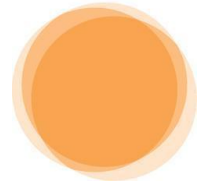


SUMMER
FOUNDATION



Consultation on draft lists of NDIS supports

Summer Foundation submission

25 August 2024

Introduction

The Summer Foundation welcomes the opportunity to contribute to the consultation on the draft lists of National Disability Insurance Scheme (NDIS) supports. These interim lists (in the form of a transitional instrument) support the operation of Section 10 of the *NDIS Amendment (Getting the NDIS Back on Track No. 1) Bill 2024*, which passed the Parliament on 22 August 2024.

While more clarity and guidance on what supports participants can spend their funding on may be helpful, there is a risk that prescriptive lists of what should or shouldn't be funded by the NDIS may lead to worse outcomes for participants. This includes potentially driving participants towards more costly disability services. It may also exclude people from mainstream services and force them into segregated settings. This is contrary to the very intent of the NDIS - which is to promote the participation and inclusion of people with disability in the community - and Australia's Disability Strategy.¹

It is critical that the proposed lists have sufficient flexibility for the purchase of cost effective goods and services that will increase independence and community participation, while reducing reliance on paid disability support workers.

Impact on daily living, housing and support

Items on the list of "supports that are not NDIS supports" include household appliances, hair salons, mainstream short term accommodation, rent and utilities. On face value these appear reasonable but ruling out large lists of mainstream items and services for all participants may lead to poor outcomes, not just for the person with disability but for the sustainability of the NDIS.

Some of the 'ruled out' items on the draft lists could offer better value for money and better outcomes than those 'ruled in' for some participants.

For example, in Summer Foundation's Reasonable & Necessary podcast, Independent Advisory Group member, Sam Paor, said "if you're a participant that can't wash their own hair but can wash your own body, do you really want a support worker in the shower with you to wash your hair? Why wouldn't you go to your local hairdresser [where a shampoo might cost as little as \$35] instead of having a support worker that costs \$70 an hour, in your home looking at you naked in the shower."²

Engaging disability support workers for some tasks is not always the most practical or cost effective option. In theory the minimum shift for a support worker is two hours. In practice many NDIS participants struggle to engage support workers for shifts that are less than four hours long. Too often people are being forced to use more paid support, rather than building independence through more innovative approaches.

"People with disability are being isolated from loved ones and forced to be with strangers, who are not family, not friends. Turned into money making commodities by many who exploit

¹ Commonwealth of Australia, Department of Social Services, [Australia's Disability Strategy 2021-2031](#)

² Summer Foundation, "Narrowing our NDIS: Are "support lists" an innovation killer?", 14 August 2024, [Reasonable and Necessary podcast](#)

participants' funding in group houses, medical reports and services, gardening and cleaning services.” – Close other of NDIS participant³

There are also circumstances where innovation in housing and support items can reduce downstream costs. For example subsidising rent in a homeshare arrangement can enable a person to remain in their own home and reduce reliance on paid support. Short-term accommodation in non-facility based options often costs less than stays in group-home type respite centres. It is critical the lists have sufficient flexibility to accommodate diverse participant disability-related support needs.

Just like the government and the general public, most NDIS participants want to see that funding from the NDIS is well spent.

“I had a lot of pressure to get cleaners rather than a robovac to let me do it when I wanted. Same with food prep ... a Thermomix changed my life and made me safe while cooking as the auto function shuts down at the end of each step rather than me forgetting the stovetop is on.” – NDIS participant⁴

Support needs assessment and flexible budget

Summer Foundation supports the NDIS Review's recommendation to introduce a needs assessment for a reasonable and necessary budget that can be spent flexibly, with minimal exceptions.⁴ This advice is consistent with contemporary best practice in disability support, described as “self-directed support” which aims to put people with disabilities in control of their own lives. It shifts decision-making power from government and service providers towards the person with disability who is allocated a personal budget that they can use flexibly, according to their individual needs and circumstances.

The NDIS Amendment Bill includes provisions to support the introduction of a support needs assessment and a flexible budget. This should mitigate the need for the Government to introduce detailed and prescriptive lists. A better approach would be to broadly define what may constitute a disability-related support, and then have an “out” list of supports that are illegal, harmful, not beneficial, or definitely covered by other service systems (e.g. pharmaceuticals, income support).

Innovation in housing and living supports

Over the past decade there has been a distinct lack of innovation in housing and living supports in Australia for people who need access to 24/7 support. The sustainability of the NDIS depends on innovation in service delivery, and relying on market forces to deliver innovation in housing and living has not worked.⁵

A new approach is needed to support the development of innovative, affordable and scalable housing and living solutions that improve the outcomes of people with disability. This can only be achieved if participants have the flexibility to use their NDIS budgets to support a

³ Winkler, D., Brown, M., D'Cruz, K., Oliver, S., Mulherin, P. (2022), [Getting the NDIS back on track: a survey of people with disability](#), Summer Foundation.

⁴ Ibid

⁵ Commonwealth of Australia, Department of the Prime Minister and Cabinet [Working together to deliver the NDIS. NDIS Review: final report: Supporting analysis](#).

housing and living solution that works for them (and that is affordable to government). It is critical that these interim lists support innovation and choice in housing and living supports, and do not reduce independence and force people into segregated settings, including group homes.