

2019

**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**Government Response to the Standing Committee Inquiry into the
implementation, performance and governance of the National
Disability Insurance Scheme**

**Presented by
Rachel Stephen-Smith MLA
Minister for Disability**

19 March 2019



ACT
Government

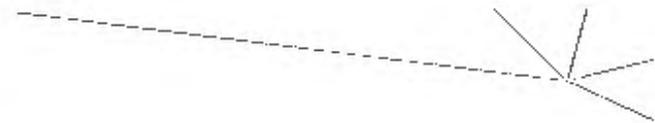
ACT GOVERNMENT RESPONSE

to the Standing Committee on Health,
Ageing and Social Services *inquiry into the
implementation, performance and
governance of the National Disability
Insurance Scheme in the ACT, Report*

March 2019

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Foreword and Acknowledgment

The ACT Government welcomes the Report of the Standing Committee on Health, Ageing and Social Services (Standing Committee) inquiry into the implementation, performance and governance of the National Disability Insurance Scheme (NDIS) in the ACT (inquiry). The ACT Government would like to acknowledge the significant contribution of all of those who prepared written submissions to the inquiry and in particular, people with disability and their families who presented evidence to the public hearings. The ACT Government would also like to acknowledge the National Disability Insurance Agency (NDIA) and the Department of Social Services for working collaboratively and in partnership, to ensure the NDIS is meeting the needs of people in the ACT. Our collective aim continues to be that the NDIS deliver on its promise of an “ordinary life” for people with disability.

The NDIS is arguably the most significant social reform that the Territory has seen since self-government, and its implementation has involved all levels of government, the community sector and people with disability. Whilst the implementation has not always been easy, it has proven life changing for people with disability, as funding has moved away from a rationed system of supports to a system based on need, goals and aspirations and choice and control in how those goals are supported.

ACT Government Response

The ACT Government acknowledges the findings of the Standing Committee. The implementation and ongoing governance of the NDIS is a unique approach which is different to any other Commonwealth scheme. At a national level, the NDIS is the most significant reform since Medicare in 1984. The ACT Government along with other jurisdictions, remains a significant stakeholder and joint funder of the NDIS. The ACT also has a significant role in the governance of the NDIS at both a national policy level, through the Council of Australian Governments Disability Reform Council (COAG DRC) and at a local level, working in partnership with the ACT NDIA.

The ongoing management and administration of the NDIS remains the responsibility of the NDIA and its Board, reporting through to the Federal Minister for Families and Social Services. As a result, the ACT Government has noted a significant number of recommendations. Some recommendations that call for ACT Government action are not agreed because the ACT Government does not have the authority to act. Whilst decision making for policy and operational issues is shared, it is the role of the Commonwealth Department of Social Services and the NDIA, through its Board, to implement changes relating to policy or operational improvements. The ACT Government will continue to collaborate with the Commonwealth and play an active role in governance forums, including the COAG DRC, in advocating and dedicating resources to address issues relevant to ACT NDIS participants that require attention and improvement. This is essential to ensure that the NDIS’ promises become a reality for ACT participants.



The following recommendations are agreed:

RECOMMENDATION 1

1.25 The Committee recommends that Minister for Disability progress the content of the Committee's report in consultation with the Parliament of Australia, Joint Standing Committee on the National Disability Insurance Scheme, the Commonwealth Minister for Families and Social Services, the Commonwealth Assistant Minister for Social Services, Housing and Disability Services, as well as the Council of Australian Governments Disability Reform Council (COAG DRC).

ACT Government Response – Agreed

RECOMMENDATION 4

3.85 The Committee recommends that the Minister for Disability, at the next Council of Australian Governments Disability Reform Council, raise the Issue of the National Disability Insurance Agency and National Disability Insurance Agency partners not respecting or recognising the ACT Human Rights Commission's role in advocating for National Disability Insurance Scheme participants.

ACT Government Response – Agreed

The ACT Human Rights Commission has an important role in advocating for members of the community, NDIS participants and students and families when their rights as service users are not being upheld. This issue will be raised at the next DRC in 2019.

RECOMMENDATION 20

4.72 The Committee recommends that the early intervention partner, EACH, as well as the National Disability Insurance Agency prioritise early intervention to ensure it occurs in a clinically appropriate timeframe.

4.73 The Committee further recommends that timely early intervention for children with autism, as well as children born with hearing loss be prioritised.

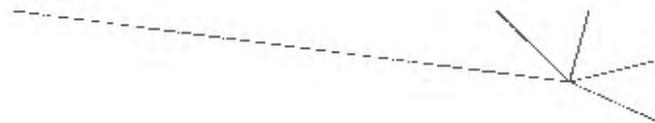
ACT Government Response – Agreed

The ACT Government agrees the issue of delay between diagnosis and NDIS plan implementation is a concern, noting that responsibility for data collection on waiting periods for plan implementation is the responsibility of the NDIA. In the ACT context, responsibility for providing interim support is contracted by the NDIA to EACH, the NDIS Partner in the Community delivering Early Childhood Early Intervention. The ACT Government will continue to discuss this matter with the NDIA and EACH, and will continue to monitor wait times for early intervention where possible through existing ACT Government mechanisms. The ACT Child Development Service will continue to provide assessment, referral, information and linkages for children 0-6 years where there are concerns relating to their development.

The timely provision of early support is critical for students who should receive support, so they can fully engage and participate. Early support also reinforces the positive outcomes we are aiming to achieve through the development of the ACT Government's Early Childhood Strategy. The Early Childhood Strategy aims for every child to participate in quality early childhood education and care prior to them starting school and to deliver a whole of government policy approach for children aged zero to eight. Clinical assessment and triage will support determination of priorities and urgency for referral pathways.

The ACT Government welcomed the NDIS's announcement on 21 June 2018 of five initiatives designed to improve the NDIS experience for people with hearing impairment. They include:

- Eligibility for access to the NDIS for individuals with hearing impairment has been clarified. This recognises the benefits of early intervention for participants under 25.
- A revised pathway to speed up access for children aged 0 to 6 with a hearing loss. This will allow children to move quickly from diagnosis to early intervention and avoid developmental delay. The revised pathway has been developed in consultation with providers and other key stakeholders.
- The NDIA has been working with providers to clear a list of children with hearing impairment currently awaiting access and planning decisions. Newborn children and people with a severe or profound hearing loss or auditory neuropathy have been escalated for urgent response.
- Australian Hearing's current in kind support to the NDIS will be extended until 30 June 2020. Australian Hearing plays a key role as an entry point for children with hearing impairment. It is also a critical provider of specialist information to parents to help them make informed choices about their children's needs, particularly in relation to the use of a single or multiple expert.
- Prices for the provision of hearing services will be revised.



RECOMMENDATION 26

5.21 The Committee recommends that the ACT Government continues to support the Office for Disability and its relations with the National Disability Insurance Agency, as well as the wider Canberra community.

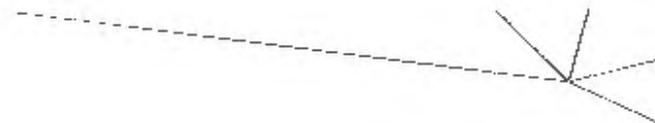
5.22 The Committee further recommends that the Office for Disability be adequately resourced to maintain these relationships and strengthen National Disability Insurance Agency accountability.

ACT Government Response – Agreed

The ACT Government was pleased to establish the Office for Disability in 2016 to provide ongoing support to people with disability delivering on an ACT Labor Election Commitment. The Office for Disability within the ACT Community Services Directorate actively promotes social inclusion and participation across diverse community groups in the ACT. The Office for Disability works closely with business, service providers, advocacy groups, individuals, state and territory Governments, Commonwealth Agencies, including both the NDIA and the Department of Social Services, to ensure an inclusive community for all Canberrans. The Office for Disability continues to promote inclusion of people with disability through key projects, programs, communications and events, including the International Day of People with Disability (I-Day) grants, the Disability Inclusion Grants, the Companion Card Program, the Connect and Participate (CAP) Expo and the ACT Chief Minister's Inclusion Awards.

A key role of the Office for Disability since its establishment has been to maintain close ACT Government involvement in policy development for the NDIS and to ensure that the NDIA remains accountable for the quality of service Canberrans receive. The Office for Disability has played a leading role nationally in work on the intersection between the NDIS and mainstream services, particularly for people with psychosocial disability, and has also played an advocacy role for individuals whose cases were not being resolved in a timely manner.

As announced in the 2018-19 ACT Budget, the ACT Government contributed \$137 million towards the NDIS. Additionally, \$1.8 million over two years was provided in the 2018-19 ACT Budget for the Integrated Service Response Program. The program funds two additional staff in the Office for Disability to work with the NDIA and service providers to resolve crises and highly complex situations for people with intensive support needs. The Integrated Service Response Program also provides short term coordination of mainstream services and is able to provide emergency funding for people with a disability to purchase supports and services from non-government providers.



RECOMMENDATION 27

5.23 The Committee recommends that the ACT Government support the inclusion of senior representatives of the disability sector, as well as people with disabilities in current and future working groups related to disability.

ACT Government Response – Agreed

The ACT Government strongly supports the inclusion of people with disability, their families and the sector in all working groups related to disability. The Disability Reference Group, which is the ACT Ministerial Advisory Committee, is explicit in its terms of reference that the ACT Government will work proactively with the NDIA to ensure that people with disability and the sector are proactively consulted and involved in ACT NDIS implementation and local governance process.

RECOMMENDATION 30

5.87 The Committee recommends that the ACT Government advocates for a review into the transport funding system adopted by the National Disability Insurance Scheme in the Council of Australian Governments Disability Reform Council.

ACT Government Response – Agreed

The NDIA is in the early stages of developing a new transport policy. Jurisdictions will monitor, review and provide input on the policy at a national level through the DRC Senior Officials' Working Group on transport. The ACT Government has a representative on this working group and continues to work with all governments on the development of the policy.

On 10 December 2018, the DRC agreed to extend the in-kind arrangements for supported school transport for a further five years to allow time for the development of a feasible model under the NDIS and provide certainty for families and clarity for providers.



The following recommendations are agreed in principle:

The ACT Government welcomes the Standing Committee's recommendations 2, 21, 22 and 23 and has already begun to act in response to the recommendations as outlined below. The ACT Government has commenced circulation of the Standing Committee's report to Commonwealth agencies and will provide the Report to the Federal Minister for Families and Social Services, the Hon Paul Fletcher MP for consideration at the next DRC meeting (Recommendation 1). The ACT Government takes seriously the recommendations made by the Standing Committee in terms of Local Area Coordination (Recommendations 21, 22 and 23) and will continue to raise and lobby the Commonwealth to investigate the Standing Committee's recommendations.

RECOMMENDATION 2

1.26 The Committee further recommends that the Minister for Disability report back to the Committee regarding the progress and consideration of the Committee's report by the Parliament of Australia, Joint Standing Committee on the National Disability Insurance Scheme, the Commonwealth Minister for Families and Social Services, the Commonwealth Assistant Minister for Social Services, Housing and Disability Services, and the Council of Australian Governments Disability Reform Council.

ACT Government response – Agreed in principle

The ACT Government will provide the Standing Committee's Report to the Chair of the DRC and Federal Minister for Families and Social Services, the Hon. Paul Fletcher MP for consideration, the Secretary of the Department of Social Services, Ms Kathryn Campbell and the Chair of the NDIA Board, Ms Helen Nugent. The Federal Minister, his Department and the NDIA may decide to respond directly to the Chair of the Standing Committee. The Government will also provide a copy of the report to the Federal Parliament's Joint Standing Committee on the NDIS for information, noting that the Joint Standing Committee is unlikely to be in a position to act on the recommendations, but that they may inform its future work.

The ACT Minister for Disability regularly reports to the Assembly and its Committees on the implementation of the NDIS in the ACT, and will include in such reports any advice received on actions related to the Committee's recommendations as may be available from the Commonwealth and NDIA.



RECOMMENDATION 21

4.108 The Committee recommends that the Minister for Disability, through the Council of Australian Governments Disability Reform Council, review the role of Local Area Coordination with specific consideration to enhancing their role in coordination across disability services.

ACT Government Response – Agreed in principle

The ACT Government notes the recommendation regarding Local Area Coordination (LAC) and shares the Standing Committee’s concerns regarding the capacity building and coordination role which appears to have been lost in favour of LACs’ planning and plan implementation role and function. The ACT Government noted in its submission to the inquiry that significant concerns have been expressed by the sector and that the LAC provider in the ACT has not been sufficiently engaged in its important Information Linkages and Capacity Building function. The ACT Government has also expressed its concerns directly to the NDIA and Commonwealth Ministers, and will continue to advocate for improved LAC services for the ACT. At a national level, the Minister will advocate for further work by the NDIA and the Commonwealth Government to review the critical role of LAC.

RECOMMENDATION 22

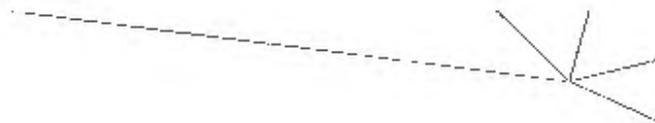
4.109 The Committee recommends that during the review of the role of Local Area Coordination, the original Local Area Coordination model proposed by the Productivity Commission be considered.

ACT Government Response – Agreed in principle

The ACT Government will ask the NDIA to consider this recommendation and will continue to advocate for the LAC to play a stronger role in supporting people with a disability who are not eligible for the NDIS to connect with mainstream services and community supports.

RECOMMENDATION 23

4.124 The Committee recommends that a review of the relationship between the National Disability Insurance Agency and Local Area Coordination be conducted to evaluate the need for structural separation to improve accountability in the system.



ACT Government Response – Agreed in principle

The ACT Government will ask that the Commonwealth and NDIA consider this recommendation. We will also request that governance models and complaint reporting mechanisms also be considered in any review of LAC arrangements. The ACT Government welcomed the NDIA's Participant and Provider Pathway review, which has been undertaken over the past two years to address many of the accepted shortcomings of the planning process in the ACT. It may be of interest to note some of the key features of the participant pathway being tested in pilot areas including:

- stronger connections between NDIA planners and Local Area Coordinators (LAC);
- a stronger focus on face-to-face planning;
- skilled planners and improved training — LACs and planners will undertake improved disability awareness and cultural competency training to increase their ability to engage with and support the unique situations and diverse needs of participants;
- providing participants with a main point of contact (in most cases this will be a LAC); and
- the participant and LAC working together to identify the participant's needs and goals; and
- a joint planning meeting between the participant, their LAC and an NDIA planner ('side by side' planning), where the participant is fully engaged in the development of their plan and can ask questions and make amendments before it is finalised.

For the latest information regarding the NDIS's *Participant and Provider Pathway* work, see www.ndis.gov.au/pathways-experience.

The following recommendations are noted:

The ACT Government appreciates the comprehensive range of the recommendations 3, 5, 6, 7, 8, 10, 11, 13, 15, 16, 17, 19, 24, 25, 28 and 29. The ACT Government is noting these recommendations because:

- implementing the recommendation will require future Budget consideration;
- the remit of work is a responsibility of the Commonwealth; or
- the work has been, or will shortly be, addressed by the Commonwealth.

The ACT Government will continue to advocate for Commonwealth implementation of relevant recommendations where appropriate.

RECOMMENDATION 3

3.60 The Committee recommends that the ACT Government increase funding for independent advocacy, in particular, individual advocacy, in future ACT Budgets.

ACT Government Response – Noted

The ACT Government acknowledges the important role of independent advocacy for people with disability and notes the increasing need for independent advocacy because of the NDIS. The ACT Government provided \$400,000 over two years in additional advocacy funding in the 2018-19 Budget, in acknowledgement that the implementation of the NDIS is taking time and has not always been a good experience for people with disability in the ACT.

The ACT Government also notes the significant changes by the NDIA to improve the participant experience and will be actively monitoring and engaging with the NDIA to ensure that these changes benefit people with disability. The Government will continue to monitor the future need for advocacy funding considering these changes.

The Commonwealth Government also has a responsibility for advocacy funding under the National Disability Advocacy Program. The ACT Government will continue to advocate with the Commonwealth Government that this funding meets the needs of people with disability in the ACT.

ACT Health also provides funding for individual advocacy and advocacy for mental health consumers. Additional funding for service providers will be considered as part of ongoing procurement work of ACT Health subject to the health needs of the ACT Community and will be subject to the outcomes of future Budget processes.

RECOMMENDATION 5

3.103 The Committee recommends that the ACT Government engages with the National Disability Insurance Agency to establish a Provider of Last Resort, which also includes considerations for complex cases.

ACT Government Response – Noted

The ACT Government is currently working with the NDIA in considering the arrangements for provider of last resort, which has been termed *Maintaining Critical Supports*, and the management of complex cases. A framework will be designed and implemented to address these important issues in the future through the DRC. The Office for Disability will bring this work to the NDIS IDC to ensure that members, including ACT Health are consulted. In addition, the ACT Government provided funding in the 2018-19 Budget through the Integrated Service Response measure for two staff and an emergency funding pool to support people with disability with complex needs who may be at risk of crisis or in crisis.

RECOMMENDATION 6

3.116 The Committee recommends that the ACT Government provide Information, Linkages and Capacity Building funding to disability organisations that have high level community support, as well as organisations that provided support to people with disability that are not National Disability Insurance Scheme participants.

ACT Government Response – Noted

The ACT Government is not responsible for the Information, Linkages and Capacity Building (ILC) program. Funding for the types of activities funded under ILC was transitioned to the NDIA as part of the ACT contribution to the NDIS.

The ACT Government notes that significant work has been undertaken by the NDIA to work with jurisdictions on a joint stewardship approach to ILC. The Federal Minister for Families and Social Services recently announced a new approach to ILC, to be delivered through four complementary programs:

- Individual Capacity Building Program – delivered through a national network of Disabled Peoples Organisations and Families Organisations (DPOs/FOs);
- National Information Program – providing accessible, quality and consistent information about disability types and service and support options;

- 
- Mainstream Capacity Building Program – working to change the way that mainstream services are better connected to NDIS participants, so that people with disability can use these services alongside everyone else; and
 - Economic and Community Participation Program – working to increase the social and economic participation, including employment outcomes, of people with disability.

Programs under the new ILC approach will be commissioned from March 2019, starting with the National Information Program. The remaining three programs (individual capacity building, mainstream capacity building and economic and community participation) will be commissioned progressively from May 2019. The ACT Government will continue to work with the NDIA to ensure the ACT providers and people with disability are able to benefit from these welcome changes.

The ACT Government has, with assistance from the Commonwealth Government, provided support to impacted ILC providers as the program has transitioned in the ACT. As part of its announcement, the Commonwealth has committed additional transition funding, noting that some current ILC funding agreements will be due to expire before the new arrangements are rolled out. The ACT Government welcomes this announcement.

The ACT Government has responded to challenges and anomalies that arose from the transition of ILC to the NDIA. During this period the ACT Government has provided non-recurrent funding for a number of ILC activities, including for mainstream capacity building, economic and community participation, provision of accessible and consistent information, individual capacity building and supported decision making.

The ACT Government also continues to fund a range of activities that support people of all abilities to engage in the Community, in addition to funding peer support, self help, advocacy and peak bodies.

Skills Canberra also notes that some organisations may wish to enquire about their eligibility to apply for the ACT Adult Community Education (ACE) Grants. ACE Grants are available for not-for-profit, community-based organisations that deliver services that build the skills and confidence of Canberrans experiencing barriers (including people with disability and their families) to participation in education, training, and employment.

RECOMMENDATION 7

3.186 The Committee recommends that the ACT Government, in partnership with the Council of Australian Governments Disability Reform Council, develop a funding strategy for service provider workforce development.

ACT Government Response – Noted

The COAG Industry Skills Council is working with the COAG DRC to develop a national NDIS workforce strategy, including potential funding implications and opportunities. The ACT Government is an active participant in this work.

RECOMMENDATION 8

3.219 The Committee recommends that the Minister for Aboriginal and Torres Strait Islander Affairs take necessary steps to ensure Aboriginal and Torres Strait Islander people with disability are well informed and able to access the National Disability Insurance Scheme.

ACT Government Response – Noted

Whilst the NDIA is responsible for ensuring that Aboriginal and Torres Strait Islander people with disability are well informed and able to access the NDIS, the ACT Government acknowledge that people with disability from the Aboriginal and Torres Strait Islander community are often less connected with disability services. The ACT Government has made a commitment through the Aboriginal and Torres Strait Islander Agreement to holistically improving the health and wellbeing outcomes of Aboriginal and Torres Strait Islander peoples, with the goal of Aboriginal and Torres Strait Islander people achieving equitable outcomes with the broader community.

The ACT Government will continue to work with the NDIA to support it to reach Aboriginal and Torres Strait Islander people with disability and welcomes the enhancements that the NDIA has made to the participant pathway for this community.

During the ACT NDIS trial, the ACT Government provided funding through the Commonwealth Sector Development Fund for a NDIS Outreach Program, which was delivered by Gugan Gulwan Youth Aboriginal Corporation. The program was established, after consultation with the ACT Aboriginal and Torres Strait Islander Elected Body, to provide targeted and culturally sensitive assistance to ensure community



members had the best chance of accessing the supports and services available under the NDIS. The Gulan Gulwan Youth Aboriginal Corporation's final report reflected:

- 69 community gatherings were held to promote the NDIS;
 - 221 people were assisted to complete an NDIS Access Request Form; and
 - 124 people were supported to engage in NDIS transition.
-

RECOMMENDATION 10

3.244 The Committee recommends that the Minister for Disability raise, with the Council of Australian Governments Disability Reform Council, the option to give families the autonomy to make decisions as a whole family rather than as an individual.

ACT Government Response – Noted

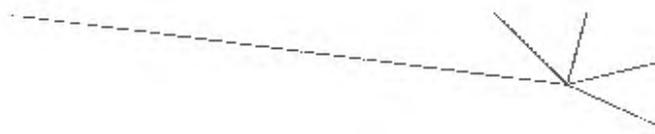
The ACT Government will raise this recommendation with the NDIA as part of the Participant and Provider Pathway review. There may be limitations to this recommendation around guardianship orders. Consideration also needs to be given to the *National Disability Insurance Scheme Act 2013*.

RECOMMENDATION 11

3.255 The Committee recommends that the ACT Government consider increased funding for carers as part of the implementation of the Carers Strategy.

ACT Government Response – Noted

Following a 2016 election commitment to deliver an ACT Carers Strategy (the Strategy), the ACT Government has provided funding for the Strategy through a total commitment of \$250,000 (comprising \$200,000 funding and \$50,000 in-kind support). The 2017-18 Budget allocated funding to support the development and implementation of the Strategy across three years from 2017-18 to 2019-2020, including the implementation of actions in the first three-year Action Plan. Implementation of actions will be guided by a governance group comprising carers, representatives from community sector agencies, including Carers ACT, and the Community Services Directorate.



RECOMMENDATION 13

3.309 The Committee recommends that the ACT Government lobby the National Disability Insurance Agency for increased administrative funding to ensure participant and carer involvement in the planning process.

ACT Government Response – Noted

The ACT Government acknowledges the importance of participants and carers being involved in the planning process. The ACT Government notes the significant work undertaken by the NDIA in the review of the participant pathway and acknowledges the additional resources the NDIA have invested in order to make the planning process a better experience for participants. The ACT Government will be actively monitoring and engaging with the NDIA to ensure that these changes benefit people with disability.

RECOMMENDATION 15

4.29 The Committee recommends that the ACT Government raise the issue of support for children between diagnosis and the development and implementation of a plan with the Council of Australian Governments Disability Reform Council, and where prompt funding is not provided, the ACT Government step in.

ACT Government Response – Noted

The ACT Government continues to work closely with the NDIA in relation to Early Childhood, Early Intervention, through the Participant and Provider Pathway review, Early Childhood, Early Intervention pathway work and through the national policy working groups, including the Senior Officials' Working Group and the DRC. The latest information regarding the NDIS's *Participant and Provider Pathway* work can be found at: www.ndis.gov.au/pathways-experience.

The timely provision of early support is critical in terms of ensuring students are receiving the support that they need as early as possible, so they are able to fully engage and participate. Early support also reinforces the positive outcomes the Education Directorate is aiming to achieve through the development of the Early Childhood Strategy. The Early Childhood Strategy aims for every child to participate in quality early childhood education and care prior to them starting school and to deliver a whole of government policy approach for children aged zero to eight.

RECOMMENDATION 16

4.30 The Committee recommends that, given the delays in the planning process, if an assessment from a second health professional is required to obtain a diagnosis and eligibility for the early childhood, early intervention pathway, the National Disability Insurance Agency expedite the assessment by a second health professional.

ACT Government Response – Noted

The ACT Minister for Disability will raise this recommendation with the NDIA directly, noting that this is the responsibility of the NDIA, and also noting that the ACT Government has been advised that a diagnosis is not required to access supports provided by the EACH, the NDIS Partner in the community delivering Early Childhood Early Intervention. The ACT Government would welcome any intervention that expedites the planning process, particularly where early intervention will improve long-term outcomes for children.

RECOMMENDATION 17

4.57 The Committee recommends that the Commonwealth retain Australian Hearing as the exclusive provider of paediatric cochlear hearing services.

ACT Government Response – Noted

The ACT Government notes that this is a recommendation for the Commonwealth. However, the ACT Government welcomed the Commonwealth announcement in 2018 that Australian Hearing Services are being retained as an in-kind service by the Commonwealth Government, and that the NDIA has recently begun implementing a stream within the participant pathway that deals specifically with people with a hearing disability.

As noted in response to Recommendation 20 above, five initiatives are being implemented to improve the NDIS experience for people with hearing impairment:

- Eligibility for access to the NDIS for individuals with hearing impairment has been clarified. This recognises the benefits of early intervention for participants under 25;
- A revised pathway to speed up access for children aged 0 to 6 with a hearing loss. This will allow children to move quickly from diagnosis to early intervention and avoid developmental delay. The revised pathway has been developed in consultation with providers and other key stakeholders;

- The NDIA has been working with providers to clear a list of children with hearing impairment currently awaiting access and planning decisions. Newborn children and people with a severe or profound hearing loss or auditory neuropathy have been escalated for urgent response;
- Australian Hearing's current in kind support to the NDIS will be extended until 30 June 2020. Australian Hearing plays a key role as an entry point for children with hearing impairment. It is also a critical provider of specialist information to parents to help them make informed choices about their children's needs, particularly in relation to the use of a single or multiple expert; and
- Prices for the provision of hearing services will be revised.

The latest information regarding the NDIS's *Participant and Provider Pathway* work, can be found at: www.ndis.gov.au/pathways-experience.

RECOMMENDATION 19

4.71 The Committee recommends that the National Disability Insurance Agency publish further information in their quarterly report on National Disability Insurance Scheme participants with autism, including a breakdown of children before school age, at a school age and beyond. This will ensure that information is available regarding children with autism participating in the Scheme.

ACT Government Response – Noted

The COAG DRC Quarterly Report includes a participant profile per quarter by disability group and autism is included in this breakdown. A participant profile by age group is also included in the Quarterly Report. The NDIA is collaborating with the Autism Advisory Group with the intention of improving life outcomes for people with autism spectrum disorder. The Autism Advisory Group has identified four guiding priorities for this cohort:

- Eligibility and outcomes;
- Participant experience and plans;
- Training and expertise; and
- Mainstream and community inclusion.

RECOMMENDATION 24

4.171 The Committee recommends that the ACT Government provide funding to run or support a housing advisory service for people with disability and their families, as previously done by Disability ACT.

ACT Government Response – Noted

The ACT is broadly supportive of a housing advisory service for people with disability and their families. As reflected in Finding 33, public housing is only one component of the broader housing market. Should an advisory service be established, Housing ACT would work with this service to provide advice and support relating to public housing tenants. This will be considered in the context of future ACT Budgets.

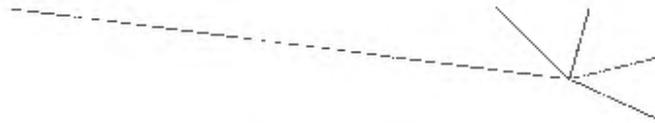
RECOMMENDATION 25

4.224 The Committee recommends that the Minister for Disability provide an annual update to the Legislative Assembly on participant pathways, specifically for participants with psychosocial disability.

ACT Government Response – Noted

The responsibility of the implementation of the NDIS participant pathways rests with the NDIA and it would be inappropriate for the Minister for Disability to unilaterally report on a Commonwealth agency function. However, the ACT Government has engaged closely with the NDIA regarding the Psychosocial Disability Service Stream of the Pathway Review and the Complex Support Needs Pathway in relation to their implementation, including advocating for the ACT to participate in trialling new approaches. In addition, the ACT is taking the lead on the national Psychosocial Mainstream Interface work which reports to the DRC and the Mental Health Principle Committee.

The primary role of the ACT Government will be to continue this work through the Office for Disability and to actively monitor the implementation of the participant pathway changes in the ACT. The Office for Disability will report through usual ACT Government process such as the Community Services Directorate Annual Report and Estimates and Annual Report hearings. The ACT Minister for Disability will also receive updates on the implementation through the DRC. The Minister will have the opportunity to contribute to the discussion and represent the experience of ACT participants and the findings of the Standing Committee on this matter. Given the significance of the participant pathway work, including for people with psychological disability, the Minister will include information on development in future reporting to the Assembly.



RECOMMENDATION 28

5.51 The Committee recommends that the ACT Government fund and appoint relevantly qualified navigators to assist people with disability in and out of the hospital system.

ACT Government Response – Noted

This recommendation will be considered in line with broader work currently being undertaken in relation to care navigation in the ACT Health System. For example, Canberra Health Services already has several relevantly qualified staff who assist people with disabilities to navigate the hospital system from admission through to discharge. This includes Rehabilitation Care Coordinators who assist patients in the Division of Rehabilitation, Aged and Community Care (RACC), Discharge Liaison Nurses, who coordinate referral of discharge services for patients (which could include people requiring NDIS support) as well as social workers who coordinate community services as part of their discharge planning. This includes liaising with NDIA funded service providers.

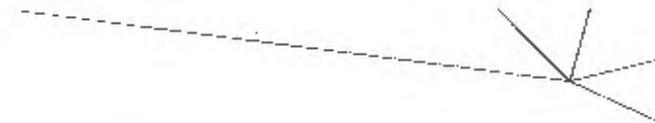
For patients with disability, Canberra Health Services also works closely with ACT Housing, community agencies and NDIA representatives to facilitate discharge to appropriate accommodation. ACT Health Directorate will continue to work with other jurisdictions and the NDIA to address health interface issues with the NDIS, including discharge delays from hospital.

RECOMMENDATION 29

5.71 The Committee recommends that the ACT Government conduct an evaluation of the need for early intervention, in particular playgroups for children with autism. If gaps are identified as a result of the evaluation, the Early Intervention Program should be funded by the ACT Government to mitigate this service gap.

ACT Government Response – Noted

The ACT Government notes that supported playgroups may be an option for the expenditure of funds under a NDIS plan. In practice, the availability of supported playgroups is determined by the market. Any evaluation would therefore be the responsibility of the NDIA, which is able to assess and address service gaps in the market. The role of short to medium term interventions in the ACT is the responsibility of the NDIS Partner in the Community, EACH, which delivers early childhood early intervention. EACH includes a playgroup delivery mode as part of its early intervention service offer. In relation to the example of



playgroups for children with autism, clients with a NDIS package of supports who identify playgroup as a possible intervention, are able access support through EACIJ.

The Child and Family Centres and the Child Development Service offer a range of supported playgroups for children with developmental delay, disability or chronic illness and their parents/carers. Groups such as Developing Kids and Playing Together are early intervention playgroups that provide an early touchpoint into the system for children and families. This enables access to allied health assessment which may lead to referral for individualised support. The groups also provide families with an opportunity to interact and play in a safe, supportive and fun environment.

The following recommendations are not agreed:

The ACT Government is not able to agree to the Standing Committee's recommendations 9, 12, 14 and 18, due to the fact that the responsibility of work and/or activity rests with the Commonwealth and it would not be appropriate for the ACT Government to report or duplicate funding for these activities.

RECOMMENDATION 9

3.234 The Committee recommends that the ACT Government evaluate whether the increased pricing schedule for respite care sufficiently covers the cost of respite care for participants with high and complex needs, and report back to the Committee and the National Disability Insurance Agency the results of the evaluation.

ACT Government Response – Not Agreed

The ACT Government had an active role in the changes to the pricing schedule for respite/short term accommodation after significant concerns were raised by several respite providers. The Office for Disability continues to proactively work with the sector to monitor the impact of NDIA pricing. The ACT Government has on several occasions, including in its submission to the Australian Parliament's Joint Standing Committee on the NDIS, raised the issue of pricing. The Government is concerned that inadequate pricing remains the single biggest issue impacting the sector and the disability market. These concerns have been expressed at the highest governance levels including with the Federal Minister for Families and Social Services. The ACT Government will continue to advocate for pricing levels that ensure participants' needs can be met (particularly for people with complex needs), appropriately qualified staff can be attracted and retained, and that workers receive decent pay and conditions, full entitlements and ongoing training and support.

However, market stewardship and NDIS pricing is a responsibility of the NDIA and the Commonwealth Government, and the ACT Government is not in a position to conduct the type of evaluation the Committee recommends, nor would it be appropriate to do so.

Rather, the ACT Government will continue actively working with the Commonwealth and the NDIA regarding these market and pricing issues, including looking at how fixed pricing can be more transparent and how fixed pricing is affecting the disability sector including market growth and workforce issues. We will also continue to work with providers to monitor the impact of pricing on the sector, including the pricing schedule for respite. This work will be undertaken by the Marketing Oversight Working Group which is led by the NDIA and includes membership of the DRC Senior Officials' Working Group. This work

will be monitored by the ACT NDIS IDC to ensure that ACT Directorate Members including the ACT Health Directorate, who acknowledge the health benefits of respite care and are consulted.

RECOMMENDATION 12

3.256 The Committee recommends that the Minister for Community Services and Facilities provide the Committee with an update on how and if the Carers Strategy is addressing the issue of carers taking on the role of support coordinator, due to reduced funding for this service in participant plans.

ACT Government Response – Not agreed

Whilst the ACT Government shares the Standing Committee's concerns regarding support coordination, and notes the issues raised in submissions, at the inquiry hearings and in the Report, the operational and policy responsibility for support coordination lies with the NDIA and as such it would not be appropriate or even possible for the ACT Government to seek to make changes through the ACT Carers Strategy.

The development of the framework of the Carers Strategy, including the vision, outcomes and priorities, was led by a panel of carers as part of a deliberative democracy process.

The Carers Strategy framework reflects what carers in the ACT felt was most important to them, which in turn has shaped the development of actions under the first three-year Action Plan. A key theme of the first three-year Action Plan is supporting carers to navigate and access services and supports to maintain their health and wellbeing as they undertake their caring role. In particular, two actions in the Action Plan relate to enhanced information access:

- Action 5 – Support carers of people with disability to access information and services that assist them in their caring role; and
 - Action 6 – Promote digital services that carers can access, including access to government web platforms.
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RECOMMENDATION 14

3.310 The Committee recommends that the ACT Government table, in the Legislative Assembly, a review comparing participant and carer experiences with the National Disability Insurance Agency pre and post participant pathway program implementation, six months after its implementation.

ACT Government Response – Not Agreed

The responsibility for implementation of the NDIS participant pathways sits with the NDIA and the ACT Government does not have access to the individual participant information that would be required to undertake such a review for the ACT. Further, it would be inappropriate for the ACT Minister for Disability to seek to unilaterally evaluate or report on a Commonwealth agency function. The role of the ACT Government through the Office for Disability will be to actively monitor the implementation of the participant pathway changes in the ACT and report on its actions to support this process. The Office for Disability will report through usual ACT Government processes such as the Community Services Directorate Annual Report and provide an update to the committee on the progress of the ACT implementation in the ACT.

The DRC is updated regularly by the Chair of the NDIA regarding the implementation of the pathway review. The ACT Minister for Disability will request through the DRC at the next update of the Participant and Pathway review that the NDIA to outline the evaluation process developed by the NDIA to demonstrate the outcomes of the approach and investment of these changes, and the intentions of the NDIA to publish the results of any such evaluation. Should a pathway program implementation report be available, the Minister will be happy to table the report in the Assembly.

RECOMMENDATION 18

4.58 The Committee recommends that the Minister for Disability, through the Council of Australian Governments Disability Reform Council, reinstates the pre-National Disability Insurance Scheme system of assessment and early intervention for children diagnosed with hearing loss.

ACT Government Response – Not agreed

The ACT Government notes that the assessment process for hearing loss did not change with the introduction of the NDIS. In addition, the NDIA has now developed a streamlined pathway between Australian Hearing and the NDIA to ensure children diagnosed with hearing loss receive prompt access to appropriate early intervention (see response to Recommendations 17 and 20). These changes are aimed at ensuring that children with hearing loss are able to access the Scheme in a timely way and providing tailored assistance so that eligible participants receive the support they need.



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