

## **Feedback Submission: NDIS processes and the Participant Service Guarantee – proposed legislative improvements**

### Schedule 1: Participant Service Guarantee

The changes appear promising in that clear timeframes will ensure that both providers and participants are able to remain informed and make decisions about their funding and the services accessed accordingly. Currently, with no timeframes provided for both scheduled and unscheduled reviews, the process often results in confusion and is significantly time consuming due to the lack of communication provided when a review has been requested or lodged. It would be beneficial if all time frames were clearly specified in an easily accessible manner and that these were reiterated when a certain process has commenced. For example, participants should receive an email confirmation when a review has been lodged with a date specifying when a decision will be made by. A clear point of contact to receive updates should also be provided, as currently communication is severely lacking, and answers are often impossible to obtain.

A timeframe for plan implementation meetings is a great change! It would also be extremely beneficial if there was a consistent, formalised process for induction to the NDIS that would include training and education on all aspects of the scheme. This will ensure that participants are well informed of their rights and all processes involved. As an allied health professional, it is frequently observed that participants and their family/carers are often unaware of their rights as well as their supports within their NDIS plan and how they may access them. Participants often rely on their allied health professionals to guide them through all NDIS formalities, which deters from their intervention and places additional burden on clinicians. It is important that the roles and responsibilities of an NDIS plan implementation meeting are clearly outlined, and such meetings address content that remains consistent across the board. This may even involve the provision of a checklist or the provision of a module on a participant's portal that guides them through all the required information to allow them to successfully access the supports available through the NDIS.

The provision of reasoning to explain all reviewable decisions will be a very welcome change, as participants are currently left with minimal to no information as to why certain supports have been rejected. This often causes high levels of distress, leaving participants feeling as though their concerns and voices have been dismissed. As a service provider and allied health professional it also leaves little room for growth in the aspects of advocacy and clinical reasoning as decisions are often made with no reasons provided, despite documented evidence justifying otherwise. A majority of the participants we work with face a significant number of challenges in their daily life and rely on a plan or decision to alleviate the challenges associated with living with or caring for an individual with a disability. On numerous occasions, the NDIS has been unable to consider a participant and their situation holistically and participants and their families are frequently left feeling as though their situation is not deserving of such

supports. On the few instances where reasons have been provided, they have been communicated in a disrespectful and inconsiderate manner. It is important to acknowledge that the information that the NDIS receives throughout a plan review process is purely a snapshot of the participant's day to day life and blanket statements referring to 'parental expectation' and deeming a support as not being 'reasonable or necessary' can be extremely dismissive towards the hardships and challenges associated with a disability. The lack of information and feedback provided often leaves parents/carers worried and apprehensive about disclosing information such as their child's progress due to fears that the NDIS may not perceive them as being disabled enough to receive funding. Such notions have long lasting impacts on the wellbeing of participants and their support network as the high levels of stress induced by poor funding outcomes with minimal explanation and guidance are regularly observed. As such it is important that when providing reasons, they are communicated in a clear and respectful manner. This may include acknowledging a participants need for supports and directing them towards other avenues where possible. It may also involve clear requests for additional information and examples of how this may be obtained.

The amendments to the plan review process and the introduction of plan variations and reassessments is promising. Currently the process to request for and undergo a plan review is incredibly time consuming and often a considerable amount of funding is required to obtain reports and supporting documents. The ability to bypass this process when minor adjustments are required will increase the overall efficiency of the scheme. It will also ensure that supporting documents are tailored to the changes required. It's just important to consider that the circumstances for which a variation and a review are required are clearly outlined as a key limitation to the scheme is the lack of accessible information and poor communication. Often LAC's and planners are extremely difficult to get in contact with and follow up on all requests rarely occurs. It is important that a clear schedule of contact/support is established throughout the funding period to ensure that any changes or variations are determined as they occur and the appropriate adjustments to a participant's plan are made accordingly.

The introduction of an Ombudsman's involvement in reviewing how the system works is great. Looking at systemic issues and providing independent reports will facilitate system wide change and can also assist agencies with strengthening partnerships and relationship. An important suggestion would be to again ensure that the process to lodge complaints and the time frame to receive a response or update is clearly specified and communicated.

## Schedule 2: Flexibility Measures

The importance of recognising the value and role of carers and family to participants cannot be stressed enough. Any changes to recognise the significance of a participant's family/carers is very welcome. Currently, there is minimal acknowledgement and supports available to ensure sustainability of a participant's informal support network, particularly for children in the ECEI pathway. The NDIS is quick to deem all supports as parental responsibility, with little to no consideration for the extent of additional responsibilities that accompany caring for a child with a disability. This becomes further apparent when a family has multiple children with a disability and the added burden and responsibility as a whole is rarely considered. Although, each participant is considered as an individual, their situation must be viewed holistically, to allow for reasonable and necessary criteria to be applied justly. More often than not, as allied health professionals, we witness the barriers that family and environmental factors play in a participant's progress. We are often faced with situations where participants are unable to generalise skills or reach their full potential due to the reduced capacity of family/carers. It is important that the NDIS establish a means to support families/carers to increase their capacity to provide the supports the participant requires. This may be in the form of additional funding to access parent training, counselling, education and information sessions, respite, in home supports, etc. Specifying funding for a participant's support network will ensure that the role they play is acknowledged and sustained. It can be incredibly heartbreaking and concerning to witness the situations and route that many carers/ family members are heading towards when caring for a participant. Countless situations of physical and mental health conditions, financial constraints, relationship breakdowns and overall neglect for oneself that arises purely due to the additional burden and responsibilities associated with the provision of care has been evident across most carers and families. This has a direct impact on the participant's quality of life and the overall sustainability of the NDIS and therefore it is imperative that this area of change be prioritised. It would also be recommended that family/carers are respected and acknowledged within plan review meetings and decisions regarding approval of supports takes into consideration the impact of a participant's disability on their informal support network.

The publishing of all approved forms is a very welcome change. The NDIS website currently possesses a wealth of information that is very difficult to access. The organisation and systemisation of all forms will be incredibly helpful. It is also suggested that a brief explanation regarding each form and the circumstances and situations in which they will be required also be outlined. A completed example of each form may also minimise confusion and errors.

Amendments which specify the Agency may provide funding assistance for an increased scope of purposes is very nice to hear! Particularly, funding to build the capacity of mainstream service and community programs to create connections between all people with disability and the communities in which they live. This will no

doubt work towards inclusion and an overall improvement in the quality of life of those with a disability. Feedback would mainly revolve around clear direction in terms of how this will be implemented and monitored. Greater opportunities for NDIS providers and participants to work together with mainstream services and community programs will allow for increased opportunities for education and awareness which is a key contributing factor to increasing social participation within the community.

The insertion of 'lived experience of disability' as an additional element of eligibility to consider when appointing a board member is a lovely change to see! This will no doubt improve the experience of participants when accessing the NDIS and will allow for decisions to be made in a more considerate and empathetic manner. It will also strengthen the voice of those with a disability and will improve aspects of advocacy as well as provide increased opportunities for inclusion within the industry. In general, all planners and delegates within the NDIS should have a background in disability in order to understand why participants and providers advocate for such funding and supports.

The provision of funding to be allocated to Early Childhood Early Intervention (ECEI) Partners to assist families to understand the potential role of the NDIS and to guide them to other appropriate supports and to offer independent advice on providers of support most suited to their needs is much needed. Funding ECEI Partners will assist families to start accessing approved early intervention supports while building their readiness to go through the planning process. Parents/carers are often in a very vulnerable state when first receiving news of their child's diagnosis or disability and as such supports to guide them through the initial steps of early intervention is crucial. It is also often a difficult time to navigate in terms of early parenthood and as such figuring out the processes associated with NDIS independently is a very stressful task to ask of parents/carers. Unfortunately, the current system of LAC's carrying the responsibility of linking families with supports is very poor and often families are left to complete most of the process on their own. This results in children with a disability being delayed access to early intervention, which may have otherwise resulted in greater progress and as such reduced reliance on funded supports in the future. Feedback would again revolve around communicating the process around this clearly and providing information regarding how families would access such supports in a very clear and accessible manner.

The acknowledgement of psychosocial disabilities is a very important change! It would be great if clarity is provided around criteria required to access supports due to a psychosocial disability as well as the required documented evidence. The clear role of the NDIS as opposed to other services such as Medicare would also be a suggestion. Currently, despite displaying clear functional impacts as a result of mental health conditions, the NDIS continue to reject funding for psychological supports due to access to Medicare, rarely taking into consideration limitations such as lack of mobile Medicare services, limited session numbers, financial constraints when participants are required to consistently pay the gap as well as rapport established

with current psychologists and the regression that may occur as a result of continuous change in staffing.

A few additional comments include the provision of increased detail within a participant's plan including their diagnosis, family and environment. It's also important that this be updated as often participants are left with outdated and inaccurate information.

Furthermore, in regard to support coordination, a clear direction on what can and cannot be completed would be helpful. Currently the NDIS do not provide clear direction in terms of the assessments that support coordinators are required to complete. Hence, changes are needed to be made and provide a clear set of guidelines around what assessment should be completed. Support coordination is also not funded unless a participant requests for it and it is approved against reasonable and necessary criteria. It would be incredibly beneficial if a level of support coordination is provided to all participants to guide and connect them with all the necessary and reasonable services to support their needs to achieve their NDIS goals.

Overall, the proposed amendments appear to be very positive and needed and if implemented effectively will have the potential to improve the experience of all NDIS participants and service providers. A key factor to the success of all changes will be in the manner in which they are communicated and held accountable. Such changes are often hidden in fine print and participants frequently remain oblivious to their rights and the multitude of supports they have access to. It is strongly recommended that increased training on all policies and procedures be provided to staff within the NDIS including call centre staff, planners and LAC's. Currently, it is very difficult to obtain clear answers when enquiries are made as conflicting information is often provided and no consistent point of contact is present. LAC's play a vital role in ensuring a participant and their family are educated and informed about the processes associated with the NDIS and as such a clear role should be outlined for LAC's, with clear methods of ensuring accountability. A hierarchy to escalate enquiries and concerns should also be made readily available.

The NDIS provides a means for which individuals with a disability are able to access supports to live a meaningful life as contributing members of the community. As such, it is important that all changes empower participants and take into consideration their feedback and voices for change. As the current consulting period is very brief and may not allow a large population of individuals to voice their opinions, it is encouraged that the NDIS allow increased opportunities for the provision of feedback that has the potential to make change. This will allow all members of the community to work together to establish a system that will promote the empowerment and inclusion of individuals with a disability.