



Australian Government
Department of Social Services

Changing the NDIS Act and Rules

What we heard

An Easy Read report



How to use this report



The Australian Government Department of Social Services (DSS) wrote this report.
When you see the word 'we', it means DSS.



We wrote this report in an easy to read way.
We use pictures to explain some ideas.

Not bold
Bold

We have written some words in **bold**.
This means the letters are thicker and darker.



We explain what these words mean.
There is a list of these words on page 43.



This Easy Read report is a summary of another report. This means it only includes the most important ideas.



You can find more information on the
DSS Engage website.



You can ask for help to read this report.
A friend, family member or support person may be able to help you.

What's in this report?

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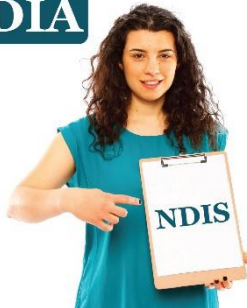
What is this report about?

NDIS

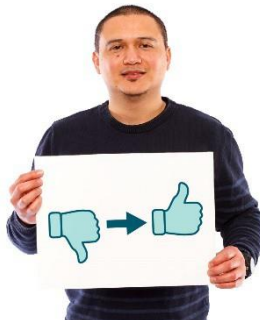


The **National Disability Insurance Scheme** (NDIS) is a way of providing support to people with disability around Australia.

NDIA



The **National Disability Insurance Agency** (NDIA) manages the NDIS.



We want to make the NDIS work better.

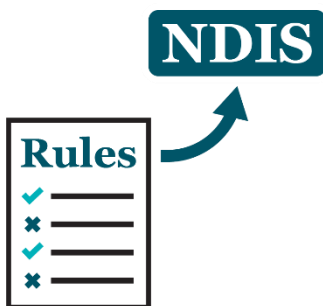


To make the NDIS work better, we need to change the law about how the NDIS works.



The law is called the *National Disability Insurance Scheme Act 2013*.

We call it the Act.



There are also rules about how the NDIS works.



These rules are called the NDIS Rules.

But in this report, we just call them the Rules.

We can make the NDIS work better if we change the:



- Act
- Rules.



We made a list of which parts of the law we want to change.



But before we changed anything, we wanted to ask people what they thought.

This report is about:



- what people told us



- what we are doing now



- what will happen next.

Who told us what they think?

We heard from:



- people with disability



- their families and carers.



We heard from **service providers** too.



Service providers support people with disability.



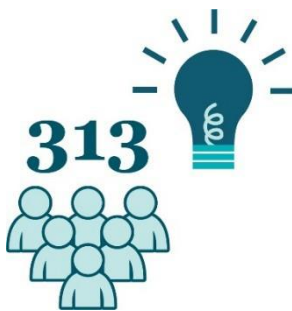
They can be an:

- organisation
- individual.

We also heard from:



- groups of organisations that work to make life better for people with disability
- advocates – people who speak up for people with disability
- places people go to learn, like schools and universities
- state and territory governments.



313 people sent us their ideas.



We had more than 20 information sessions with certain groups.



We also had 4 public information sessions where people could ask questions.

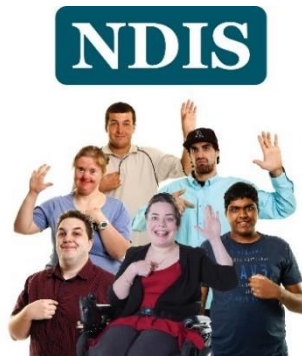
What did people tell us?



Most people told us they were happy with how we want to change the law.



Lots of people said it will make it easier for **participants** to get support.



Participants are people with disability who take part in the NDIS.



People also told us they are not happy about how the NDIA works with participants now.



They said the NDIA can make confusing decisions.

For example, when the NDIA checks their NDIS plan.



Lots of people told us participants are the most important thing to think about when we change the NDIS.



They also said we need to include them.

We talk about what else people told us on the following pages.

Making the NDIS work well for participants

The Participant Service Guarantee



The Participant Service Guarantee is a new set of rules for the NDIA.

In this report, we call it the Guarantee.



A **guarantee** is like a promise.



The Guarantee will make the way the NDIS works:

- simpler
- better.



The Guarantee will also make it clear what people should expect from the NDIA.

To make sure participants have a good experience with the NDIA, the Guarantee will:



- set times for the NDIA to do their work



- list the standards the NDIA must meet.



The NDIA will also tell all governments how well they meet the:

- timeframes
- standards.

What people told us



Most people were happy with the Guarantee.



Lots of people told us they are happy the NDIA will have set times to do their work.



This will help the NDIA make decisions faster.

NDIS



For example, if someone wants to join the NDIS, the NDIA must decide within 21 days.

Some people said they worry about how:



- the NDIA would make the Guarantee work



- the Guarantee will work in places far away from cities or towns.



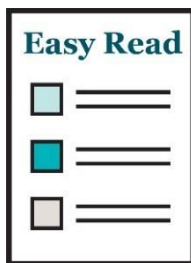
People told us they were happy the government would check how well the NDIA follows the Guarantee.

But they said when the government write reports, they should:



- share the report with the public
- make sure everyone can use the information in the report.

This includes sharing other versions of the report, such as:



- an Easy Read version



- videos.



People also said we should check how well the Guarantee works in the future to make sure it still works well.

Making sure participants get support when they need it

We know it can be hard for some participants to find:



- the right service providers



- supports and services that meet their needs.



For example, participants who live in places far away from cities or towns.

We want the NDIA to talk to service providers about how they could offer:



- new services
- services in new places.



People really need these services in places far away from cities or towns.

We want the NDIA to give service providers **funding** to help participants:



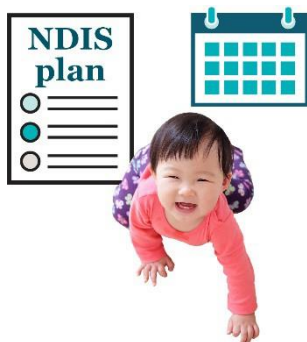
- find the right service providers



- use supports and services that meet their needs.



Funding is the money that pays for the supports and services you need.



Young children sometimes have to wait a long time to start their NDIS plans.



We want the NDIA to give young children with disability funding:

- to get the support they need
- while they wait for their NDIS plan to start.

What people told us

Lots of people told us they were happy the NDIA would talk to service providers about how they could offer:



- new services
- services in new places.



But some people said they worry it will make it harder for participants to choose their supports.

NDIS plans



NDIS plans should be easier to change.

This will make sure:



- participants can ask to change small parts of their NDIS plans



- the NDIA can change small parts of NDIS plans quickly.

This can happen when:



- a participant asks for it



- the NDIA says it needs to.



We also don't want anyone to take advantage of:

- participants
- the NDIS funding they get.



We want to change how NDIS plans are managed so people are not at risk.

This will protect participants.

We want the NDIA to:



- say if a service provider can't give a participant a support in their NDIS plan



- check that participants' NDIS plans are being managed in the right way.

This includes when participants want:



- to manage their own NDIS plan



- a plan manager to manage their NDIS plan for them.

What people told us

Most people told us it's important to:



- be able to change small parts of NDIS plans quickly



- make sure no one takes advantage of participants or the NDIS funding they get.



But people said it wasn't clear how the NDIA would make decisions.

This includes when the NDIA could decide:



- to change a participant's NDIS funding without telling them



- when a participant can't use a certain service provider



- how a participant's NDIS plan should be managed.



They also worry this might stop participants from making the right choices for them.

Support for people with a psychosocial disability



A **psychosocial disability** affects your mental health.

It can affect you at different times.



We want to be clear about how people with a psychosocial disability can get the right support through the NDIS.



We need to change how we talk about who can take part in the NDIS.

We must include people with a psychosocial disability.



This includes in the:

- Act
- Rules.

What people told us



Most people told us they worry about how this will work.



They also had ideas about how to make the Act and Rules work better for people with a psychosocial disability.



But people also said this will make it easier for people with a psychosocial disability to get support.



Lots of people said they want more information about:

- what we want to change
- the words we use.



They also said we need to be clear about how it will work.

Some people told us they worry about how:



- supports for people with a psychosocial disability would work



- the NDIA will check to make sure supports help people with a psychosocial disability.

People said we should work with:



- people with a psychosocial disability



- their carers and supporters.



People said they can help us make sure changing the Act and Rules for people with a psychosocial disability will work well.

The NDIA Board

A **Board** is a group of people who make decisions for:



- an organisation
- a company.



We want more people with disability on the NDIA Board.

We also want more carers and supporters of people with disability



These people have real lived experience.



We want to add this to the list of things to think about when new people join the NDIA Board.

What people told us



People told us it's a good idea to have more people with disability on the NDIA Board.



But they worry the words 'lived experience' would focus on carers and supporters, rather than people with disability.



They want us to use the words 'people with disability' instead.

Service providers

Paying service providers



We want the NDIA to be able to pay service providers directly.



Having this option will help participants.



This means participants won't have to work as hard to look after their NDIS funding.

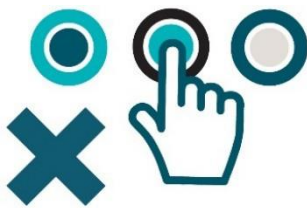


It also means they can focus more on how to use their NDIS funding.

What people told us



Most people said this would help participants focus on how they want to use their NDIS funding.



But some people worry this will take away their choice and control.



For example, this might affect which service providers a participant can use.



People said it's important that participants can choose if they want the NDIA to pay their service providers directly.

Service providers who are doing the wrong thing



When a service provider has done the wrong thing, the NDIA can:

- find out what happened
- tell them to fix the problem.



We want to give the NDIA more power to look into problems.



But we still need more time to think about the best way to do this.

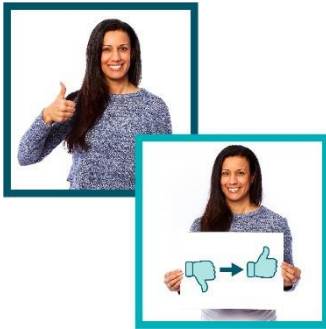


We will ask people what they think in the future.

Reviewing decisions

Using the word 'reassessment' in the Act

When you **review** something, you check to see what:



- works well
- needs to be better.



At the moment, the Act uses the word 'review' in 3 different ways.



A lot of people get confused.

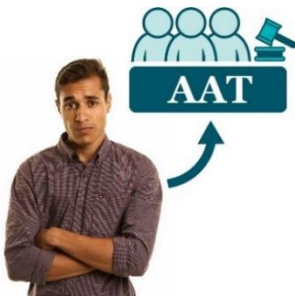
The Act says a participant can ask the NDIA to review:



- their NDIS plan



- a decision the NDIA made.



If the participant does not agree with a decision, they can ask the **Administrative Appeals Tribunal (AAT)** to review it.



The AAT reviews government decisions.



To make this clear, we want to change the term 'plan review' to 'plan reassessment'.

What people told us



People liked how we talked about the different types of reviews.

But some people said ‘plan reassessment’:



- sounds too much like ‘**independent assessment**’



- might confuse people.

Independent assessments were a way for the NDIA to check:



- how your disability affects your life
- what supports you need from the NDIS.



Independent assessments will not happen.

People said it's important that people:



- don't think independent assessments are still happening.



- know we will work with the community when we want to change the NDIS in the future.

Reviewing decisions



The Guarantee should make sure the NDIA works well with people with disability.



This includes making sure participants can ask the NDIA to review decisions they make.

When this happens, the NDIA must:



- review the decision



- say why they made that decision.

What people told us



Most people told us they are happy to change how the NDIA reviews decisions.



But lots of people said the NDIA should say why they make their decisions:

- when they make them
- not just when a participant asks them to review it.



They said this would focus on what the NDIA must do, instead of making participants ask for a review.



People said they did not want the NDIA to be able to make decisions about their plan without telling them first.



People also said when the NDIA say why they make decisions about a plan, they must do it in a way participants can understand.



For example, some participants might need an Easy Read version.

How the Administrative Appeals Tribunal works



When a participant does not agree with decisions the NDIA makes, they can ask the AAT to review it.



We want the AAT to be able to review a decision even if a participant's NDIS plan has been changed.

What people told us



Most people told us giving the AAT more power will help participants who ask for a review.



But some people said they need more information about which decisions the AAT could review.



Some people told us the AAT should be able to review all decisions the NDIA makes about a participant's:

- NDIS plan
- NDIS funding.

What else did people tell us?



People told us the ideas in the Act and Rules are hard to understand.



They also said it was hard to tell what ideas would be in the:

- Act
- Rules.



People worry that we would rely too much on some Rules.



We gave people 4 weeks to have their say.



People asked for more time because it was hard to understand the ideas we asked them about.

Organisations also said 4 weeks was not enough time to:



- talk to the people they support



- find out what they thought.

What are we doing?



We want to use what people told us to make the NDIS work better.



We already used what people told us to change parts of the Act to work better.



We shared the changes to the Act with **Parliament** on 28 October 2021.



Parliament makes decisions about Australian laws.

The people in Parliament:



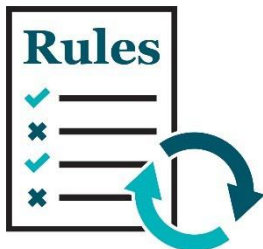
- come from different parts of Australia



- have different beliefs.



If Parliament agrees, the Act will change in early 2022.



We will also use what people told us to change the Rules.

Other ways we want to change how the NDIS works

NDIS



We want to change some other parts of the NDIS.



But we need more time to work out the best way to do this.



We will work with the community before we change anything.



We are working with the community now to make sure we include everyone.

Word list



Administrative Appeals Tribunal (AAT)

The AAT reviews government decisions.

Board



A Board is a group of people who make decisions for:

- an organisation
- a company.



Funding

NDIS funding is the money from your NDIS plan that pays for the supports and services you need.



Guarantee

A guarantee is like a promise.



Independent assessments

Independent assessments were a way to check:

- how your disability affects your life
- what supports you need from the NDIS.



National Disability Insurance Agency (NDIA)

The NDIA runs the NDIS.

NDIS



National Disability Insurance Scheme (NDIS)

The NDIS is a way of providing support to people with disability around Australia.



Parliament

Parliament makes decisions about Australian laws.

NDIS



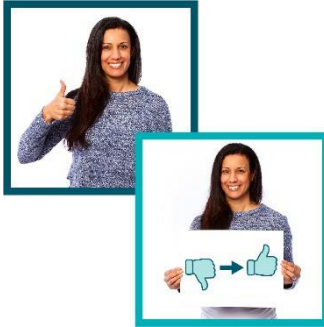
Participants

Participants are people with disability who take part in the NDIS.



Psychosocial disability

A psychosocial disability affects your mental health.



Review

When you review something, you check to see what:

- works well
- needs to be better.



Service providers

Service providers support people with disability.

They can be an:

- organisation
- individual.

Contact us



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NDISconsultations@dss.gov.au



engage.dss.gov.au/proposed-ndis-legislative-improvements-and-the-participant-service-guarantee/



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