



Wednesday 25 November 2020

OPA POSITION STATEMENT

NDIS Independent Assessments

The Office of the Public Advocate stands with the disability advocacy sector in requesting that the NDIA reconsider its proposal to introduce independent assessments.

The NDIA has said independent assessments are to be part of the access process in early 2021. The assessments will at first be used to determine the eligibility of people applying for access to the NDIS as well as to determine reasonable and necessary supports to be included in a participant's plan.

The assessments will be fully funded by the NDIA but will be undertaken by NDIA-approved professionals in an effort to 'deliver simpler, faster and fairer approach for determining a person's eligibility' to NDIS supports. It is expected that by the end of 2021, the use of NDIA-approved independent assessors will be a requirement when undertaking access and plan review processes for all participants.

Like many other disability advocacy groups, OPA is opposed to the direction being taken by the NDIA. OPA considers further consultation with people with disability and disability representative organisations is essential before taking this step. This should be done in addition to the pilots currently underway. The consultation and review process must focus on ensuring that all participants are enabled to exercise choice and control in the pursuit of their goals, as is required by the NDIS Act.

The NDIA released its *Participant Service Charter*, which has five principles for engagement with participants. The Charter is a pledge by the NDIA to empower people with disability and to be respectful of participants by 'recognising the individual experience and acknowledging that participants are experts in their own lives'. In OPA's view, the NDIA's proposed process for independent assessments contradicts these principles.

Authority must remain in the experience of the person with disability, not a third party who does not have a direct connection with that person's experience.

OPA is concerned that the approach proposed by the NDIA will disproportionately impact participants and prospective participants with cognitive impairment. This stands at odds with the scheme's ethos of providing people with disability with

'choice and control' over their NDIS supports. Furthermore, OPA is concerned that the independent assessments could:

- further entrench the insurance-based cost-control approach where assessors are biased towards reducing the supports a participant can access
- undermine and devalue existing relationships that participants have with professionals of their choosing, who are likely to have a greater understanding of their individual circumstances and functional capabilities
- serve to depersonalise participants by moving away from individualised and person-centred approaches
- disadvantage participants who may not have supports available to them during an assessment or to advocate on their behalf
- fail to incorporate appropriate engagement strategies that may be required to develop a shared and true understanding of individuals with cognitive impairment or complex needs
- lead to a further thinning of the market of allied health professionals
- lack transparency and accountability towards participants as to how decisions are made.

OPA supports the many calls being made upon the NDIA to revise its proposal of independent assessments to ensure that the NDIS delivers full benefits to all participants. The NDIS should, at every step of the way, deliver on its commitment to engage people with disability as equal partners in decisions that will affect them and recognise participants as experts in their own lives.