



WDN Meeting Minutes

Thursday 14 November 2024, 10.30am – 12:30pm
Fountain View Room, Civic Centre, South Morang

Attendees:

Arthur Kyriazopoulos	Mandy Kursat
Tony Tregale	Kara Parnis
Mary Newnham	Ted Marciano
Rebecca Trezise	Kathy Anastasiou
George Tsetsinis	Betty Karatzas
Seane Cumming	Courtney Walsh
Maureen Canzano	Debbie Anderson
Aziz Cooper	Hala Attalla Sala
Kim Bogerl	Kristina Augustine
Lynne Harris	Sam Habib
Ryan Good	Sumina Rahmar
Leigh Evans	Nino Stojanic
Erin Gook	Virginia Wiggins
Louise Knell	Kimberly Richardson
Jodie Shea	Steve Mckay
Candice Bull	Whitney Esposto
Anil Poudel	Rosie Beaumont
Sharad Aryal	Paul Papadatos
Michael Parremore	Min Tam Huynh (Peter)
Jennie Trease Gordon	Kathy Middlebrook
Sharon Buhagia	Brett Flenley
Emlyn Jenkins	Susan Perkins

Apologies:

Michelle Buhagiar	Dalal Sleiman
Lisa Eaton	Aldawood, Thaera
Anup, Tina	Armota, Khalidah
Betts, Sandra	Chacko Anup
Dimitrijeviski, Mary	Rebecca Newnham
O'Brien, Tyrian	Orellana, Cristian
Pulis, Talia	

Items

1.	<u>Acknowledgement and Welcome</u> Kimberley Richardson, Unit Manager, Healthy and Inclusive Communities opened the meeting and welcomed Virginia Wiggins, Candice Bull and Kristina Augustine from the National Disability Insurance Agency Community Engagement Division (Vic & Tas).
2.	<u>Housekeeping</u> Rosie Beaumont, Community Strengthening Officer, City of Whittlesea outlined the meeting agenda
3.	<u>NDIA Presentation (Part 1)</u> <u>Introduction</u> The NDIA responded to a list of questions about recent changes to the National Disability Insurance Scheme (NDIS) compiled by WDN members at the September 2024 meeting. A full copy of their presentation is provided at the end of the Minutes. Virginia Wiggins, Assistant Director of the NDIA Community Engagement Division introduced her team and provided background comments. • The WDN meeting is the first face-to-face event the Engagement team has done since Covid. • Not all questions can be answered because the Engagement team can only inform on what has already been developed and work on changes is ongoing. However the team can provide information about what is happening in the interim. • Questions about compliance have been submitted to the NDIS Quality and Safeguards Commission but they have not yet responded. Virginia will follow up with them. • Virginia will take any other questions on notice and provide information to WDN as it becomes available.
4.	<u>Transition and Information Sharing</u> Candice Bull presented on the first section of the Transition and Information Sharing Questions (Slides 3 – 20) covering: • NDIS Support Definitions • NDIS Support Lists • Supports that are funded • Supports that are not funded • Replacement supports • What if you buy a non-NDIS support? Virginia took questions from the floor.

Q: What is the maximum amount of time that NDIA are allowed to have to make decisions on replacement support applications?

A: Question taken on notice as not aware of many replacement reports that have been looked at yet. There will be a timeframe but things are being worked out and changing in real time. Changes only came through 6 weeks ago and not all the information is available to NDIA yet.

Q: A participant who has been funded for her iPhone and iPad is seeking funding to replace these. Her plan coordinator will not let her apply because she says she is not eligible. Why is that?

A: The Engagement team has received feedback from nearly 4,500 people in last few weeks and they have heard a few people describe this problem. Advice is to go back to plan manager and get them to speak to your NDIS contact – acknowledged this can be a challenging process but it's the best option for getting clarity at present. It is possible some plan managers are being overly cautious.

You can also ring the contact centre for information or to make a complaint:

- Phone: 1800 800 110
- If you need an interpreter, call the Translation and Interpreting Service (TIS) on 131 450 and ask to be connected to the NDIS
- If you have hearing or speech loss, contact TTY on 1800 555 677 or the National Relay Service on 1800 555 727.

Slide 21 Question: How will effective communication channels be kept open during transition period?

A: The NDIS Contact Centre Director provided the following quote:

'The NCC will continue to operate as normal. The contact centre staff are trained to answer questions which are queries about new legislation.'

Slide 22 Question: Will barriers to confidential communication be addressed?

A: The NDIS Contact Centre Director provided the following quote:

'Our call centre is comprised of an organisation who was successful in securing a contract through a vigorous tender process and we also have enforced national contact centre staff. I'm not sure what the reference to a private call centre is regarding.'

Virginia offered to receive any examples of what goes against confidential and accountable information sharing. Contact details provided at the end of the session.

Eligibility Funding and Navigator Roles

Navigator role questions could not be answered as work is ongoing in this area. Virginia did highlight that the Victorian Dept. of Education has also established NDIS 'navigator' roles for schools so that may cause confusion when the NDIS navigator roles begin.

Virginia presented on Current changes to access and eligibility as the pre-cursor to navigator roles establishing.

Slides 25 - 28: Overview of change

Pathways into the NDIS

- Key change is the creation of a new pathway for people who will benefit from early intervention supports. You may now enter the scheme via the pathway for disability or early intervention.
- This change will only impact people applying for NDIS

Support Lists

- Lists about services are only temporary and transitional. If you need something and it's not on the 'Yes' list, don't assume it can't be paid for. If it's on the 'No' list it will not be funded.
- These changes impact everything including current participants if they need eligibility reassessment.
- Agency can request particular reports for participants if they are considering their status as participant. If you already have a plan you will not have this requirement.

Slides 30 – 31: Impairment Notice

- Acknowledged the word 'impairment' may be problematic for some however consultation with 6,000 people informed this change.
- If you have a current notice, you won't receive an impairment notice. It is only for people accessing the Scheme.
- Impairment notices recognise that people with the same diagnoses may have different impairments and support needs, goals etc.

Slides 33-34: Support Needs Assessments

- Support needs assessments will take a more person-centred and strengths-based approach (in response to feedback)
- This will allow the Agency to move away from concepts such as a 'primary disability' and reliance on functional assessments and a deficits-based approach

No questions from the floor except the comment that this information is so new it will need time to digest.

Virginia highlighted the importance of future co-design work to address some of the issues raised.

	Comment: The NDIS community consultation forum Participant First is worth doing. You can provide lots of feedback. It is an amazing experience and you can have your say and catch up with various Teams in the Agency. It is the best way to find out what's going on and what's coming up in the future. Participant First information can be found on the NDIS website at Participant First: Help improve the NDIS NDIS Q: Who will pay for reports that the NDIA request from new applicants? A: Support needs assessment SMEs were consulted and they advised the Agency would pay for assessments. Q: Does that apply to people who are applying for the Scheme? A: Takes question on notice. In the past you had to source your own assessment but will need to come back with this information. Q: If Agency does pay for assessments how will people wanting to access the Scheme receive funding? A: Takes question on notice. Payment and delivery details have not been worked out yet. Comment: Very pleased to see move away from deficit model. In the past, participants found it confronting to accommodate this approach when engaging with the NDIS. A: Yes, have got lots of feedback on difficulties with deficit approach from families. This is a very positive change.
5.	Morning Tea
6.	NDIA Presentation (Part 2) <u>Market Sustainability</u> Slide 36 Question: Will clarity around pricing information improve? No specific information available for this question but continuous improvement is NDIA's approach. We hope to improve but we recognise the changes will continue over several years. A priority is to respond to the Royal Commission on Disability and the NDIS Review.

	The Agency also emphasises that there is no value in doing change for change's sake. There is a focus on co-design to solve problems. Q: Is the current pricing information on the NDIS website up to date? A: Yes, the website has most current pricing. Q: We have a lot of sole traders in this area and they are not registered. Has done courses that suggest individual providers will have to pay to be registered but there may be an option for participants to pay to be registered so they can choose their own providers? A: No awareness of this option and does not have details on what stage the work regarding provider registration is at. Some information available indicates registration will be arranged to ensure the matter of risk is appropriately addressed although this has not yet been adopted. The Commission is considering different levels of registration depending on the level of risks the service area presents. There is a lot of 'behind the scenes' work in this space that the Engagement team are not involved with. Q: Is it true that services providing therapeutic programs to people with disability such as animal therapy will not be covered by NDIS unless that therapy is run by a qualified therapist? A: Yes, that is correct. This issue has died down but was a huge theme at public consultation sessions. If you are a local person with a petting zoo, that won't be covered. The therapist has to be qualified therapist i.e. an OT, psychologist. We know a range of therapy services are very valuable to individuals but the priority for the Scheme is on the status and quality of the therapist. Comment: It is good there will be more workforce registration. It is very expensive to be registered provider and cover the cost of audits but that's the cost of doing business. Currently, sole traders have no responsibility to NDIA at all – you need a level playing field. A: Sole traders are still bound by Quality & Safeguards Practice Standards for providers but there is no audit. Q: Re animal therapy – can a business partner up with a qualified therapist? A: Possibly but can't give any formal advice on that.
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Slide 37 Question: Will there be support for smaller businesses to remain viable i.e. absorption of costs, training etc.?

A: This kind of support is unlikely because you are private businesses. There may be some training assistance down track but no absorption of costs. That was the whole point of getting away from block funding. It's a free market.

Q: Provider registration and sole traders – could more screening take the place of registration? Services already have responsibility for a range of screenings. Experience should also be considered as important as qualifications and registration.

A: Can't comment but we can wait for Q&A Commission responses.

Q: Self-managers are encouraged to seek value for money but we see little sign of agency managed plans having similar requirement?

A: The agency doesn't pay above the price guide so not sure why you can say they are not addressing value for money.

Contacting the NDIA

- All topics in presentation are covered on NDIA website and in the legislative changes page. Contact details and links are provided on the slides at the end of the Minutes.
- FAQ section is also useful - links
- On website there is lots of information

Virginia finished the presentation and opened the floor for general questions.

Comment: Participant First has online and face to face options. Did one in-person day event in Tullamarine and also done some testing for the new NDIS app. There are different groups you can join and you can access additional supports to participate on request. Information about consultation opportunities are sent out a week before so you know what's happening. If you don't want to participate that way you can contact people online from 8 – 5pm for support to provide feedback.

Q: Is People First wanting people to participate as consumers and carers to give ideas about what is right or wrong?

Q: Yes, Person First is about all of that. Look at NDIS website link and register under the appropriate role

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Q: Is Person First also supporting codesign work?

	A: Codesign is different. The Codesign Team goes out to different areas of the community and different organisations such as DANA. It is anticipated that much of the remaining consultation work will be done as codesign. Q: How do we get involved in codesign? CoW has large CALD sector that would love to be engaged and give opportunities for codesign. A: There is a particular First Nations forum. Stay connected with NDIA Comment: Participant First also provides codesign opportunities. A: The People First also have a Rapid Response team that you can register to join. You need to be available at very short notice to respond to an issue. Comment: Participant First will offer all services, supports and codesign and rapid response. NDIA is committed to improving the lives of people with disability and not doing change for changes sake. Virginia and her team welcome feedback so we stay on track. Rosie thanked Virginia and her team for attending and running such a positive and comprehensive information session for WDN.
7.	NDIS Quality & Safeguards Commission After the meeting the Q&S Commission provided Virginia with responses to WDN questions concerning compliance. See below. Q: How will service quality be monitored and assured? Will the known problem with fraud be better managed? The NDIS Commission remains committed to amplifying the voices of people with disability. The Consultative Committee and Provider and Complaints Advisory Groups will continue to provide expert advice and lived experience perspectives that inform our work. The Committee and Advisory Groups provide a mix of participants, peaks, workers, disability representative organisations and stakeholders to reflect sector and geographic diversity. We recognise the importance of our relationships with providers, workers and advocates and respect their view of the NDIS. These partnerships provide critical insights into the NDIS market and inform how we partner and collaborate to deliver impact for participants. Our Engagement Principles underpin the NDIS Commission's interactions with our partners and stakeholders. They outline how we will seek the advice and feedback of people in the disability community and work with them to co-design or inform the policies and processes that impact them. Furthermore, The NDIS Commission is committed to measuring outcomes for NDIS participants and assessing regulatory

impact. Our [Quarterly Performance Report](#) provides key statistics on NDIS Commission activities related to service quality.

The NDIS Commission will focus on several initiatives aimed at eliminating overcharging, providing consumer choice and ensuring safeguarding is at the forefront of disability service provision. We will continue working with several government partner agencies, including the Australian Consumer and Competition Commission (ACCC) and the National Disability Insurance Agency (NDIA) to address overcharging of NDIS participants and hold providers who make false or misleading representations about their products or services to account.

The NDIS Commission is an active member of the [Fair Pricing Taskforce](#) and [Fraud Fusion Taskforce](#) to address overcharging of NDIS participants and uncover, investigate and prevent fraud in the Scheme. The [NDIS Commission Corporate Plan 2024-2025](#) speaks to how we will increase our compliance and enforcement activity in the year ahead, as we regulate dishonest behaviour, enforce the Code of Conduct and remove unscrupulous providers from the NDIS. It is also critical that we consider the requirements for provider and worker entry to the Scheme and close the door on those that pose an unacceptable level of risk.

Q: What strategies are in place to ensure the Q&SC is responsive?

As a regulator with finite resources, the number of notifications, complaints and referrals (matters) we receive far exceeds our capacity, so we must be clear about when to intervene and the level of regulatory intervention required. The [NDIS Commission Corporate Plan 2024-2025](#) directs that in the year ahead, we will review and reset our national approach to responding to complaints, reportable incidents and referrals using an enterprise prioritisation model. This model will apply a risk proportionate response that allows us to focus on what matters most – critical safeguarding issues and protecting the human and consumer rights of people with disability. We will deal decisively with matters demanding regulatory action including infringement notices, banning orders, compliance action or litigation.

The NDIS Commission has published a [Regulatory Reform Roadmap](#) that shows activities planned to support the NDIS Commission's reform priorities until December 2025. We will put participant voices at the centre and prioritise groups most affected by reform.

The NDIS Commission is committed to being a valued ally to our stakeholders and partner agencies to adopt reform that will remove fraudulent and misleading behaviour from the Scheme entirely.

Q: With a significant increase in the number of registered services, what will the capacity of auditors be to regulate the sector and how do we ensure audits do not become tick and flick exercises?

The NDIS Commission is committed to advancing the sustainability, integrity, and impact of the [NDIS Approved Quality Auditor Scheme](#).

To date, the NDIS Commission has funded the delivery of Auditor Training to over 1,125 individuals and procurement is underway for further training sessions.

The NDIS Commission works closely with the [Joint Accreditation System of Australia and New Zealand](#) (JASANZ) who accredits auditing bodies who may be approved by the NDIS Quality and Safeguards Commissioner to operate in the NDIS under section 73U of the NDIS Act. JASANZ's accreditation process is systematic and comprehensive in its assessment and monitoring of an audit firm's capabilities and systems and their compliance with the Guidelines and other technical requirements.

The Audit Program team has undertaken targeted quality assurance activities to assess the quality of audits and audit reports in the AQA Scheme, with requests for information being sent to AQAs with respect of requirements of the AQA Guidelines and the Principles for Audit Reporting. As the NDIS Commission continues to undertake quality assurance activities, the output of those activities will be shared with JASANZ, as we work together to support AQAs to lift the quality of audits and address concerns. The NDIS Commission and JASANZ will take proportionate action against any non-compliance identified.

The NDIS Commission's registration arrangements, including audits, are proportionate to the scale of a provider and the nature of the supports that they are seeking to deliver to people with disability. Providers delivering only lower risk supports, including those that are covered by other regulatory arrangements, undergo a verification audit, which is a desktop audit of the provider's policies and systems. Providers delivering higher risk supports, including specialised support coordination, undergo a certification audit, which includes a review of policies and systems as well as engaging directly with participants and workers, and a mid-term audit to commence by 18 months of registration. The standards a provider must meet and the type of audit that applies is set out in section 20 of the [NDIS \(Provider Registration and Practice Standards\) Rules 2018](#) (Registration Rules).

The [NDIS \(Approved Quality Auditors Scheme\) Guidelines 2018](#) (Guidelines) set out how approved quality auditors will apply a proportionate approach in scoping and conducting audits including circumstances where an approved quality auditor may conduct the stage 2 of a certification audit remotely (see section 15(11) of the Guidelines).

The [NDIS Review](#), [NDIS Provider and Worker Registration Taskforce](#) and [Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability](#) have identified changes needed to address quality and safeguarding gaps, including a

	focus on a new graduated risk-proportionate regulatory model. The proposed graduated risk-proportionate regulatory model includes changes to regulatory obligations, audit and monitoring through a risk-based approach. The changes will take up to five years to fully implement and the reforms will require significant consultation with participants, providers and the sector, which have already commenced. The NDIS Amendment (Getting the NDIS Back on Track No. 1) Bill 2024 was recently passed and the amended NDIS Act is in effect. Importantly, the NDIS Commissioner may now make rules that may prescribe requirements relating to the approval of AQAs, including conditions that an approval is subject to. These rules, in development, will strengthen the quality and integrity of auditing within the NDIS. Q: What is the timeline for moving the market to new registration requirements? On 16 September 2024 the Minister for Government Services and the NDIS, the Hon Bill Shorten MP announced the registration of all platform providers, support coordinators and SIL providers as a priority, to strengthen the quality and safety of supports. The Commission will progress Rule changes to mandate registration for Support Coordination, Platform Providers and SIL. Consultation on these changes commenced in October. The new Rules will allow for a period of transition to the new mandatory registration arrangements. Implementation of these recommendations will require amendments to National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018 (the NDIS Rules). Making this change will take time, needs to be well planned and be done in consultation with NDIS participants and the provider sectors impacted. The NDIS Commission commenced consultation in October 2024. Consultation with the disability community will occur on the design elements of a new regulatory model. The information gathered through the consultation process will assist with future decision on the proposed changes to the registration model. Further information and updates will be published on the NDIS Commission website: NDIS Commission reform hub. Also look out for an email newsletter we will send out via the NDIA. You can read NDIS Minister Bill Shorten's media release here.
8.	Next Meeting: Community based WDN meetings will be held at different locations across the municipality throughout March and April 2024. For more information go to Whittlesea Disability Network Hub Engage City of Whittlesea