

Council approved the minutes from the meeting held on 23 August 2021 and noted the matters arising.

1.3. Board Chair and CEO update

Mr Hoffman advised the initial co-design workshop went well, noting an overall positive attitude and willingness to accept the Agency's genuine intent to work collaboratively with the disability community to improve the Scheme and participant outcomes.

Mr Hoffman advised that the Agency is continuing its efforts to provide continuity of supports and resources to participants and providers during the COVID-19 pandemic. Mr Hoffman said vaccination rates of people with disability are still below the community average. The Agency is focused on encouraging participants to receive the vaccine and is currently cross-checking the NDIS database against the Australian Immunisation Register (AIR) to identify gaps.

Mr Hoffman advised Members the Parliamentary Budget Office released their report on the future budget profile of the NDIS, noting this report largely endorsed the Agency's own figures. Mr Hoffman also noted the NDIA will soon release the Annual Financial Sustainability Report (AFSR).

The Board Chair reiterated Mr Hoffman's comments regarding the co-design workshop, saying she was pleased with the genuine commitment to move forward and thanked Members for their contributions.

Members thanked the Board Chair and Mr Hoffman for their updates and continued commitment to open and transparent discussions. Members also acknowledged the efforts of frontline staff during COVID-19, saying they have 'gone above and beyond' for participants.

Members raised concerns around thin markets and the heightened impact of this on participant support during the pandemic, noting this does not only affect remote areas.

Council queried the availability of vaccination data for Aboriginal and/or Torres Strait Islander peoples with disability. Mr Hoffman in response advised the Agency would have the data, but was uncertain whether this level of detail was included in the AIR, noting once the analysis of the data was complete the information could be shared with Members.

Ms Van Poppel provided Council with further detail around the co-design workshops and the next steps, noting the second workshop would focus more on actions and priorities, rather than an agreement. Ms Van Poppel said that over the coming months, representatives will work with the Agency to identify projects and priorities to progress through co-design.

Action 1: Analysis of the vaccination data to be shared with Members once completed.

2. Members' Reports

2.1. Council reports on issues heard in their communities

Council Members raised the following concerns they had heard related to the NDIS:

- Ongoing concerns about the impact of COVID-19 on the health, safety and wellbeing of participants
- Delays with scheduled and unscheduled reviews, resulting in many plans being extended
- Difficulties in accessing home visits for vaccinations, noting some participants are unable to get to vaccination centres
- Disability support worker shortages, especially with reductions in workers from migrant and refugee backgrounds or international students.
- Concerns with equity in access and uptake of the COVID-19 vaccination program, particularly for those with comorbidities or complex support needs, and groups likely to experience a disproportionate burden of disease
 - Aboriginal and/or Torres Strait Islander and culturally and linguistically diverse (CALD) communities, especially in rural and remote areas experience difficulties in accessing the vaccine
 - Lack of targeted communications to provide safe, in-language, information to counter vaccine hesitancy and inform consent.
- Lack of comprehensive data about average plan budgets across disability types, population groups and geography to better understand future funding
- Delays with NDIS plan reviews and Administrative Appeals Tribunal (AAT) plan reviews
- Concerns around providers, plans and funding for home and living supports, including Supported Independent Living (SIL) and Individualised Living Options (ILO)
 - Lack of consistent practice between SIL providers, with some large providers capturing the market profit and small organisations leaving the market due to losses
- The need for the NDIA to consider the [Australian Infant Communication and Engagement Study](#) as part of its Early Childhood Early Intervention Reset Project
- Concerns from some Disabled People's Organisations (DPOs) that Council's membership is not representative of the full diversity of people with disability.

3. ILC

3.1. Information, Linkages and Capacity Building work

Ms ^{s22(1)(a)(ii) - info} provided Members with an overview of progress with the Information, Linkages and Capacity Building (ILC) program since transition to the Department of Social Services (DSS).

Ms ^{s22(1)(a)(ii) - info} advised that DSS are investigating the broader system of supports for all people with disability to improve outcomes and build capacity for people with disability, their families and carers.



Ms ^{s22(1)(a)(i) - info} noted there is little data available on the impact of the programs on participant lives, so further work in this area is being undertaken, including consulting more broadly on future directions of the ILC.

Members thanked Ms ^{s22(1)(a)(i) - info} for the update, acknowledged the work undertaken on ILC and raised the following points:

- The importance of supporting people who are ineligible for NDIS, especially those from diverse backgrounds, through inclusive mainstream services from the ILC Program
- Queried whether the ILC program could revert back to NDIA ownership, as highlighted in Council's recent formal advice recommendations on Scheme Reform
- Suggested the ILC and valued sector organisations work collaboratively to deliver supports and services through their membership network
- The need to review the funding model for 'Tier 2' and ILC, suggesting the option of a dedicated and independent budget allocation to ensure greater funding certainty. In addition, this should include a plan for its investment and be co-designed with Council and disability community representatives
- Stressed the importance of bringing back the Local Area Coordination function to its original intent to improve implementation of ILC grants.

3.2. ICL – Council priorities for funding

The paper on Council priorities for ILC funding was noted.

4. Disability Strategy

4.1. New National Disability Strategy

Mr ^{s22(1)(a)(i) - info} provided Members with an update on the Disability Strategy, noting the name change to Australia's Disability Strategy (ADS) to avoid confusion with acronyms already in existence.

Mr ^{s22(1)(a)(i) - info} noted the work undertaken over the last three years to develop the Strategy and thanked Council Members for their contributions during consultation.

Mr ^{s22(1)(a)(i) - info} advised the Targeted Action Plans (TAPs), developed with states and territories, were a key way to drive actions under ADS. He noted that the establishment of ADS Advisory Council (ADS Council) will also play a significant role in ensuring implementation of ADS. Mr ^{s22(1)(a)(i) - info} said membership of the ADS Council is still under discussion.

The Principal Member and Members acknowledged the extensive consultative work undertaken on - ADS development, particularly with Aboriginal and/or Torres Strait Islander communities.

Council reinforced the importance of good governance processes for ADS Council, noting its membership should be representative all people with a disability.



Members raised the importance of data, monitoring and evaluation of the past and present Strategy. They stressed that this will ensure accountability against ADS actions, help identify any gaps, and understand whether strategies are actually working for people with a disability and improving their life.

Members were concerned the Safety TAP didn't address community inclusion appropriately and suggested further work was required before finalisation.

Members advised strong governance and oversight at the state and territory level was needed to ensure successful implementation of ADS, noting that engagement of all Ministers with portfolios related to ADS would be beneficial.

5. Meeting close

5.1. Other Business

Ms Glazebrook provided Council with an overview of the proposed new approach to Council sitting fee payments, noting a trial would be conducted for a period of six months.

Members thanked Ms Glazebrook for her work in this area and looked forward to the trial commencing.

The Principal Member:

- advised the DSS briefings on the proposed legislative amendments are being recorded for Members unable to attend. She noted that Ms ^{s22(1)(a)(ii) - irrelevant material} is working on Council's submission and will reach out to Members for input before the submission is lodged on 7 October 2021;
- reiterated the overall comments around co-design, noting the importance of hearing the voices of people with Intellectual Disability within the co-design process.

5.2. Next Meeting

The next meeting is scheduled on 18 October 2021 from 1.30pm-5.00pm.



OFFICIAL

AGENDA

INDEPENDENT ADVISORY COUNCIL TO THE NDIS

Meeting 4 of 2021-22

Date: Monday 18 October 2021

Log-in details:

[Independent Advisory Council meeting
s22\(1\)\(a\)\(ii\) - irrelevant material](#)

SESSION 1: PRINCIPAL MEMBER'S WELCOME & OPEN 1.30pm-2.00pm

- ITEM 1.1 Principal Member's welcome
- ITEM 1.2 Confirmation of minutes, matters arising and declaration of interest
- ITEM 1.3 Board Chair and CEO Update

SESSION 2: COUNCIL REPORTS 2.00pm-2.30pm

- ITEM 2.1 Members and Expert Advisers: Reports 'from the ground'

Break 2.30 – 2.40pm

SESSION 3: NDIS QUALITY AND SAFEGUARDS COMMISSION 2.40pm-3.30pm

- ITEM 3.1 General update (including the Safeguards Bill) and discussion
Presenter: Samantha s22(1)(a)(ii) - irrelevant Acting Commissioner, NDIS Quality and Safeguards Commission

SESSION 4: MINISTER FOR THE NDIS 3.30pm-4.30pm

- ITEM 4.1 Discussion of the Council Workplan 2021-22, the Co-design Compact and Legislation feedback
Presenters: Robyn Kruk AO, Principal Member, Leah van Poppel, Sam Paior, Leighton Jay – Council Members

SESSION 5: MEETING CLOSE 4.30pm-5.00pm

- ITEM 5.1 Other business
- ITEM 5.2 Next meeting



Minutes of the Independent Advisory Council to the NDIS

Meeting 4 – 18 October 2021

1.30pm to 5.00pm, hosted on MS Teams

Members

Ms Robyn Kruk AO (Principal Member)
Ms Leah Van Poppel (Deputy Chair)
Ms Kerry Allan-Zinner
Ms Sharon Boyce
Ms Jennifer Cullen
Mrs Judy Huett
Dr Leighton Jay
Ms Sylvana Mahmic
Ms Tricia Malowney OAM
Mr James Manders
Ms Sam Paior
Ms Liz Reid AM
Mr Mark Tonga

Expert Adviser

Dr Ben Gauntlett, Disability Discrimination Commissioner

NDIA Representatives

Dr Helen Nugent, NDIA Board Chair
Mr Martin Hoffman, Chief Executive Officer
Mr Oliver Bladek, Deputy CEO, Design, Digital and Strategy
Dr Sam [redacted] General Manager, Policy, Advice and Research
Mr Trent [redacted] Branch Manager, Agency Policy
Ms Fiona [redacted] Director, Independent Advisory Council
Ms Carly [redacted] Assistant Director, Independent Advisory Council
Ms Hannah [redacted] Assistant Director, Independent Advisory Council
Ms Lirije [redacted] Assistant Director Communications, Independent Advisory Council
Ms Jaklin [redacted] Senior Project Officer, Independent Advisory Council

Attending

Senator the Hon. Linda Reynolds CSC, Minister for the NDIS
Ms Samantha [redacted] Acting NDIS Quality and Safeguards Commissioner
Mr Garry [redacted] Senior Advisor, Office of the Hon Linda Reynolds CSC
Ms Rachel [redacted] Senior Adviser Legislation and Regulation, Office of the Hon Linda Reynolds CSC
Ms Belinda [redacted] AM, Council's Independent Consultant

s47F- personal privacy

Apologies

Nil

1. Principal Member's welcome and open

1.1. Principal Member's welcome

The Principal Member opened the meeting at 1.30pm.

The Principal Member acknowledged the Traditional Owners of the lands on which Members, Expert Adviser and attendees were meeting.

The Principal Member:

- thanked Members for their input into questions for the Commissioner, NDIS Quality and Safeguards Commission, which were sent to her in advance.
- expressed thanks to those individuals who agreed to present to Minister Reynolds on behalf of Council and the preparation of background briefing material on these issues.

The Principal Member acknowledged all the work occurring out of session, thanking Members for working collaboratively with the Agency to provide advice and expertise on important topics. The Secretariat is actively working to involve both longstanding and newer Council and Reference Group members in out of session engagements.

The Principal Member noted the following additional information available in the Resource Centre on Diligent:

- Out of Session meeting reports from Ms s22(1)(a)(ii) - irrelevant material and the Secretariat on:
 - Designing an Early Childhood Assistive Technology Approach
 - LAC Best Practice Service Model
 - Home and Living Policy subgroup
 - Autism Early Intervention
 - Complex Support Needs review consultation
 - ECEI Reset
 - Communication with participants and diverse communities
- Action log of issues raised during previous CEO update and Members reports sessions

1.2. Minutes, matters arising and declarations of interest

Council noted the updated register of conflicts of interest circulated in advance of the meeting.

The Principal Member advised she has recently joined an Advisory Council to set up a National portal on clinical trials for the Australian Health Quality and Safety Commission.

Additionally, the following declarations were made by Members:

- Ms Reid – appointed as Co-Chair to the NT Disability Strategy Steering Committee
- Dr Jay – noted his recent two-month consultancy contract to write an Individualised Living Options (ILO) capacity building project proposal with a philanthropic trust

- Ms Van Poppel – advised she has been working with Eliza Hull who is writing a book called 'We've got this', about the experiences of parents with a disability. Leah noted that both she and Dr Gauntlett will be featured in the book, coming out in March 2022
- Ms Cullen – working with the Agency in relation to work in the Kimberly

Council approved the minutes from the meeting held on 22 September 2021 and noted the matters arising.

1.3. Board Chair and CEO update

Mr Hoffman noted the release of the Annual Financial Sustainability Report (AFSR). He advised that the Agency is arranging briefings with Council and Disability Representative Organisations (DROs), in a genuine attempt to build a common understanding of the financial position and projections of the Scheme.

Mr Hoffman provided Members with:

- an overview of the recent Disability Reform Ministers' Meeting (DRMM), noting the increased input by state and territory governments to drive national reform in disability.
- progress update on the legislation review, noting common feedback was the consultation period of four weeks was too short.
- an update on co-design activities, noting discussions at the first Advisory Group meeting were genuine and productive.

Mr Hoffman advised that the Agency continues to deliver support and resources in response to the COVID-19 pandemic.

This includes supports for participants who are awaiting hospital discharge, using supported independent living (SIL), and other supports to ensure participant safety.

Mr Hoffman mentioned work is ramping up on the Annual Pricing Review, including engagement with providers and participants to understand different services. He noted the review will be completed this year.

Mr Hoffman said the Agency and States/Territories are focusing on hospital discharge for people with disability including increased expenditure being acknowledged and potential funding for interim medium term accommodation being considered rather than remaining in hospital.

The Board Chair noted the importance of the AFSR, co-design, the Agency's COVID-19 response and thanked Members for their ongoing contributions and commitment. Additionally, the Board Chair noted the Agency's Annual Report will be released soon.

Members thanked the Board Chair and Mr Hoffman for their updates and continued commitment to open and transparent discussions.

Members were pleased to hear the focus on hospital discharge, noting the upcoming pressures for the hospital system. Members also stressing the importance of ensuring the availability of safe and adequate medium term accommodation. The Board Chair suggested providing Members with current hospital discharge data would be beneficial.

Action 1: Secretariat to distribute hospital discharge data to Members

2. Members' Reports

2.1. Council reports on issues heard in their communities

Council Members raised the following concerns they had heard related to the NDIS:

- Challenges with home and living supports including issues with:
 - social and community housing
 - younger people living in and moving out of residential aged care
 - medium term accommodation or transitional housing supports
 - home and living modifications
 - Specialist Disability Accommodation (SDA), Individualised Living Options (ILO) and SIL.
- Continued impact of the COVID-19 pandemic and lockdowns on the health, safety and wellbeing of people with disability, including:
 - low vaccination rates and vaccine hesitancy among some people with disability and disability workers
 - lack of resources to help support coordinators support COVID-positive participants in their care
 - providers needing advice about disability workers moving between sites or different health services
 - support for children, young people and their families to transition to school and find work, as COVID restrictions ease
- the need for increased communications about the benefits and value of telehealth to families who need childhood supports.
- issues about delivering supports to participants awaiting hospital discharge. Members suggesting the Agency look at other countries' experiences to find solutions.
- Lack of understanding about the Department of Social Services' (DSS) work to progress the Young People in Residential Aged Care Strategy 2020-25
- Concerns the AFSR is not available in other accessible formats. Members said people are engaged, but struggle to understand the complex, data driven information.

The Principal Member thanked Members who provided a report in advance and noted these will be available in the Diligent Resource Centre.

Action 2: Secretariat to upload Member Reports to the Diligent Resource Centre.

3. NDIS Quality and Safeguards Commission

3.1. General update (including the Safeguards Bill) and discussion

Ms Samantha ^{s22(1)(a)(i) - imle} provided Council with an overview of progress of the Commission since inception, noting it now has national coverage, since Western Australia transitioned in December 2020.

Ms ^{s22(1)(a)(i) - imle} advised Members the Commission is reviewing its operations in key areas including:

- how well complaints are handled
- incident reporting arrangements
- how effectively the Commission is performing its function, noting this is being considered by a Joint Standing Committee enquiry, with a report soon to be released.
- Quality and Safeguards framework, noting DSS is leading this work

Council Members thanked Ms ^{s22(1)(a)(i) - imle} for her open and honest update and said they would like to inform 'what good practice looks like' for the NDIS Workforce Capability Framework.

Members raised the following points:

- Providers need to understand how to prevent the escalation of behaviours of concern and the use of restrictive practice.
- The need for audits around the quality of behaviour support plans for people receiving NDIS services. This is very important within Aboriginal and Torres Strait Islander communities, where their culture and behaviour are not well understood.
- People with disability should have peer-led training to learn about inappropriate behaviour and their safeguards.
- There should be a focus on building capacity and social networks that keep people with disability safe, given that it is often friends who provide safeguards.
- Concern around using pharmacological interventions to manage behaviours of concern.
- Thin markets or inadequate service availability result in safety issues for some NDIS participants. This is particularly serious within Aboriginal and Torres Strait Islander communities and rural and remote areas.
- Concern that some ECEI providers do not use a best practice, strengths-based, family centred, approach to support children's development in natural settings.

4. Minister for the NDIS

4.1. Discussion of the Council Workplan 2021-22, the Co-design Compact and Legislation feedback

The Principal Member welcomed Minister Reynolds to the meeting and thanked her for taking the time to meet with Council.

Members presented the following items to the Minister:

- Progress on co-design discussions
- The Council Work Plan



- Feedback on the proposed amendments to the NDIS Act 2013 through the Participant Service Guarantee and Other Measures Bill 2013 and the time provided for consultation.

The Minister thanked Council members for their insights, open and honest advice, and their work on the co-design initiative. The Minister said that work on co-design and rebuilding trust with the disability community will benefit both the Agency and Scheme.

The Minister noted the requirement for holistic home and living supports, strong markets and ECEI supports for children and young people. The Minister also advised the Government will be working with National Aboriginal Community Controlled Health Organisations to address rural and remote workforce issues.

The Minister said her priority was to gain bipartisan agreement on the legislative review and progress the Bill through parliament. She welcomed Council's further input and noted their concerns that the consultation period was too short. The Minister suggested Council Members work with her Senior Legislation Advisor over the coming days to outline and hopefully address their concerns. The Minister also advised Members that there will be further opportunity to provide feedback on the proposed legislative amendments through the Community Affairs Senate Committee.

Members stressed the importance of the Information, Linkages and Capacity Building (ILC) program to support people with disability who don't meet the eligibility access requirements for the Scheme, noting inclusive mainstream services are imperative.

Members also raised the need for good plan management and choice and control for participants. This is particularly important for people with psychosocial disability and the need for reasonably available supports.

Action 3: Secretariat to arrange further discussion on Legislation review with Council Members and Minister's Office.

5. Meeting close

5.1. Other Business

The Principal Member:

- advised that the Agency recently launched the Sue Salhouse Scholarship and thanked those Members and Agency staff who were involved in its development.
- noted a briefing session for Council members on the release of the AFSR is scheduled for 20 October 2021 and will be recorded for members who are unable to attend.
- advised the trial sitting fee payment process has commenced and Members will have received notification from the Secretariat.

5.2. Next Meeting

The next meeting is scheduled on 22 November 2021 from 1.30pm-5.00pm.

**OFFICIAL**

AGENDA

INDEPENDENT ADVISORY COUNCIL TO THE NDIS

Meeting 5 of 2021-22**Date:** Monday 22nd November 2021**Log-in details:**

[Independent Advisory Council meeting
s22\(1\)\(a\)\(ii\) - irrelevant material](#)

SESSION 1: PRINCIPAL MEMBER'S WELCOME & OPEN **1.30pm-2.00pm**

- ITEM 1.1 Principal Member's welcome
- ITEM 1.2 Confirmation of minutes, matters arising and declaration of interest
- ITEM 1.3 CEO Update

SESSION 2: COUNCIL REPORTS **2.00pm-2.30pm**

- ITEM 2.1 Members and Expert Advisers: Reports 'from the ground'

SESSION 3: REFERENCE GROUP CO-CHAIR REPORTS **2.30pm-3.00pm**

- ITEM 3.1 Update from each Co-Chair
*Presenter: Leah Van Poppel, Leighton Jay, Jennifer Cullen,
Sylvana Mahmic*

Break 3.00 – 3.10pm

SESSION 4: QUARTERLY REPORT **3.10pm-3.55pm**

- ITEM 4.1 Q1 Quarterly Report
Presenter: Sarah Johnson, Scheme Actuary

Break 3.55 – 4.00pm

SESSION 5: PARTICIPANT SAFETY POLICY **4.00pm-4.45pm**

- ITEM 5.1 Discussion
Presenters: Dr Sam s22(1)(a)(ii) - irrelevant m and Erin s22(1)(a)(ii) - irrelevant

SESSION 6: MEETING CLOSE **4.45pm-5.00pm**

- ITEM 6.1 Other business
- ITEM 6.2 Next meeting



Minutes of the Independent Advisory Council to the NDIS

Meeting 5 – 22 November 2021

1.30pm to 5.00pm, hosted on MS Teams

Members

Ms Robyn Kruk AO (Principal Member)
Ms Leah Van Poppel (Deputy Chair)
Ms Kerry Allan-Zinner
Ms Sharon Boyce
Ms Jennifer Cullen
Mrs Judy Huett
Dr Leighton Jay
Ms Sylvana Mahmic
Ms Tricia Malowney OAM
Mr James Manders
Ms Sam Paior
Ms Liz Reid AM
Mr Mark Tonga

Expert Adviser

Dr Ben Gauntlett, Disability Discrimination Commissioner

NDIA Representatives

Mr Martin Hoffman, Chief Executive Officer
Mr Oliver Bladek, Deputy CEO, Design, Digital and Strategy
Ms Sarah Johnson, Scheme Actuary
Dr Sam [redacted] General Manager, Policy, Advice and Research
Mr Trent [redacted] Branch Manager, Agency Policy
Ms Erin [redacted] Director, Agency Policy
Ms Fiona [redacted] Director, Independent Advisory Council
Ms Carly [redacted] Assistant Director, Independent Advisory Council
Ms Hannah [redacted] Assistant Director, Independent Advisory Council
Ms Lirije [redacted] Assistant Director Communications, Independent Advisory Council
Ms Jaklin [redacted] Senior Project Officer, Independent Advisory Council

Attending

Ms Belinda [redacted] AM, Council's Independent Consultant
[s47F- personal privacy](#)

Apologies

Dr Helen Nugent, NDIA Board Chair

1. Principal Member's welcome and open

1.1. Principal Member's welcome

The Principal Member opened the meeting at 1.30pm.

The Principal Member acknowledged the Traditional Owners of the lands on which Members, Expert Adviser and attendees were meeting.

The Principal Member provided an overview of the agenda, noting the Members report session was only 30 minutes and thanked those Members who provided reports in advance.

The Principal Member acknowledged all the work occurring out of session, thanking Members for working collaboratively with the Agency to provide advice and expertise on important topics. The Principal Member advised that the Secretariat intends to survey Reference Group members to get a better understanding of their expertise and interests. This will help identify the most appropriate members to take part in out of session meetings and strengthen the diversity of the participant voice.

The Principal Member noted the following additional information available in the Resource Centre on Diligent:

- Out of Session meeting reports from Ms s22(1)(a)(ii) - irrelevant material and the Secretariat on:
 - Remote and Very Remote Strategy
 - Autism Early Intervention
 - NDIS Legislative Amendments
 - Social, Community and Civic participation
 - Research and Evaluation Advisory Panel
 - Communication with participants from diverse Communities
- Participant Reference Group report from Kerry Allan-Zinner
- Action log of issues raised during previous CEO update and Members reports sessions

1.2. Minutes, matters arising and declarations of interest

Council noted the updated register of conflicts of interest circulated in advance of the meeting.

The following declarations were made by Members:

- s47F- personal privacy

- s47F- personal privacy

Council approved the minutes from the meeting held on 18 October 2021 and noted the matters arising.

1.3. CEO update

Mr Hoffman advised he is unsure when the NDIS Bill will be introduced into Parliament, noting with only two sitting weeks remaining, the Bill may not pass this year. Mr Hoffman also advised the Senate References Committee will release their report on the legislation this Friday.

Mr Hoffman said next week sees the full suite of Board and Committee meetings being held, which will be the last for Board Chair, Dr Nugent and Ms Kruk as Board Director. He noted their terms ending on 31 December 2021.

Mr Hoffman discussed with Members the upcoming launch of Australia's Disability Strategy on Friday, noting the Council's and Agency's input and commitment in its development.

Mr Hoffman noted the next Disability Reform Ministers' Meeting (DRMM) is on 10 December, where the Australian Financial Sustainability report will be discussed.

Members thanked Mr Hoffman for his updates and continued commitment to open and transparent discussions.

2. Members' Reports

2.1. Council reports on issues heard in their communities

Council Members raised the following concerns they had heard related to the NDIS:

- Continued challenges with delays in plan reviews, impacted by COVID-19 and lockdowns.
- Optimism that the Australian Parliament will pass the NDIS Bill, and positive community sentiment and approval for the proposed Bill.
- Positive feedback about the National Community Connector Program, noting results of the program may help the work of the Equity and Inclusion Reference Group.
- Concerns the Market Engagement: Partners in the Community paper does not include the Early Childhood Early Intervention (ECEI) reset as a focus for Early Childhood Partners.
- Service providers wanting to understand how the Agency manages participants and staff who are unvaccinated, acknowledging the Agency's role is to support, not mandate, vaccines for participants and staff.
- Positive feedback for Disability Liaison Officers assisting people with disability to access health services and vaccinations.
- Reports of reductions around behaviour supports and 'reasonable and necessary' challenges around parental responsibility.

- Lack of accurate information on NDIS supports for participants who are awaiting hospital discharge.
- Concerns 'out of school hours care' and 'vacation care' is being removed from plans, noting participants need to apply for 'social and recreational activities' to be added to their plans.
- Ongoing issues about home and living supports provided by the NDIS and states and territories, Members noting the progress being made on short-term pain points, including Individualised Living Options.
- Challenges around NDIS plan reviews, decisions and builds, with participants without coordinated supports missing out on mainstream services.
- Lack of knowledge for some communities around Justice Liaison Officers and the NDIS/justice interface that supports prison entry, discharge, and community transition.
- Concerns with low employment rates for people with disability and general disability workforce issues.
- Concerns with linked data sets, extremely slow and problematic. Although Members acknowledged the National Disability Data Asset helps the Commonwealth and states and territories develop a national disability data set.
- Reports that older people with disabilities struggle to pay for support therapies from different systems. Noting that the Disability Support for Older Australians Program supports older people, who are not eligible for the NDIS, get disability services.

Ms Van Poppel provided Members with a brief update on the progress of co-design, noting meetings of the co-design advisory group are continuing with:

- Terms of Reference nearing finalisation; and
- consideration of priorities for co-design including Support for Decision Making and Person Centred Model of Assessment

The Principal Member thanked Members who provided a report in advance and noted these will be available in the Diligent Resource Centre.

3. Reference Group Co-Chair Reports

3.1. Update from each Co-Chair

Reference Group Co-Chairs, Ms Van Poppel, Dr Jay, Ms Mahmic and Ms Cullen provided members with an update on recent Reference Group activity.

Co-Chairs noted recent meetings included high levels of engagement from members, wide-ranging discussions and positive contributions about how to progress priority work.

Intellectual Disability Reference Group

Ms Van Poppel noted we are receiving feedback from Members about what works best for them, which is great because it means people feel safe to speak up. In addition, Members have requested Easy Read documents to assist with their participation.

Home and Living Reference Group

Dr Jay advised that some Members of the reference group have been involved in the Home and Living demonstration projects, which are very exciting. Council Members requested further information regarding the demonstration projects.

Children, Young People and Families Reference Group

Ms Mahmic noted the main consensus of reference group members is that young people want to be heard within the NDIS and in their own lives.

Equity and Inclusion Reference Group

Ms Cullen advised the next meeting is 6 December. In addition, meetings have been convened with leaders from Aboriginal and Torres Strait Islander, Culturally and Linguistically Diverse and LGBTIQ+ communities. These meetings will help inform Council's formal advice on Equity in the NDIS.

ACTION 1: Secretariat to share Home and Living Demonstration website with Council Members.

4. Quarterly Report

4.1. Q1 Quarterly Report

Ms Johnson provided Council with an overview of the Quarterly Report for Q1, 2021-22.

Members raised community concerns around reductions in plan funding for participants, noting the Quarterly Report shows plans are constant. Ms Johnson advised the report data is in aggregate and there would be variation across individual plans.

Members mentioned the substantial cost of plan managers to the NDIS and noted the regulation and quality of the plan manager market by the Commission.

Council raised a number of questions which Ms Johnson took on notice, including:

- whether older women are entering the Scheme due to a late diagnosis of autism
- where do participants go when they leave residential aged care
- utilisation rates of plans that are going up and down to see what the trends are
- further breakdown by age for the 25 to 64 age group, regarding average and median payment trends

Ms Johnson advised that the Agency will soon release the Outcomes Framework Reports for Participants and Family and Carers, noting an out of session briefing for Council would be arranged.

ACTION 2: Ms Johnson to provide responses to Questions on Notice from Members:

- *Can you please provide data on whether older women are entering the Scheme due to a late diagnosis of autism?*
- *Can you please provide data on where participants go when they leave residential aged care?*

- Are you able to link and provide the utilisation rates of plans that are going up and down to see what the trends are?
- Slide 68: Average and median payment trends. Can you please provide a further breakdown by age for the 25 to 64 age group?

5. Participant Safety Policy

5.1. Discussion

Dr [redacted] provided an overview of the Participant Safety Policy scope and proposed timelines, noting this program of work was a direct result of Council's Advice in this area.

Dr [redacted] said the Agency is progressing this work over the next 12 months, making changes early where possible. Dr [redacted] noted Council's expertise in this area and welcomed their feedback.

Members thanked Dr [redacted] and the team for the paper, acknowledging their progress to date on the Policy Scope.

Council Members provided the following feedback:

- the importance of clearly defining safety and dignity of risk for people with disability, especially those from diverse cultures
- the need to empower people with disability to make decisions for themselves to feel safe
- ensuring people's rights are not impacted by the policy
- properly considering nominees that do not have an adequate risk assessment
- the importance of clearly stating safety risks to children in care or young people in kinship care
- consideration on the impact of plan review decisions
- reflect the balance of safety with the need to be included in the community
- consider people with disability who have children
- include carers, family members and providers as stakeholders in this process.

Members queried the sustainability impact of the Policy on the Scheme. Ms [redacted] advised a Sustainability Assessment had been completed and offered to share it with Members.

ACTION 3 Ms [redacted] to share Sustainability Assessment for Participant Safety Policy with Members.

6. Meeting close

6.1. Other Business

The Principal Member advised that Ms Huett has decided not to renew her term and the December Council meeting will be her last. It was noted that the Council is very fortunate that she will continue as a Member on the Intellectual Disability Reference Group.

Dr [redacted] provided a brief update on Co-design, advising:

- Support for Decision Making and Home and Living are early priorities
- work on Person Centred Model of Assessment is continuing, noting concerns have been raised around language, and the use of 'Assessment'.
- the Agency is commissioning external reviews of baseline current state of:
 - Access and Planning
 - is it consistent, equitable and fit for purpose?
 - Clinical advisory capability in the Agency
 - is this fit for purpose in comparison to other insurance agencies?

6.2. Next Meeting

The next meeting is scheduled on 16 December 2021 from 1.30pm-5.00pm.

Meeting 22 November 2021



OFFICIAL

AGENDA

INDEPENDENT ADVISORY COUNCIL TO THE NDIS

Meeting 6 of 2021-22

Date: Thursday 16th December 2021

Log-in details:

[Independent Advisory Council meeting](#)

Or call in (audio only)

s22(1)(a)(ii) - irrelevant material

SESSION 1: PRINCIPAL MEMBER'S WELCOME & OPEN 1.30pm-2.00pm

- ITEM 1.1 Principal Member's welcome
- ITEM 1.2 Confirmation of minutes, matters arising and declaration of interest
- ITEM 1.3 Board Chair and CEO Update

SESSION 2: CO-DESIGN ADVISORY GROUP FEEDBACK 2.00pm-2.30pm

- ITEM 2.1 Overview and discussion of Co-Design Advisory Group documents
Presenters: Leah Van Poppel

SESSION 3: INFORMATION GATHERING FOR ACCESS AND PLANNING PROJECT 2.30pm-3.10pm

- ITEM 3.1 Overview of project and discussion
Presenters: Dr Sam s22(1)(a)(ii) - irrelevant m and Daniel s22(1)(a)(ii) - irrel

Break 3.10pm-3.20pm

SESSION 4: SUPPORT FOR DECISION MAKING 3.20pm-4.00pm

- ITEM 4.1 Update on project and discussion
Presenters: Dr Sam s22(1)(a)(ii) - irrelevant m and Brooke s22(1)(a)(ii) - irrel

SESSION 5: 2021 REFLECTION AND ACTIVITY 4.00pm-4.50pm

- ITEM 5.1 Minister for the NDIS
Acknowledgement of Council's work during 2021 (10 mins)
- ITEM 5.2 Council reflections (35 mins)
- ITEM 5.3 Secretariat 2021 wrap up (5 mins)



OFFICIAL

SESSION 6: MEETING CLOSE

4.50pm-5.00pm

ITEM 6.1 Other business

ITEM 6.2 Next meeting



Minutes of the Independent Advisory Council to the NDIS

Meeting 6 – 16 December 2021

1.30pm to 5.00pm, hosted on MS Teams

Members

Ms Robyn Kruk AO (Principal Member)
Ms Leah Van Poppel (Deputy Chair)
Ms Kerry Allan-Zinner
Ms Sharon Boyce
Ms Jennifer Cullen
Mrs Judy Huett
Dr Leighton Jay
Ms Tricia Malowney OAM
Mr James Manders
Ms Sam Paor
Ms Liz Reid AM
Mr Mark Tonga

Expert Adviser

Dr Ben Gauntlett, Disability Discrimination Commissioner

NDIA Representatives

Dr Helen Nugent, NDIA Board Chair
Mr Martin Hoffman, Chief Executive Officer
Mr Oliver Bladek, Deputy CEO, Design, Digital and Strategy
Dr Sam [redacted] General Manager, Policy, Advice and Research
Mr Trent [redacted] Branch Manager, Agency Policy
Ms Brooke [redacted] Director, Scheme Design, Agency Policy Branch
Mr Daniel [redacted] Director, Strategic Policy, Agency Policy Branch
Ms Fiona [redacted] Director, Independent Advisory Council
Ms Carly [redacted] Assistant Director, Independent Advisory Council
Ms Lirije [redacted] Assistant Director Communications, Independent Advisory Council
Ms Jaklin [redacted] Senior Project Officer, Independent Advisory Council

Attending

Senator the Hon. Linda Reynolds CSC, Minister for the NDIS
Ms Belinda [redacted] AM, Council's Independent Consultant
[s47F- personal privacy](#)

Apologies

Ms Sylvana Mahmic

1. Principal Member's welcome and open

1.1. Principal Member's welcome

The Principal Member opened the meeting at 1.33pm.

The Principal Member acknowledged the Traditional Owners of the lands on which Members, Expert Adviser and attendees were meeting.

The Principal Member expressed sincere condolences to Ms Mahmic and Ms Cullen, on the passing of loved ones. The Principal Member noted Ms Mahmic's apology and that Ms Cullen would not speak during the meeting, as she was observing Sorry Business.

The Principal Member:

- noted that this is Mrs Huett's last Council meeting and thanked her for her valued contribution to Council, acknowledging Council's deep gratitude that Mrs Huett will continue on as a Member of the Intellectual Disability Reference Group
- advised this meeting would be her last as Council Principal Member and member of the NDIA Board, with both appointments concluding 31 December 2021.
- congratulated Dr Gauntlett and Ms Reid on their appointments to Australia's Disability Strategy's Advisory Council, as Chair and Member respectively.
- advised timelines for Council's formal advice 'Equity in the NDIS' will be extended following feedback from recent discussions with Indigenous, CALD and LGBTIQ+ leaders. This will allow for further consultation and ensure the advice is considered and accurate.
- acknowledged the quality of papers Council is receiving, particularly noting efforts to enhance accessibility.

The Principal Member noted the following additional information available in the Resource Centre on Diligent:

- Out of Session meeting reports from Ms s22(1)(a)(ii) - irrelevant material and the Secretariat on:
 - Partners in the Community Market Engagement
 - Designing an Early Childhood Assistive Technology Approach
 - School Leaver Employment Supports
 - Remote and Very Remote Strategy
 - Home and Living Policy subgroup
 - ECEI Reset
- Participant Reference Group report from Tricia Malowney

- Action log of issues raised during previous CEO update and Members reports sessions. The Principal Member also noted that as member reports have been submitted in writing for this meeting, the Secretariat will compile actions for the log from these reports.

1.2. Minutes, matters arising and declarations of interest

Council noted the updated register of conflicts of interest circulated in advance of the meeting.

s47F- personal privacy

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]

Council approved the minutes from the meeting held on 22 November 2021 and noted the matters arising.

1.3. Board Chair and CEO update

Mr Hoffman provided Council with a brief update on Agency activities, noting the release of the Mid-Year Economic and Fiscal Outlook (MYEFO) statement, which has the Scheme fully funded in forward estimates according to the Annual Financial Sustainability Report (AFSR) forecasts.

Mr Hoffman advised the ^{s22(1)(a)(i) - imple} Fry report was presented at the Disability Reform Ministers' Meeting, which found that the AFSR was reasonable in its structure and projections. Mr Hoffman noted this confirms the quality of the analysis provided by the Scheme Actuary.

Mr Hoffman noted the positive feedback received about the Agency's approach, genuine intent and work to date on co-design.

The Principal Member thanked Mr Hoffman for his dedication, hard work and respectful engagement with Council and looked forward to the continued commitment to open and transparent discussions in the future.

The Board Chair reflected on the Scheme's growth and continuous improvement during her time as Chair, noting she will step down from the Board on 31 December 2021. She said it has been an honour and privilege to work with Council, acknowledging the role Council and the Board have played in giving the Scheme stability over the years.

The Board Chair also expressed personal thanks to Ms Kruk for her outstanding leadership and commitment to improving the Scheme for people with disability over the last five years as a Board Director, and more recently as Council's Principal Member.