

The Hon. Bill Shorten, MP
Minister for the National Disability Insurance Scheme
House of Representatives
Parliament House
Canberra ACT 2600

19 August 2024

Dear Minister

SUBMISSION RE NDIS SUPPORT – SPECIALISED DRIVER TRAINING

I would like to introduce our organisation, which has been a provider of disability driver training for over 33 years, including having been an NDIS support provider of specialised driver training for the past seven years.

Teaching our clients with disability to drive is our life and our passion. We derive great satisfaction from assisting people with their independence. We are also great supporters of the NDIS and have seen the transformative effect on so many people's lives, which we celebrate along with them.

Despite this, we grapple every day with the complexities and non-ideal components of the NDIS. We try every path we can to contribute to solutions, but it is very difficult to reach the decision-makers. Hearing that one of our valued clients was meeting with your team, we've put together this submission not as a complaint, but in the hope it will shed light on what is really happening at the coalface, in our niche and little understood support.

Since 1991, our company has dedicated itself to teaching clients with disability of all kinds. We are the most experienced and largest provider of this service in Victoria and have invested in the most comprehensive range of vehicle modifications in the State.

This allows us to assist the maximum number of clients throughout the Greater Melbourne Metropolitan area and beyond who require vehicle modifications due to spinal injury, congenital physical disability, the effects of stroke etc. We are also the acknowledged experts in successfully teaching clients with autism, cerebral palsy, multiple sclerosis, neuropathy, stroke, schizophrenia and many other conditions.

Minister Shorten, we know you are a fierce and passionate advocate of the NDIS and are doing all you can to improve and protect it, but we feel we are howling into the wind. The support of specialised driver training is not as mainstream as others, so it rarely come up in mainstream discourse.

However, of all NDIS supports, attaining one's driver licence must be one of the most capacity building and transformative. With a licence, a participant is more employable and with employment comes increased tax paid and economic growth. A licence facilitates increased independence, social interaction and reduced isolation. A licence also promotes transport equality, which is essential as signatories to the UN Convention on the Rights of Persons with Disabilities.

I would be grateful if you would consider the attached submission which attempts to summarise just some of the issues we encounter on a daily basis. I am happy to provide any further details or information and to respond to any questions you may have. Thank you for your time.

Yours faithfully

Wendy Garman

Wendy Garman
Practice Manager

p: 1800 137 483

e: admin@sdtraining.com.au

www.drivingmatters.com.au

ISSUES THAT NEGATIVELY IMPACT THE DELIVERY OF SPECIALISED DRIVER TRAINING (support item 15-046-0129-1-3)

Delay with quote processed for the support of Specialised Driver Training

- When a quote for specialised driver training is submitted to the NDIA for consideration by a Planner, in the majority of cases, it will be months before it's considered, if it's considered at all.
- We've experienced situations where a participant's plan has run its entire course and a decision still hasn't been made, which means the participant must go back to the very beginning of the process if they wish to pursue their goal of attaining a driver licence.
- To put this situation in context, this means that learning to drive has been accepted as a goal in a participant's plan, the NDIS-required assessment has been conducted by an expert occupational therapist, who has submitted a report with their clinical recommendation, along with a quote to deliver these services, but the participant can't access the training because no decision is made on the quote.
- We've had many participants in this limbo for six months or more. We have a case at the moment for a participant learning to drive a modified vehicle. On 25/09/23, this participant had a review assessment with the OT driving assessor. Immediately following this assessment, the OT sent a report to the NDIA recommending further lessons, for which we provided a quote. On 05/10/24, an NDIA delegate requested further information as follows:
"... specific information regarding the outcome of each lesson to date should be provided (i.e. date, time, goal of lessons, progress achieved etc.), along with objective outcomes measured, specific learning strategies trialled/implemented, and comment on whether driving is a realistic and achievable goal and the goal timeframe".
- As the driving school, we prepared a lengthy response providing all the information required, which was sent to the NDIA in mid-November 2023. In January 2024, upon following up, it was advised that the additional information could not be located by the NDIA. It was then resubmitted by the OT, but at date of writing we are still waiting on a response. If the OT's recommendation for additional lessons deemed necessary to continue learning in a modified vehicle is eventually approved, it will likely be over a year since this participant's last driving lesson. That means that a significant amount of progress will have been lost, which wastes NDIS funding for no purpose.
- This is not an isolated situation - there are any number of similar examples we could provide.

Decision-Making Protocols when quotes are considered by NDIA Planners

- When NDIA Planners do consider a quote, in many cases, they make a decision that is contrary to NDIS published rules and/or the expert OT assessor's recommendations.
- They will frequently decide the number of lessons recommended is excessive and reduce it (often significantly), even though the expert report required by the NDIA has prescribed that number of lessons as necessary to overcome the effects of the participant's disability.
- Although academic research indicates this is incorrect, there seems to be a general consensus within the NDIA that 10-15 hours of training should be enough to overcome the effect of disability. One Planner advised me that this had been indicated to them by the Technical Advisory Team within the NDIA, although I personally can't vouch for this.
- This also seems to be influenced by the fact that taking driving lessons is something most learners do, therefore it is an everyday expense - which is true - but the amount of support required to overcome the effect of disability is greater than required by the average learner in Australia.
- Our observation over the years is that people tend to have a subliminal view that driving is not that hard as "everyone" does it and everyone seems to be an expert. Planners and Delegates are no different in this and are prone to having the same unconscious bias.
- In summary, given the NDIA requires the expert opinion of an appropriately qualified practitioner (the OT driving assessor), it seems disingenuous for decision-makers within the NDIA to then reduce the quantum of training recommended, to sometimes a fraction of the original amount. It also seems to be a high-risk administrative decision to alter the clinician's expert opinion, given that driving a car is a potentially lethal undertaking.

Price Comparisons and Benchmarking Issues

The price is considered too high compared to NDIS expectations:

- There is no NDIS maximum hourly rate according to NDIS published information (NDIS Pricing Arrangements & Price Limits and the NDIS Support Catalogue). Specialised Driver Training is not a price-controlled support, but rather is a per unit, quote-required support. However, on countless occasions, Planners will state that our quote is "above the NDIS maximum hourly rate".
- As far as we can ascertain, what they are referring to is an internal, unpublished benchmark. In terms of due process, it would be concerning if quotes are being measured against a benchmark that is contrary to the publicly available information. This was confirmed by a recent response from NDIA Provider Support to an enquiry we made:

*"Specialised Driver Training is not a price-controlled support. There is a benchmark per session to give planners a rough idea of what this support might generally cost per session, but is not a limit and should not be treated as such during the planning process. What should be funded should be based on the reasonable and necessary support needs of the participant, and this should be informed by a range of factors, such as the quotes received. **A planner should not reject a quote simply because it is above the benchmark price per session.**"*

The price is considered too high compared to other providers:

- Planners will often assert that if other driving instructors can deliver lessons for \$102.97 per hour (the apparent internal benchmark), that must be a fair market rate. However:
- an hour's travel in a taxi or ride-share service, costs around \$100 or more. The cost to provide this service in terms of vehicle capital and running costs are identical, but in addition to this, a disability driver training organisation must also factor in:
 - the cost of providing a qualified trainer with appropriate teaching skills and experience in disability
 - the cost of vehicle modifications suitable for people with physical disability which can total tens of thousands of dollars and which are only provided by a small number of driver trainers
 - the audit, compliance and registration costs associated with being a registered provider.
- Recently, one of our participants had their assessing OT's recommendation for specialised driver training funding denied. One of the reasons the planner declined the request was because *"the current quote is high in cost compared to similar requests the Agency has received and does not represent value for money."*
- What the Planner wasn't aware of is that the vehicle modification required by this participant is particularly niche and only two driver trainers in the whole of Victoria have it fitted to their vehicles. This scarcity is the reason the quotation price is higher and not because it doesn't represent value for money, as indicated by the Planner. We appreciate that the Planner cannot know all these details, but this is why a report and clinical recommendation is required from a registered OT driving assessor who does know these details.
- Many driving instructors are single operator sole-traders, who aren't obliged to take out workers compensation insurance and are often not registered for GST and therefore don't have the administrative costs associated with registration.
- Most driving instructors only cover a confined geographical area in order to keep costs down and are therefore unable to assist participants outside this limited area.
- The driver training industry is frequently part of the black economy with income not being declared for taxation purposes, which is another reason some operators can charge economically irrational prices.
- These facts lead to driver training being a price-driven race to the bottom and creates an unequal playing field where registered providers of specialised driver training with vehicles equipped with a range of vehicle modifications are expected to also compete on price with less regulated competitors.
- People outside the industry tend to think driving instructors are all the same, so they can just pick the cheapest one. Whilst this is not true, mainstream learners can generally learn to drive and pass their test with a regular driving instructor. However, this is not the case when teaching people with disability which requires trainers skilled and experienced in a range of techniques to assist people with their own individual learning needs.

- The driver training industry is fraught with problems that are largely unknown by anyone outside the industry. It is effectively a profession of last resort. People fall into driver training rather than aim for it and the required Certificate IV doesn't cover the skills required to teach people with disability to drive.

Price weighed against Outcomes

- In the seven years we have been registered providers, there has been no occasion when anyone from the NDIS has circled back to see whether the participant achieved their driver licence.
- In this entirely price-led decision-making, where there is zero attention paid to outcomes. There have been numerous documented examples of driving instructors being approved to deliver lessons at \$102.97 per hour, but who don't succeed in teaching the participant up to the standard to safely and successfully achieve their driver licence.
- With some instructors (in Melbourne at least) charging as little as \$55 per hour, the appeal of over \$100 per hour to teach NDIS participants is very attractive.
- In too many cases, lessons continue to be given until the funds are drained and then the participant is generally advised that achieving a driver licence is an unattainable goal for them because they lack the requisite capacity.
- Given that almost every NDIS participant we train becomes a safe and licenced driver, I don't believe these assessments are generally accurate and speak more to the skills of the trainer than the capacity of the participant. Unless the participant in these cases has a strong advocate, the participant and their representatives often accept this assessment of the driving instructor.
- Even though their hourly rate may be lower, it is neither effective nor efficient for thousands of dollars to be expended to an insufficiently experienced or skilled driving instructor which results in the participant failing to reach their goal.
- In short, if the primary criteria is finding the lowest unit cost to the exclusion of everything else, it becomes entirely process-driven, rather than results-focused, where there are no checks and balances as to whether the NDIS funding expended on driver training yielded the results anticipated.
- If a Planner is undertaking an analysis of value, it can't just involve costs – it must also measure benefits ie. participant achievement of their driver licence, with all the flow-on economic benefits that result.
- I will also add that unlike providers such as OT's and other health professionals, we as the driving school can't charge for report writing, telephone calls or emails involved in resolving a participant's funding and meeting NDIS requirements. Furthermore, the complexity of operating within the NDIS system requires an office structure and additional staffing to manage the administrative workload involved.

- And yet, in the eyes of the NDIA, we are somehow charging too much and should only be charging \$102.97 per hour, like other driving instructors who face no accountability regarding outcomes, but for whom teaching NDIS clients is an attractive proposition as they can charge a significant premium on their usual prices.

OTHER ISSUES

Approval Funds voided when a Plan ends early

- As a quote-required stated support, if a legacy system (non-PACE) plan ends early, the funds for driving are no longer accessible in the new plan until a new quote is approved again. This means the participant has to start the long and frustrating process all over again.
- When this happens, the participant's driver training has to come to an abrupt end until the new quote is approved, which can take weeks or months, which is so frustrating for all concerned. If and when the quote is re-approved, the participant will have lost skills through lack of repetition and consistency, so we then restart the lessons and catch up on the skills that have regressed, which is sub-optimal for continuity and therefore efficiency and cost.
- It would be so much more helpful for a participant's continuity of learning if, when a plan is ended early, the remaining approved funds for driving are automatically applied to the new plan. This would go a long way to resolving the frustrating stop/start nature of this situation at present.

Lack of Visibility of Approved Funds

- If a participant's funding is plan or self-managed, when lessons are approved, frequently the driving school which provided the quote is not advised. We often find out by accident when we follow up with the support coordinator or LAC. The OT and participant are also not routinely advised.
- If the funds are plan managed, it's particularly hard to know if a quote has been approved as we have zero visibility when there is a plan manager engaged.
- These situations cause significant administration to ascertain something that one would think could be advised via some automated mechanism without too much difficulty.

New PACE system

- In regard to the new PACE system and driving, it honestly seems like winding back the clock to the very early days of the NDIS where nobody had a clue what was happening. For example, although Service Bookings for our agency-managed participants are no longer required, we now have to wait for a “Request for Service (RFS)” to be uploaded by a Planner within an apparent seven day deadline.
- In a current situation with one of our participants, the Support Coordinator (SC) had requested the RFS from the Planner 30 days earlier. As it hadn’t been uploaded, the SC called again to find it had been requested of the wrong service provider and so the Planner had to create it again. Over seven days later and this hadn’t occurred. And yet, once an RFS is loaded, the provider only has four days to respond to it or else it disappears. I just can’t fathom why this would be the case.

Value of a Driver Licence to a Participant, Society and the Economy

- Of all the many NDIS supports, attaining one’s driver licence must surely be one of the most capacity building and transformative.
- With a licence, a participant is more employable, which leads to increased taxes paid and reduced need for assistance, such as support workers to drive the participant to activities, shopping etc.
- In addition, if a participant successfully achieves their driver licence, this will lead to reduced funding requirements in their NDIS plan - specifically the annual transport allowance, meaning a modest up-front investment in driver training to an appropriately trained and experienced disability driver trainer will repay itself and yield dividends in the medium and long term.

Draft of new NDIS Supports

- We are also very concerned with the new draft legislation that is currently in the consultation phase as it only refers to specialised driver training being available to participants requiring modifications to their vehicle.
- It is our opinion that this would be a regressive step and perhaps indicates a lack of understanding about how people with non-physical disabilities such as autism, anxiety, traumatic brain injury and mild intellectual disability require additional specialist support to become safe and licenced drivers. It seems somewhat discriminatory to exclude some participants (those with non-physical disability) from the assistance they genuinely need in this regard.
- To reinforce points made earlier, the global academic research and certainly our experience is unequivocal that people who are neuro-diverse or have some other specific (non-physical) learning need are not successful candidates to be taught by mainstream driving instructors. They need NDIS support for this as much as people with physical disability do.
- Our organisation will be putting in a submission as part of the consultation phase, but wanted to make note of it here as well.