

Themes from meeting chat

- Welcoming a conversation about registered and unregistered providers – there are positives and negatives for both.
- A need for therapy to occur during school hours with clear outcomes and a greater focus on inclusion.
- Concern that participants are being billed by providers for scheduling appointments.

2025 JUN 22



OFFICIAL

AGENDA

INDEPENDENT ADVISORY COUNCIL TO THE NDIS

Meeting 1 of 2022-23

Date: Wednesday 27th July 2022

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 1.00pm-1.20pm

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

SESSION 2: WORKPLAN 1.20pm -2.05pm

- ITEM 2.1 Council Workplan
Presenter: Leah Van Poppel

SESSION 3: SHARING PLANS WITH PLAN MANAGERS 2.05pm -2.25pm

- ITEM 3.1 Briefing on the requirement for plans to be shared with plan managers.
*Presenter: Kitsa **s22(1)(a)(ii) - irrelevant material** Branch Manager Market Intervention and Commissioning*

Break 2.25pm-2.40pm

SESSION 4: WELCOME ACTING CEO LISA STUDDERT 2.40pm-2.50pm

- ITEM 4.1 CEO Update

SESSION 5: CO-DESIGN ADVISORY GROUP FEEDBACK 2.50pm-3.20pm

- ITEM 5.1 Update on Co-Design Advisory Group activities
Presenter: Leah Van Poppel

SESSION 6: AGENCY OPERATIONS 3.20pm -3.50pm

- ITEM 6.1 Update on Agency Operations
Presenter: Jeremy Dean, DCEO Participant Experience Delivery

Break 3.50pm-4.00pm



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SESSION 7: COUNCIL REPORTS 4.00pm-4.50pm

ITEM 7.1 Members and Expert Advisers: Reports 'from the ground'. Highlights from submitted or circulated written reports.

SESSION 8: MEETING CLOSE 4.50pm-5.00pm

ITEM 8.1 Other business
ITEM 8.2 Next meeting



Minutes of the Independent Advisory Council to the NDIS

Meeting 1 – 27 July 2022

1.00pm to 5.00pm, hosted on MS Teams

Members

Ms Leah Van Poppel (Principal Member)
Ms Kerry Allan-Zinner (until 3.45pm)
Ms Jennifer Cullen
Ms Sylvana Mahmic
Ms Tricia Malowney OAM
Mr James Manders
Ms Sam Paor
Dr George Taleporos (from 2pm)
Mr Mark Tonga

Expert Adviser

Dr Ben Gauntlett, Disability Discrimination Commissioner

NDIA Representatives

Mr Jim Minto, Acting NDIA Board Chair
Ms Lisa Studdert, Acting Chief Executive Officer
Mr Jeremy Dean, Deputy CEO, Participant Experience Delivery
Dr Sam [redacted] General Manager, Policy, Advice and Research
Ms Kitsa [redacted] Branch Manager, Market Intervention and Commissioning
Ms Jess [redacted] Acting Branch Manager, Agency Policy
Ms Kathy [redacted] Director Strategic Advice, Policy, Advice and Research
Ms Carly [redacted] Assistant Director, Independent Advisory Council
Ms Marina [redacted] Assistant Director, Independent Advisory Council
Ms Lirije [redacted] Assistant Director Communications, Independent Advisory Council
Ms Jaklin [redacted] Senior Project Officer, Independent Advisory Council
Ms Rebecca [redacted] Project Officer, Independent Advisory Council

Attending

Mr Gavin Burner, Intellectual Disability Reference Group Member

s47F- personal privacy

Apologies

Ms Liz Reid AM
Dr Leighton Jay
Ms Sharon Boyce
Dr Ben Gauntlett, Disability Discrimination Commissioner (Expert Adviser)
Ms Estelle Pearson, NDIA Board Director
Ms Belinda [redacted] AM (Council's Independent Consultant)

1. Principal Member's welcome and open

1.1. Principal Member's welcome

The Principal Member opened the meeting at 1.04pm.

Ms Cullen acknowledged the Traditional Custodians and Owners of the lands on which Members, Expert Adviser and attendees were meeting.

The Principal Member recognised several key events and dates that have occurred over the past month, including:

- Autistic Pride Day – 18 June
- Coming of the Light Festival in the Torres Strait Islands – 1 July 2022
- NAIDOC week – 3 to 10 July, noting this year's theme is 'Get up! Stand up! Show up!'
- Eid al Adha – 9 to 13 July.
- Dhamma day – 13 July.

The Principal Member acknowledged the technical difficulties experienced with MS Teams last week and thanked Members for making themselves available today at short notice, noting some Members were unable to attend for the entire meeting. Additionally, noting apologies from Ms Liz Reid AM, Dr Leighton Jay, Dr Ben Gauntlett and Ms Belinda s22(1)(a)(ii) - irrelevant who were unable to attend the meeting.

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

- Out of Session meeting reports from Ms s22(1)(a)(ii) - irrelevant material and the Secretariat on:
 - Investment Effectiveness Program
 - NDIS Act S47a Policy Changes and Operational Guidelines
 - No Claim Made Compensation
 - Plan Implementation Directory
- Participant Reference Group Member report
- Action log of issues raised during CEO update and Members reports sessions. The Principal Member also noted that as member reports have been given in writing for this meeting, the Secretariat will compile actions for the log from these reports.

1.2. Minutes, matters arising, terms of reference and declarations of interest

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

[s47F- personal privacy](#)

- s47F- personal privacy

Council approved the minutes from the meeting held on 15 June 2022 and noted the matters arising.

1.3. Board Chair update

The Principal Member welcomed Mr Minto to the meeting and recognised his role of Acting NDIA Board Chair.

The Board Chair provided Members with an overview of his background, noting he has been with the NDIA Board for over five years, and is a member of all Board sub-committees. Additionally, the Board Chair acknowledged Mr Naphine's contribution and real passion for the Scheme, noting he was involved in the original signing of the state to the Scheme.

The Board Chair mentioned the change in CEO with Dr Lisa Studdert currently acting in the position. He advised the recruitment process is underway, noting the recently released job advertisement for the role.

The Board Chair advised that the Disability Reform Minister's Meeting (DRMM) will now occur more regularly. Noting the Minister's objective is to create greater cohesiveness between the states and build connection and understanding on the key priorities.

The Board Chair reiterated the value of Council's contributions in helping to keep the voice of participants at the centre of the Agency's work.

2. Workplan

2.1. Council's workplan 2022-23.

The Principal Member acknowledged the work of Ms ^{s22(1)(a)(i) - irrelevant material} and Ms ^{s22(1)(a)(i) - irrelevant material} to pull together Council's Work Plan for 2022-23, following discussions at the last Council meeting.

The Principal Member noted the draft work plan takes into consideration Council's previous commitments, a new NDIA Corporate Plan and the Minister's priorities. Additionally, noting the work plan is less prescriptive on the work Council will undertake for each priority, to allow for the changing environment.

The Principal Member opened up discussion to Members. Members were pleased with the Work plan, saying it reflected previous conversations and covered the key priorities succinctly.

Members raised the importance of a whole of life approach, capacity building, intersectionality, national approaches and quality services, suggesting the inclusion of a preamble outlining these as fundamental principles that Council operates under and the intention for all its work.

Council reiterated the need to continue to engage with the Agency on co-design and other government departments on related work priorities to ensure voice of people with disability is heard.

The Principal Member thanked Members for their input and advised the final draft of the Work Plan would be sent to Members for endorsement out of session.

3. Sharing Plans with Plan Managers

3.1. Briefing on the requirement for plans to be shared with plan managers.

Ms ^{s22(1)(a)(ii) - irrelevant material} provided Council with an overview of the change in requirements for plans to be shared with Plan Managers. Noting this will be a phased transition to reduce the impact on participants.

Ms ^{s22(1)(a)(ii) - irrelevant material} sought feedback from Council, and they raised the following points:

- The importance of clear communication to participants to explain the reason for the changes.
- The need for the changes to focus on compliance and payment integrity. And also, the responsibility of Plan Managers to support a participant to manage their funds 'in accordance with a participant's plan'.
- The need to raise awareness of the definition 'in accordance with a participant's plan' to help participants understand what it means.
- Concerns around people with disability maintaining their privacy and suggested consideration be given for participants to only share parts of their plan relevant to Plan Managers.
- Consideration should be given to participants who are under guardianship, particularly financial guardianship on this work.
- Stressed the importance of participants maintaining choice and control, and any changes should not impact this requirement.
- Concerns about participants who wish to transition or are required to transition to a new Plan Manager. This is in regard to how and the level of information that may be shared. It is suggested the Agency look at their systems and processes for transitions.

Members also raised concerns about the quality and capability of Plan Managers and welcomed further information on the Agency's work in this area.

Action 1: Secretariat to share 'in accordance with a participant's plan' definition in chat messages with Members.

Action 2: Council to receive a further briefing on Plan Management in the future.

4. Welcome Acting CEO Lisa Studdert

4.1. CEO Update

The Principal Member welcomed Dr Studdert to her first meeting as Acting NDIA CEO.

Dr Studdert noted it has been a big few weeks since stepping into the role and feels very supported by the Agency and the Board.

Dr Studdert advised Members that the Minister's priorities for the Agency are very clear, and she has been working closely with him in recent weeks.

Dr Studdert mentioned the NDIS review, noting it will be lead from the Prime Minister's office and will work collaboratively with the disability sector. Dr Studdert looked forward to discussing with Council in greater detail in the next few weeks.

Dr Studdert advised the Agency's current focus is:

- hospital discharge – increasing resources and putting in place short term interim measures.
- Administration Appeals Tribunal – investigating current processes and increasing resources to reduce current case load.
- Fraud – enhancing partnerships with other intelligent agencies to ensure we are addressing occurrence and prevention.

Dr Studdert also noted work continues on Co-design and the COVID-19 response, noting this is a Minister priority.

Members congratulated Dr Studdert on her recent appointment and thanked her for the comprehensive updates.

5. Co-design Advisory Group feedback

5.1. Update on Co-Design Advisory Group activities

The Principal Member noted the progress of the Co-Design Steering Committees and provided an update on the recent activities to progress the Home and Living policy development through co-design. The Principal Member noted the strong advocacy of this group to ensure inclusion of all voices in the co-design process, with targeted workshops with people with disability from under-represented groups occurring.

Members were pleased with the effort to reach and understand the nuances in under-represented communities, particularly First ^{s22(1)(a)(i) - mee} people, noting the phrase 'home and living' is a foreign term to this community. Members also suggesting the inclusion of young people in residential aged care and children/young people should be considered.

Members stressed the importance of only progressing the co-design projects when co-design actually happens, noting the tight timeframes and perceived view of needing action

quickly. Council Members suggesting greater transparency and clear communications could alleviate this stress.

Members also raised the need to align progress of co-design activities with the NDIA Engagement Framework, in particularly with the First Nations strategy.

6. Agency Operations

6.1. Update on Agency Operations

Mr Dean provided Council with further detail on the work undertaken to improve productivity within frontline operations. Mr Dean noted this was at the request of Council at a previous meeting.

Members were pleased with the work undertaken, noting the benefits to participant outcomes and the NDIS.

Council stressed the importance of quality conversations with participants in goal setting during planning, rather than just helping them to implement their plans. Members saying necessary investment is needed in this area.

Members queried the availability of draft plans for participants. Mr Dean noted draft plans are important and advised new system changes will allow example plans to be available for new participants.

Members raised concerns around long delays in participant plans with Supporter, independent Living in their plans when there is a change in circumstance. Mr Dean advised the Agency now has an end-to-end metric to monitor this process, noting this has helped to reduce the time down to 90 days and work will continue to reach 28 days.

7. Council Reports

7.1. Members and Expert Advisers: Reports 'from the ground'

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

- Positive sentiment within the community around the Agency's commitment to co-design.
- Assistive Technology that is no longer fit for purpose. Members suggesting the Agency should investigate a recycling approach.
- High cost of assessment reports required for access to the NDIS, especially for children with autism, noting this may cause financial impact on families.
- Continued concerns that the NDIS is adult centric and does not appropriately cater for children and families.
- Concerns the update to the 'Development delay' explanation on the NDIS website has inadvertently changed the meaning to promoting lots of therapy which is not best practice. Members suggesting the Agency amend the explanation.

- Continued challenges with hospital discharge – with some people experiencing longer hospitalisation due to poor communication between hospitals and NDIS services and lack of suitable housing. Additionally, for people with intellectual disability, this is heightened as information is rarely in an accessible format.
- Concerns with the removal of level three high intensity supports from the NDIS price guide, noting this may make it harder for participants to find providers and get the appropriate supports.
- Improvement to Operational Guidelines are welcomed, but Members suggesting clear communication is needed around reasons for change.
- Workforce skills shortage within the complex support needs pathway staff, which can result in delays in resolving complex scenarios.
- Limited providers available to give quality high level supports to people with complex, positive behavioural support needs.
- Concerns some providers are entering into guardianship arrangements with participants, particularly within the Indigenous community, which presents issues and risks around a participants choice and control. This also raises concerns of sharp practices.
- Occupational therapists with limited training in the NDIS, particularly related to home modifications.

Members also queried whether the recent Information Gathering for Access and Planning (IGAP) co-design survey was available in other languages. Dr [redacted] advised the survey is only available in English. Additionally saying an alternative approach was being applied to hear the voices of diverse communities, noting the Agency is partnering with several Disability Representatives and Carer Organisations (DRCO) to run a series of focus groups.

Dr Studdert noted the feedback and themes raised by Members and provided some comments back to the meeting. Dr Studdert was particularly concerned about the comments relating to sharp practices and requested Members to report this direct to the fraud team.

Action 3: Secretariat to share with Members the process of reporting sharp practices.

8. Meeting close

8.1. Other Business

The Principal Member noted the following out of session meetings that will occur in the coming months.

- 3P briefing from the Agency
- DRCO and Council meeting – roles and responsibilities in co-design
- IGAP listening sessions

8.2. Next Meeting

The next meeting will be 24 August at 1pm (AEST).

Meeting 27 July 2022

Themes from meeting chat

- CEO advertisement well received by Members
- Discussion around the meaning of 'in accordance with plan'. Dr s22(1)(a)(i) - irrelevant provided definition of this from the Self-Management policy.
- Welcomed the draft Autism Guidelines from the CRC.
- Evidence for decision making under the Act, including how assessments and reports are funded, and how the Agency use this information to make more consistent and equitable decisions will be part of the Information Gathering for Access and Planning co-design.
- Home and Living core design workshops – testing is underway on the first challenge.
- Discussion around how the Agency will share IGAP information more widely.

Meeting 27 July 2022



OFFICIAL

AGENDA

INDEPENDENT ADVISORY COUNCIL TO THE NDIS

Meeting 2 of 2022-23

Date: Wednesday 24th August 2022

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 1.00pm-1.30pm

- 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 1.30pm-2.30pm

- ITEM 2.1 Members and Expert Advisers: Reports 'from the ground'. Highlights from submitted or circulated written reports.

Break 2.30pm-2.45pm

SESSION 3: CO-DESIGN FEEDBACK & NDIS REVIEW 2.45pm-3.25pm

- ITEM 3.1 Update on Co-Design Advisory Group activities
Presenter: Leah Van Poppel

SESSION 4: REMOTE/VERY REMOTE CURRENT STATE 3.25pm-3.50pm

- ITEM 4.1 Briefing on the Remote/Very Remote Current State Snapshot
Presenter: Joshua s22(1)(a)(ii) BM Strategy

Break 3.50pm-4.05pm

SESSION 5: RESEARCH AND EVALUATION 4.05pm -4.50pm

- ITEM 5.1 Research and Evaluation Strategy 2022-2027
Presenter: Janice s22(1)(a)(ii) - irrelev Branch Manager Research and Evaluation

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 2 – 24 August 2022

1.00pm to 5.00pm, hosted on MS Teams

Members

Ms Leah Van Poppel (Principal Member)
Ms Kerry Allan-Zinner
Dr Sharon Boyce
Adjunct Associate Professor Jennifer Cullen
Ms Tricia Malowney OAM
Mr James Manders
Ms Sam Paor
Ms Liz Reid AM
Dr George Taleporos
Mr Mark Tonga

Expert Adviser

Dr Ben Gauntlett, Disability Discrimination Commissioner

NDIA Representatives

Dr Lisa Studdert, Acting Chief Executive Officer
Dr Sam [redacted] General Manager, Policy, Advice and Research
Ms Jessica [redacted] Acting Branch Manager, Agency Policy
Ms Janice [redacted] Branch Manager, Research and Evaluation
Mr Joshua [redacted] Branch Manager, Strategy
Ms Kathy [redacted] Director Strategic Advice, Policy, Advice and Research
Ms Carly [redacted] Assistant Director, Independent Advisory Council
Ms Marina [redacted] Assistant Director, Independent Advisory Council
Ms Lirije [redacted] Assistant Director Communications, Independent Advisory Council
Mr Matt [redacted] Assistant Director, Strategic Advice
Ms Jaklin [redacted] Senior Project Officer, Independent Advisory Council
Ms Rebecca [redacted] Project Officer, Independent Advisory Council
Ms Fiona [redacted] Project Officer, Strategic Advice

Attending

Dr Peta Seaton, NDIA Board Director
Mr Gavin Burner, Intellectual Disability Reference Group Member
Ms Belinda [redacted] AM (Council's Independent Consultant)

[s47F- personal privacy](#)

Apologies

Dr Leighton Jay, Council Member
Ms Sylvana Mahmic, Council Member
Mr Jim Minto, Acting NDIA Board Chair

1. Principal Member's welcome and open

1.1. Principal Member's welcome

The Principal Member opened the meeting at 1.07pm.

Ms Cullen acknowledged the Traditional Custodians and Owners of the lands on which Members, Expert Adviser and attendees were meeting.

The Principal Member recognised several key events and dates that have occurred over the past month, including:

- Muharram/Islamic New Year – 31 July.
- National Aboriginal and Torres Strait Islander Children's day – 4 August.
- Tisha B'Av – 7 August.
- International Day of the World's Indigenous Peoples – 9 August.
- International Youth Day – 12 August.
- Assumption Day – 15 August.

The Principal Member noted apologies from Dr Jay and the Board Chair and who were unable to attend the meeting. The Principal Member also advised Council that Dr Seaton, NDIA Board Director will join for the first part of the meeting and Ms Mahmic will attempt to join if possible. Additionally, Mr Burner noted he will be leaving early.

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

- Out of Session meeting report from Ms s22(1)(a)(ii) - irrelevant material
 - Research and Evaluation Advisory Panel – Guides for Understanding Supports
- Participant Reference Group Member report
- Action log of issues raised during CEO update and Members reports sessions. The Principal Member also noted that as some member reports were given in writing for this meeting, the Secretariat will compile any actions for the log from these reports.

1.2. Minutes, matters arising, terms of reference and declarations of interest

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

s47F- personal privacy

Council approved the minutes from the meeting held on 27 July 2022 and noted the matters arising.

1.3. CEO update

Dr Studdert advised Council the Agency continues its focus on the Ministers' priorities, stepping up efforts across the areas of:

- the Administration Appeals Tribunal (AAT) – increasing resources to reduce current case load, improve the quality of decision making and establish an early intervention team to look at new AAT cases.
- Hospital Discharge – working with states and territories to understand the current blocks and making a concerted effort to work more rapidly and effectively with the Health system to enable timely discharge for participants when they are ready.
- Fraud – increasing resources, establishing an external taskforce and using a holistic approach to address concerns.

Dr Studdert also noted the Minister will be making further announcements regarding the NDIS Review in the coming weeks.

Members stressed the importance of the link between Young People in Residential Aged Care (YPIRAC) and hospital discharge and raised concerns with the progress of the YPIRAC program. Noting the Agency is working alongside other government departments and does not have carriage of this work. Dr Studdert acknowledge the comments and offered to provide a briefing to Members on the Agency's work in this area.

Members reiterated the importance of including people with disability, lived experience and/or knowledge of the sector when establishing independent groups to oversee activities involving participants.

Council also raised the importance of tone and language in Agency communications to participants, noting the recent letter to participants regarding compliance was abrupt and may make some participants feel they have done something wrong.

Members thanked Dr Studdert for the comprehensive updates and acknowledged the efforts of Agency staff.

The Principal Member welcomed Dr Peta Seaton, NDIA Board Director to the meeting. Dr Seaton provided Members with an overview of her background. She commended Members for their frankness, noting the extreme value of Council to the Agency and Board.

2. Council Reports

2.1. Members and Expert Advisers: Reports 'from the ground'

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

- Praised NDIA State Managers with taking on critical issues raised with Members and progressing them quickly.
- Continued concerns around thin markets, workforce shortages and skilled workers within the disability sector.

- ongoing issues between NDIA, state and territories and the interface with the justice system. Members suggesting more education and greater interaction is needed.
- concerns with recent social media posts from the Agency on Short Term Accommodation (STA), noting the messaging as abrupt and confusing.
- reports of new plans being issued without consultation with participants / nominees. Members noting participants are receiving 'check in' calls, then new plans with considerable changes are being issued.
- issues with participants having to leave their family home when their parent passes away due to reduced funding. Members suggesting a 'step down' well measured and gradual approach with their funding is necessary and additional supports to explore other housing and support options required.
- discrepancies in rates charged to NDIS participants for general services such as cleaning or car washing, compared with general consumers. Members noting this also occurs within Allied Health.
- Long delays to receive approvals for home modifications.
- pleased that NDIS registered providers and participants now have access to funded aboriginal interpreting services in the Northern Territory, and participants do not need to use their plan funds for this service.
- Continued challenges around availability of services in regional and remote locations.
- Visibility of sexual supports operational guideline.
- Positive sentiment within the community about the Ministers proposed changes to the Disability Support Pension.
- Concerns that with Specialist Disability Accommodation (SDA) progressing quickly and providers rapidly building apartment buildings, it is moving towards 'ghetto' style housing.

Dr Studdert and Dr ^{s22(1)(a)(i) - irrelevant} noted the feedback and themes raised by Members and provided some comments back to the meeting. Dr ^{s22(1)(a)(i) - irrelevant} additionally offering to meet with interested Members about the Sexual Supports Operational Guideline.

Action 1: Dr ^{s22(1)(a)(i) - irrelevant} to follow-up with interested Members regarding the Sexual Supports Operational Guideline.

3. Co-design feedback and NDIS Review

3.1. Update on Co-Design Advisory Group activities

The Principal Member noted Ms Mahmic was unable to attend the meeting, although prepared notes in advance. The Secretariat read out the update on the Supported Decision Making Co-

design Steering Committee provided by Ms Mahmic, noting the Secretariat would circulate to Members after the meeting.

General discussion ensued with Members noting:

- The importance of participant members on co-design steering committees, as they provide valuable insights about the challenges faced by people with disability. In particular, vulnerable groups when making decisions.
- All information, including participant plans and decision support, should be available in accessible formats and easy to understand. This is particularly important to better help participants understand the NDIS and how to navigate it.
- The value of sharing information between the co-design projects to understand the priorities that cut across all areas.

Action 2: Secretariat to share Ms Mahmic's report on the Supported Decision-Making Steering Committee with Members.

4. Remote / Very Remote Current State

4.1. Briefing on the Remote/Very Remote Current State Snapshot

Mr ^{s22(1)(a)} provided Council with an overview of the Remote / Very Remote Current State Snapshot, noting the Agency will release the report externally. Mr ^{s22(1)(a)} acknowledged Ms Cullen's work on the project and expressed thanks for her knowledge and input.

Mr ^{s22(1)(a)} stated the Agency's current focus is about connecting people and enabling greater access for people in remote / very remote areas.

Council raised the following points:

- Challenges faced with thin markets is not limited to remote / very remote areas.
- The importance of cultural awareness and cultural safety, when determining support services in remote / very remote areas. Current Agency policies do not support family members providing paid supports. Members suggested developing culturally safe protocols or policy about First Nations and culturally and linguistically diverse (CALD) community members who provide care would be beneficial.
- Council encouraged the Agency to consider the operational barriers faced by these cohorts to access the NDIS, supports, and payment for services.

Council Members sought further analysis on how the Market interventions have been progressing, noting this information would be beneficial for Members who work with remote / very remote communities. Mr ^{s22(1)(a)} was happy to provide additional information and took the question on notice.

Members were disappointed with the level of transparency and engagement with the subgroup, noting the last meeting was in March. Mr ^{s22(1)(a)} acknowledged the comment and committed to engagement with the Council subgroup regularly.

The Principal Member thanked Mr [redacted] for his update and looked forward to further reports on progress of the Strategy from Ms Reid.

Action 3: Mr [redacted] to provide a response to the Questions on Notice from Members:

Briefing document on analysis of the market interventions:

- The number of people who have had access to the scheme.
- Has there been any changes in people being able to use their plans?
- Out of those 26 market interventions which market intervention was used? Examples:

Action 4: Ms Reid to report back to Council on forward plans for engagement the Remote / Very Remote Strategy.

5. Research and Evaluation

5.1. Research and Evaluation Strategy 2022-2027

Dr [redacted] briefed Council on the new Research and Evaluation Strategy 2022-2027, noting the new Strategy is based on the Research and Evaluation Branch's learnings from understanding the outcomes and benefits for participants. Additionally, the Branch are working on ways to support participants to understand the research to help them make informed decisions.

Members thanked Dr [redacted] for the overview and acknowledged the great work undertaken by the Branch.

Members provided feedback on the Strategy and raised the importance of using appropriate language when releasing the Strategy publicly. Noting the word 'assessment' may cause undue angst amongst the disability community.

Members mentioned the recent Community Connectors program evaluation report, noting their interest in receiving a copy.

Council queried how the Wellbeing Index questions will consider diverse cultural views. Dr [redacted] advised Monash University are undertaking the consultation around the questions, and she will take the question on notice.

Members highlighted the need to involve people with disability in research, not only in consultation, but as researchers. Additionally, Members queried whether any pathways are available within the Agency for people with disability in academia to build leadership and research skills. Dr [redacted] noted the Agency's graduate program and asked the Secretariat to share the information with Members.

Council was keen to share external research with the Agency, noting the benefit to the benefit to the Research and Evaluation Branch. Dr [redacted] agreed, noting the value of continually viewing external Research and encouraged Members to share with the Branch.

Action 5: Secretariat to share Community Connectors Evaluation Report with Members.

Action 6: Dr [redacted] to provide a response to the following Question on Notice from Members:



- *Regarding the Wellbeing index – how will it consider different world views from both First Nations and CALD perspective? For example, specific items pertaining to different groups.*

Action 7: Secretariat to send the Research and Evaluation Branch contact email address to Members.

Action 8: Secretariat to share information on the NDIA Graduate Program with Members.

6. Meeting close

6.1. Other Business

The Principal Member thanks Council for their time and valuable feedback.

6.2. Next Meeting

The next meeting will be 21 September at 1pm (AEST).

M... 4 AUGUST 2022

Themes from meeting chat

- Language for the term 'respite' – may not be the most appropriate
- AAT data for different jurisdictions
- [Social Policy Research Centre Justice](#)

M... 4 Aug '22



OFFICIAL

AGENDA

INDEPENDENT ADVISORY COUNCIL TO THE NDIS

Meeting 3 of 2022-23

Date: Wednesday 21st September 2022

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 **1.00pm-1.05pm**

ITEM 1.1 Principal Member's welcome

SESSION 2: MINISTER TO THE NDIS **1.05pm-2.00pm**

ITEM 2.1 Discussion of Council and Ministerial priorities

Presenter: Leah Van Poppel, Principal Member

- Equity and Inclusion Advice – Adjunct Associate Professor Jennifer Cullen and Dr George Taleporos
- Behaviour Supports – Ms Sam Paior and Mr Gavin Burner
- Co-design – Dr Leighton Jay and Ms Tricia Malowney OAM

SESSION 3: CONFIRMATIONS AND UPDATES **2.00pm-2.25pm**

ITEM 3.1 Confirmation of minutes, matters arising, and declaration of interest

ITEM 3.2 Board Chair and CEO Update

Break 2.25pm-2.40pm

SESSION 4: NDIS QUALITY AND SAFEGUARDS COMMISSIONER **2.40pm-3.25pm**

ITEM 4.1 Briefing on Registration and Rights

Presenter: Tracy Mackey, NDIS Quality and Safeguards Commissioner

Break 3.25pm-3.40pm

SESSION 5: COUNCIL REPORTS / CO-DESIGN UPDATE **3.40pm-4.50pm**

ITEM 5.1 Members and Expert Advisers: Reports 'from the ground'. Highlights from submitted or circulated written reports.

ITEM 5.2 Update on Co-Design Advisory Group activities

Presenter: Leah Van Poppel, Principal Member



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 3 – 21 September 2022

1.00pm to 5.00pm, hosted on MS Teams

Members

Ms Leah Van Poppel
Ms Kerry Allan-Zinner
Dr Sharon Boyce
Ms Jennifer Cullen
Dr Leighton Jay
Ms Sylvana Mahmic
Ms Tricia Malowney OAM
Mr James Manders
Ms Sam Paor
Ms Liz Reid AM
Dr George Taleporos
Mr Mark Tonga

Expert Adviser

Dr Ben Gauntlett, Disability Discrimination Commissioner

NDIA Representatives

Ms Liz [redacted] Acting Deputy CEO, Government, Engagement and Legal
Ms Sarah Johnson, Acting Deputy CEO, Strategy and Service Improvement
Dr Sam [redacted] General Manager, Policy, Advice and Research
Ms Jessica [redacted] Acting Branch Manager, Agency Policy
Ms Kathy [redacted] Director Strategic Advice, Policy, Advice and Research
Ms Marina [redacted] Assistant Director, Independent Advisory Council Secretariat
Ms Carly [redacted] Assistant Director, Independent Advisory Council Secretariat
Ms Lirije [redacted] Assistant Director Communications, Independent Advisory Council Secretariat
Ms Jaklin [redacted] Senior Project Officer, Independent Advisory Council Secretariat

Attending

The Hon, Mr Bill Shorten MP, Minister for the NDIS
Ms Natasha [redacted] Senior Adviser, Office of the Hon Bill Shorten MP
Mr Thomas [redacted] Senior Adviser, Office of the Hon Bill Shorten MP
Mr Daniel [redacted] Adviser, Office of the Hon Bill Shorten MP
Ms Tracy Mackey, NDIS Quality and Safeguards Commissioner
Mr Gavin Burner, Intellectual Disability Reference Group Member
Ms Belinda [redacted] AM (Council's Independent Consultant)

s47F- personal privacy

Observers

Mr John [redacted] Strategic Adviser, Health and NDIS Interface
Ms Sue [redacted] Strategic Adviser, Health and NDIS Interface
Ms Donna [redacted] Participant Advocate (Session 5 only)
Mr Matt [redacted] Assistant Director, Strategic Advice

Apologies

Mr Jim Minto, Acting NDIA Board Chairman
Dr Lisa Studdert, Acting Chief Executive Officer

1. Principal Member's welcome and open

1.1. Principal Member's welcome

The Principal Member opened the meeting at 1.02pm.

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

The Principal Member noted the Board Chair was unable to attend the meeting and Ms Mahmic will attempt to join if possible.

The Principal Member noted that Ms Liz ^{s22(1)(a)(i) - irrelevant} Acting DCEO would be a proxy for Dr Lisa Studdert, Acting CEO.

The Principal Member advised Members there will be NDIA staff members attending the meeting today as observers only. They include:

- Sue ^{s47F- personal pr} Strategic Adviser, Health
- John ^{s22(1)(a)(i) - irrelevant ma} Strategic Adviser, Health
- ^{s47F- personal privacy}, Participant Advocacy (Reports from the Ground Session)
- Matt ^{s22(1)(a)(i) - irrelevant} Strategic Advice

Council members requested a list of NDIA staff attending Council meetings as part of future meeting papers.

Action 1: Meeting papers to include a list of NDIA staff attending Council meetings.

2. Minister for the NDIS

2.1. Discussion of Council and Ministerial Priorities

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

Members presented on the following items to the Minister:

- Equity in the NDIS – Council advice
- Behaviour Supports – Council's upcoming advice
- Co-design – Council's involvement

The Principal Member then facilitated an in camera session with the Minister. The Principal Member asked all Agency staff to leave the meeting and discussion with Minister Shorten commenced.

3. Confirmations and updates

At this point of the agenda Agency staff were invited back into the meeting.

3.1. Minutes, matters arising, terms of reference and declarations of interest

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

s47F- personal privacy

Council approved the minutes from the meeting held on 24 August 2022 and noted the matters arising.

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

- Out of Session meeting reports:
 - Leaving the NDIS – operational guideline
 - Short Term Accommodation

3.2. CEO update

The Principal Member welcomed Ms Liz ^{s22(1)(a)(ii) - irrelevant} NDIA Acting Deputy Chief Executive Officer (CEO) Government, Engagement and Legal, who represented the Acting CEO at the meeting.

Ms ^{s22(1)(a)(ii) - irrelevant} provided an update to Council on the NDIA's work on:

- improving hospital discharge,
- reducing Administrative Appeals Tribunal (AAT) cases, and
- using a dedicated taskforce to help address NDIS fraud.

Council Members noted:

- increased reports that people with disability, especially those with complex support needs, cannot access essential supports while they are in hospital.
- the need to reduce the number of young people in residential aged care.

Action 2: NDIA to share Hospital Discharge KPIs with members.

Action 3: Secretariat to organise meeting for interested Council members to meet with Liz ^{s22(1)(a)(ii) - irrelevant} John ^{s22(1)(a)(ii) - irrelevant m} & Sue ^{s22(1)(a)(ii) - irrelevant material} regarding Hospital Discharge.

4. NDIS Quality and Safeguards Commissioner

4.1. Briefing on Registration and Rights

The Principal Member welcomed NDIS Quality and Safeguards Commissioner Tracy Mackey back the Council. Commissioner Mackey provided an update on the NDIS Quality and

Safeguards Commission's work on provider registration, including potential improvements to registration rules to address emerging market trends.

Council Members raised the following points:

- Improvements should consider the regulatory burden and costs associated with registration for people with disability or small providers.
- Registration and audit processes should consider the unique support needs for early childhood, so that children and young people in the NDIS have choice and control to access quality service.
- People with disability want to learn more about potential compulsory registration to additional higher risk categories of support, which would make participants need to use a registered provider, regardless of plan management status.
- There are challenges in limited markets, where smaller providers are disadvantaged compared with corporate providers who have the resources to outsource auditing.
- The Commission should consider diversity and ensure that people with disability are a part of registration audit process.
- The Commission should consider choice and control and a person with disability's capacity to engage registered or unregistered providers, as well as the ways different providers impact the market.
- Care is needed to understand the business model that exists in a registration heavy system dominated by private equity. There is a need to understand provider funding arrangements.

5. Council Reports / Co-design Update

5.1. Members and Expert Advisers: Reports 'from the ground'

The Principal Member welcomed [s47F - personal privacy](#), NDIA Participant Advocate, who will observe these sessions in Council meetings from now on.

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

- Marked improvements in the NDIA hospital discharge process.
- Positive reports that some participants are receiving early settlements and/or resolution at AAT.
- Positive collaboration by Northern Territory government services and the NDIS to create a policy and framework for specialist education.
- Mixed sentiment in the community about the ceasing of the Partners in the Community (PITC) Request for Tender, and the potential impacts to the disability community. Members would like the NDIA to consider including remote and very remote communities, should they open the Tender again in the future.
- Plan managers are denying claims and cite reasonable and necessary criteria in their decision making. Members are concerned this is not a part of a plan manager's role and will limit participant's choice and control.

- Support coordination being decreased in plans, which impacts on overall participant outcomes.
- Some providers or businesses are moving away from offering support coordination services.
- Difficulty in accessing Justice Liaison Officers (JLO), due to misunderstanding between states and territories about the role of a JLO and how to contact them.
- A need to support both younger people with disability and older people with disability find meaningful employment.
- Provider concerns regarding a higher uptake of Short-Term Accommodation (STA) and not enough supports for specialist disability accommodation (SDA) or supported independent living (SIL).
- The NDIA's policy for STA should be clarified. Recent information that states STA is not for holidays has caused angst for participants.
- SDA policy and supply needs to improve to ensure safety and choice and control for participants, as well as market integrity.
- Participants concerned that they will be limited in their use of unregistered providers and the impact this may have on participant choice and control.
- Some people with disability find it hard to access the NDIS, including those from lower socio-economic backgrounds and women.
- General workforce issues, including lack of employment progression and low pay, leading to limited markets of care. Especially with complex supports.
- Inconsistent decision making during the NDIS plan review process resulting in too many people using the Administrative Appeals Tribunal.
- Investment in Tier 2 or the Information, Linkages and Capacity Building (ILC) program is vital for organisations to deliver projects in the community that benefit and support people with disability.
- The NDIA's work should emphasise the voice of children in the NDIS and improve the early childhood pathway.
- Some businesses use sharp practice, charging a higher fee for NDIS participants.
- Public information about the NDIS should be easy to understand, accessible, translated when appropriate, and fully accessible.
- Growing impatience in the disability community about the announcement about the Terms of Reference for the planned NDIS review.
- Concern about the future of Western Australian Individualised Services (WAiS) which has indicated they will close by the end of June 2023 due to funding issues.
- Disability advocates unable meet the demand to support participants using the AAT, particularly in the Northern Territory.

The Principal Member reminded members that some of the responses to issues raised in written reports can be found in the meeting action log.

5.2. Update on Co-Design Advisory Group activities