of the training modules and reinforce the training on-the-job in the workplace.

In relation to LAC Services, the Train the Trainer training modules are currently undergoing an improvement review and are expected to be released as Train the Trainer workplace training in early 2017.

In relation to ECEI Services, initial training for Early Childhood Early Intervention will be delivered to Partner Personnel by the NDIA. The training can be up to a month in advance of commencing Service delivery (with the aim of ensuring the Partner is ready to commence timely delivery of Services) and can be held at a suitable venue in the relevant State or Territory.

After the initial training, ECEI Partners will be asked to nominate Partner Personnel who will be their key contacts for training. The nominated personnel will be required to work with the NDIA National Office Early Childhood team to deliver a 'Train the Trainer' model for subsequent training for new staff of the ECEI Partner. The format for this training is currently under development. It is also anticipated that the ECEI Partner will develop its own coaching and mentoring plans.



**31.2 What is the content and length of the core training resources and NDIA mandated training is as set out in at clause 2.6.8(d)(ii) of the Statement of Requirements? In particular, can you please provide the training duration for each of the following 'Train-the-Trainer' training for all Workplace Trainers; online modular based training packages that are tied to competency based skills tagging in the NDIA IT system; an integrated training package including all training related to the use of the NDIA (IT System)?**

Estimated time and content for training to all Partner Personnel:

The estimated time for the core and mandatory online eLearning modules are:

- 45 minutes for the core online eLearning module; and
- 9 hours and 15 minutes for the mandatory online eLearning module.

Additionally, the estimated time for the face-to-face mandatory LAC Pathway Training is 4 days (which includes training related to the use of the NDIA IT System). This will be delivered, where possible, in the home State of the Partner (see clause 2.6.11 of the Statement of Requirements).

The estimated time for the face-to-face mandatory Early Childhood training is 2 days including 1.5 days for all Partner Personnel and a further half day for Partner Personnel to form part of a leadership group.

These training packages include training in relation to:

- introduction to the NDIA and the NDIA IT System;
- core competencies such as information handling and security awareness;
- For LAC Services - Participant Pathway modules - including Access, Pre-Planning, Planning, Plan Implementation (including working with Participants to live an ordinary Life and achieve their goals and aspirations using their informal community, mainstream and funded supports), Monitoring and Plan Review; and
- For ECEI Services – delivery of ECEI Services in the context of the *National Disability Insurance Scheme Act 2013*.

**31.3 Please provide information about the time and travel commitment for ECEI staff, for each required training element.**

See the answers provided to questions 31.1 and 31.2 above.

The training will be delivered, where possible, in the home State of the Partner (see clause 2.6.11 of the Statement of Requirements). However, it is anticipated that most training will be undertaken via online eLearning modules specific to the requirements of the Services.



## 32. ECEI Services

**32.1 In Part D of Annex A to the Statement of Requirements, Bundaberg has 0 estimated Clients and 0 expected Participants for July to October 2018. Is this an error or, if not, what is the rationale for not expecting any Clients or Participants at that time?**

The numbers set out in Annex A to the Statement of Requirements reflect the phasing requirements of Participants set out under the relevant Bilateral Agreement with each State and Territory. The website links to each Bilateral Agreement are set out clause 2.1 of the Program Guidelines.

Bundaberg will commence transition to the NDIS from 1 October 2017, and by the end of June 2018 that transition will be largely complete. Throughout the period of the contract, the Partner is expected to be responsive to the needs of children who are ongoing Participants in the Scheme, new children who are likely to require a Plan and those children with developmental delay who are not likely to require an approved Plan. Between the months of July to October 2018 the Partner will be expected to deliver Services to these children and undertake preparatory work for Participant Plan reviews which are due from October 2018 onwards.

**32.2 In the FAQs (Question 11.20) you previously provided an answer related to South Australia ECEI Partners being provided funding at the beginning of the programme with 0 participant volumes. This answer has now been disregarded in the new Question 14.2.**

**In Ovens Murray there is \$512,625 provided prior to the phasing date of 1 October 2017, while in Ipswich there is \$650,957 provided prior to the phasing date of 1 July 2017. Can you confirm the types of activities a Partner may undertake prior to phasing Participants into the Scheme. Your previous answer 11.20 in the FAQs stated it would include:**

- **gathering information in relation to Clients (including Participants) under clause 3.3 of Annex E to the Statement of Requirements; and**
- **building community inclusion, engaging in capacity building in the community and providing information to mainstream service providers under clauses 4.2, 4.3 and 4.4 of Annex E to the Statement of Requirements (depending on the requirements set out in the approved Community Capacity Building Plan).**

The examples of the types of activities a Partner may undertake prior to phasing Participants into the NDIS are correct. These include:

- Participant readiness activities such as gathering information in relation to Clients (including Participants) under clause 3.3 of Annex E to the Statement of Requirements; and
- building community inclusion, engaging in capacity building in the community and providing information to mainstream service providers under clauses 4.2,



4.3 and 4.4 of Annex E to the Statement of Requirements (depending on the requirements set out in the approved Community Capacity Building Plan).

**32.3 In the Ovens Murray ECEI Pricing Response Schedule the Participant volumes spike in the October - December quarter of 2017/18 and 2018/19. During the rest of the two year period there are minimal Participants to support in each quarter. Can you confirm the types of activities a Partner should be undertaking with our FTE during periods where there are limited Participant volumes?**

Ongoing Participants and clients will require ongoing ECEI Services. The numbers only refer to anticipated NDIS Plans for children (i.e. children requiring Plans providing reasonable and necessary funded supports) at the time of their transition into the NDIS. A large part of the role of the ECEI Partner will be to provide ECEI Services to children with developmental delay who may not become Participants in the Scheme, in addition to an ongoing role in supporting Participants who have transitioned into the Scheme.

With reference to Annex E to the Statement of Requirement (Early Childhood and Early Intervention Services), the ECEI Partner is expected to deliver a mix of supports across each of the following functions described in Annex E to the Statement of Requirements):

- 1 – Information Gathering and Profile Development (see clause 3);
- 2 – Community Connections (see clause 4);
- 3 – Initial Supports (see clause 5);
- 4 – Access Recommendation (see clause 6);
- 5 – Plan Development (see clause 7);
- 6 – Plan Handover (see clause 8); and
- 7 – Plan Review (see clause 9).

In delivering these Services the ECEI Partner should tailor the service to meet the needs of the individual child (and their family and/or carer circumstances) in a flexible and responsive manner.

ECEI Partners will also be expected to work with their local community, the LAC Partner in the relevant Service Area, and participate in community capacity building and Partner network activities with the aim of sharing and developing best practice in the NDIS Partners in the Community Program (and ECEI in particular).



**32.4 The NDIA has stated that Participant volumes at Annex A include the number of children expected to be phased into the NDIS in the month of expected Plan approval. We are assuming that it does not also include those children requiring a Plan Review at any point-in-time. As a result, what is the volume and timing of Plan Reviews to be completed for children that have already entered into the Scheme at an original Trial Site location (i.e. the ACT)?**

Plan review is a function to be carried out by the ECEI Partner (see clause 9 in Annex E to the Statement of Requirements). While Plan Review numbers are not specified separately in Part D to Annex A of the Statement of Requirements, the numbers requiring a Plan review will form a part of the 'Expected Participants' figure shown monthly. Plan review will generally be due for completion one year after approval of any current Plan (or sooner if the individual Plan is for less than 12 months).

As the ACT will have largely transitioned to the NDIS by the time a ECEI Partner is contracted to provide ECEI Services, the 'Expected Participants' listed in Part D to Annex A of the Statement of Requirements indicate the monthly number of Plans which could include reviews, as well as a small number of new entrants to the NDIS, for whom the Partner must provide Services.

**32.5 In relation to conflict of interest for ECEI Services, which services are ECEI Funded Organisations excluded from delivering?**

Please refer to clause 4.1.1.4 of the Program Guidelines. The following are extracts from that clause, but the clause should be read in its entirety.

An Applicant applying to deliver ECEI Services may be a Registered Provider of Supports or may propose a subcontractor to deliver ECEI Services which is a Registered Provider of Supports, where the Applicant demonstrates to the reasonable satisfaction of the Agency that exceptional circumstances exist.

The Agency expects that neither an ECEI Partner nor a subcontractor which is a Registered Provider of Supports will deliver services to individual participants (0 – 6 year olds) in a Service Area in which the ECEI Partner is providing ECEI Services other than in exceptional circumstances and with the Agency's approval.

If an ECEI Services Partner or subcontractor is a Registered Provider of Supports (i.e. they have an approved mitigation strategy in place) there will be detailed, comparative monitoring of the length of time and level of funded supports provided.

### **33. LAC Services**

**33.1 Will current care connection and care coordination services continue to be funded services under an approved Plan?**

Refer to response provided to Question 19.1 above.

The LAC Partner will undertake various activities to assist Participants to implement their Plans. Where the LAC Partner is providing these services, the Participant's plan will not include funded supports for connection or coordination.



If a Participant requires a greater level of support than is provided by the LAC Partner (for example where the Participant is unable to engage in the Scheme pathway without intensive support) the LAC Partner may recommend the Participant be re-streamed to an 'Intensive' stream and that their plan be amended to take account of the greater need for connection and coordination supports (see clause 3.8 of Annex D to the Statement of Requirements).

LAC Partners are not responsible for providing LAC Services to Participants within the Intensive stream (see clause 2.3 of Annex D to the Statement of Requirements).

### **34. Pricing**

**34.1 In the Pricing Response Schedule, when hovering over cells O38 and O39, the comments "(Margin)" and "NDIA anticipates this to be up to 5% of direct costs" appear. Is this part of the Schedule referring to the Partner's intended profit margin?**

An Applicant may make provision for a margin or surplus to account for unexpected contingencies, etc. This information must be entered into this cell.

The NDIA notes that a Partner will be required to spend the Grant Funds and account for the Grant Funds in accordance with clauses 17 and 18 of the draft Grant Agreement, and return any unspent Grant funds to the NDIA in accordance with clause 19 of the draft Grant Agreement.

**34.2 For ECEI Services in Barwon there is \$189k allocated for the July-September 2017 quarter, before commencement and \$625 for the quarter before that. Can you please explain what this funding is to be used for?**

Refer to the response provided to question 32.2 above.

**34.3 In the LAC Pricing Response Schedule on cell H25 and below it asks for Office Premises/equipment as a unit cost. Can you please advise the definition of a unit, is it per staff member, per square metre, per building etc.?**

With reference to the 'Instructions' tab of the Pricing Response Schedule, under the heading Establishment Funds, it provides that office premises must comply with clause 2.10 of the Statement of Requirements.

Clause 2.10 includes requirements that the Partner:

- must have at least one location for permanent premises in each Service Area; and
- must have, or have access to, the use of premises at which it will provide NDIS Partners in the Community Services to Clients, including Participants in each Local Government Area within a Service Area.

With this in mind, potential Applicants may include a unit cost per site, which should reflect the average establishment cost per physical location. If the applicant has



calculated a total required property and equipment cost, the unit cost can simply be calculated as the total cost divided by the total number of proposed sites. Costs should only include incremental costs of opening new sites, or expanding the capacity or suitability of existing sites.

The relevant underlying assumptions should be outlined in the associated 'Description' field of the Pricing Response Schedule.

### **35. Registered Providers of Supports**

#### **35.1 How can registration of a Registered Provider of Supports be revoked? And will successfully seeking revocation prevent or jeopardise any later attempt to register once again?**

Refer to the response provided to question 12 above.

A provider whose registration has been revoked is free to apply to become registered once again.