

Disability sector statement on the Australian Government's planned reforms to the National Disability Insurance Scheme (NDIS)



The Australian disability sector holds significant concerns about the Federal Government's planned changes to how people with disability will access the NDIS and, most importantly, how they will receive support.

Under the planned changes, all future NDIS participants will have to undergo a mandatory assessment in order to access the scheme. Existing participants will progressively be required to undergo the same assessment process before they receive their next NDIS plan and funds.

These assessments will be used by the National Disability Insurance Agency to decide who will be given access to the scheme, and how much funding and support they will receive.

These changes will fundamentally alter the individualised and personalised nature of the NDIS. While we all want greater consistency, we are very concerned this increasingly automated process will not adequately consider individual need and circumstance.

This is not the NDIS we fought for.

The NDIS has had a positive impact on many people's lives. But there is also room for improvement. The scheme is complex and constantly changing. It is hard to navigate. There are problems with fairness and consistency. While it is working well for some people, others are missing out.

We want to work with the Australian Government and the NDIA to change this picture. We want to deal with problems and come up with solutions that work for participants. We want to make sure this is the world-leading scheme we believe it can and should be.





Unfortunately, we have not seen evidence that what the Government is planning will resolve current problems with the scheme. In contrast these assessments, and the new process for determining individual plans and budgets, may actually compound existing problems or even create new unintended ones.

The introduction of mandatory assessments is the biggest change to the NDIS since it began. Despite the scale and cost of the changes, they have not been rigorously tested or undergone an independent evaluation. Consultation has been rushed and the questions and concerns of people with disability, their families and the organisations that support and represent them have not been addressed.

Based on the information released by the NDIA, we are concerned that a desire to cut costs is the main motivation for the hurried introduction of these reforms.

We want the NDIS to succeed. But we cannot support legislative or operational changes which we believe undermine the intent of the scheme. And may leave people with disability without the support they need.

An NDIS that serves all Australians with disability will be stronger and fairer if it:

-  Upholds the rights and respects the dignity of people with disability
-  Involves people with disability and their families in all stages of the assessment and decision-making process
-  Is free from conflict of interest and bias
-  Based on the principles of natural justice including review and appeal.

Our concerns with the planned changes include (but are not limited to):

Concerns about the way assessments will be carried out:

- Assessments will be carried out by outsourced private contractors using standardised tools in as little as three hours. Assessors will not be known to the person. As a result, it will be difficult to capture individual complexity or build a comprehensive and accurate picture of people's needs and circumstances.
- Developing a complete and accurate understanding of the functional abilities of people with "invisible" or complex disabilities requires specialised skills and experience. We are not confident that the planned model takes this into account.

- People with disability from a Culturally or Linguistically Diverse (CALD) background, LGBTIQ people with disability as well as First Nations applicants and participants also require specialised expertise and cultural competence from assessors. Again, we are not confident that the proposed model adequately addresses their needs in a culturally safe way.
- The results of the assessment cannot be challenged or appealed. In fact, people will not be given a copy of the full assessment report unless they apply to see it.
- These assessments are not genuinely independent but performed by an organisation/organisations contracted by the NDIA, creating a conflict of interest.
- Requiring people with disability to work with someone unknown to them will be difficult, even damaging, to those who have a history of trauma, abuse or violence. While a small number of people will be granted an exemption, it is not clear who or how this will occur.
- Once an assessment has started, risks may become clear and trauma may occur. This may not have been obvious when the assessment started. It is not clear if or how support will then be provided.
- The process relies on additional people taking part in the assessment, such as a family member or carer. For some adults with a disability, this is not appropriate. Others may have no-one in their lives who can give accurate, reliable or independent information.
- The proposed use of telehealth facilities to undertake assessments with participants in rural and remote areas may make it difficult for some people with disability to fully participate.

Concerns with how the assessments will be used to determine participant plans and funding:

- The mandatory assessment will now be the primary tool to determine a person's NDIS budget. But how the assessment results will be used to do this has not been explained. Nor have the results of any modelling or testing been made publicly available.

- The tools chosen are designed to be used for screening or assessing functional capacity. Using the tools to then determine an appropriate level of support and allocation of funding is however untested and untried. To our knowledge, this would be one of the first times in the world the tools would be used in this way. Before such a radical reform is introduced, we believe there must be strong research and evaluation of the proposed methods. To date, there has been none.
- There will be very few circumstances where the plan and budget can be changed after the assessment is complete. NDIS planning meetings will instead focus on how to spend already allocated funds rather than examining what support people need.
- The proposal to repeat the process at different life stages and at least every five years creates additional stress and anxiety for participants and their families.

 **Concerns about the impact of these assessments on the availability of support for participants:**

- The assessors who are contracted to do these assessments will not be able to offer other services to NDIS participants. We are concerned this will significantly reduce the number of qualified therapists available to support people with disability and their families - particularly in rural and regional areas.

We want the scheme to be consistent and fair.

But we also want to make sure that people with disability get the support they need. There are too many unanswered questions and concerns for this proposal to continue in its current form. We therefore request:

- 1** Immediately cease the rollout of compulsory assessments as currently planned.
- 2** Undertake a robust and transparent outcome evaluation of the current pilot of the new assessment process. This evaluation must be independent of the NDIA, led by experts and co-designed with people with disability, their families and the organisations that support them.
- 3** Undertake robust, independent and transparent trials of alternative approaches to improving consistency in access and planning - such as allowing a person's existing health professionals to complete assessments using the same tools.
- 4** Once the trials and evaluations are complete, engage in a meaningful co-design process with people with disability, their families and the organisations that support them to ensure a fair and consistent approach to both access to the scheme and planning and to ensure people with disability receive the support they need.



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Autism Alliance



Australian Federation of
Disability Organisations



Children and Young People
with Disability Australia



Disability Advocacy
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