



Operational Plan Commitment between the National Disability Insurance Agency (NDIA), Northern Territory Government and Commonwealth Government for Transition to Full Implementation of the NDIS

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## Background

On 5 May 2016, the Prime Minister and the Chief Minister of the Northern Territory signed a Bilateral Agreement for Transition to the National Disability Insurance Scheme (NDIS).

This Operational Plan sets out the implementation arrangements to give effect to the Bilateral Agreement and other key deliverables agreed between the National Disability Insurance Agency (NDIA), the Northern Territory Government and Commonwealth Government to support the roll out of the full NDIS. The Operational Plan has been developed in partnership between the Parties and serves as the roadmap for transitioning to the NDIS as best achieved in the Northern Territory.

### 1 Terms of the Northern Territory Operational Plan

#### 1.1 Purpose

- 1.1.1 This Operational Plan identifies a program of work and the responsibilities of the Parties during transition to the full NDIS and supports the high level Bilateral Agreement and supporting schedules agreed between governments on transition.
- 1.1.2 The Northern Territory Government, the Commonwealth Government, and the NDIA acknowledge the transition to the NDIS is a shared responsibility of all Parties that requires a considered approach.
- 1.1.3 From July 2016, the NDIS will be progressively rolled out in the Northern Territory with the transition of all existing Northern Territory specialist disability clients to be completed by June 2019.
- 1.1.4 This Operational Plan outlines the implementation actions for the transition to the full Scheme in the Northern Territory from July 2016. It identifies the key elements required in the Northern Territory to transition to full Scheme, including the respective roles and responsibilities of governments and the NDIA in achieving the outcomes in this Operational Plan.
- 1.1.5 This Operational Plan is to be considered in conjunction with the *Bilateral Agreement between the Commonwealth and the Northern Territory (Transition to a National Disability Insurance Scheme)* and accompanying schedules. The relationship between the Bilateral Agreement and the Operational Plan is outlined in Appendix A.
- 1.1.6 For the removal of doubt, nothing within the Operational Plan shall override agreements between the Commonwealth and the Northern Territory Government as set out in the Bilateral Agreement and accompanying schedules.
- 1.1.7 The Parties acknowledge actions agreed in the Operational Plan are to be implemented consistent with policies and frameworks agreed by the Council of Australian Governments (COAG) and/or the COAG Disability Reform Council.



**1.1.8** The Parties acknowledge that actions highlighted in the Operational Plan will continue to be shaped by the development and finalisation of a range of policy settings that will have flow-on impacts to the key elements critical for transition to the NDIS in the Northern Territory, for example:

- The NDIA Aboriginal and Torres Strait Islander Engagement and Implementation Action Plans
- The Implementation Plan for the NDIA's Rural and Remote Strategy.
- Provider of Last Resort framework.
- Development and implementation of a nationally consistent Quality and Safeguarding framework for the NDIS.
- Market design work between the NDIA, the Commonwealth and the states and territories to define governance arrangements, and roles and responsibilities for the development of the market, including a market intervention framework and participant and provider readiness.
- Outcomes arising from the Review of the *NDIS Act 2013*.
- Outcomes and recommendations arising from a joint project on 'Maximising Indigenous Economic Participation in the Roll-out of the NDIS in Remote Communities'.

**1.1.9** Recognising the unique service, operating and demographic context in the Northern Territory, the Parties acknowledge the shared objectives of maximising Indigenous economic participation opportunities available in remote communities through training, employment or business opportunities related to providing services funded by the NDIS; and supporting Indigenous people with disability to further contribute (economically and socially) to the community.

## **1.2 Working together**

**1.2.1** This Operational Plan has been developed in partnership between the NDIA, the Commonwealth Government and the Northern Territory Government. The Parties are committed to closely collaborating on this Operational Plan to ensure implementation of the Plan is founded on strong planning processes and a commitment to work closely in achieving the best possible outcomes for people with disability, their families and carers.

**1.2.2** The NDIA, the Commonwealth Government and the NT Government will act in partnership on the co-production and co-delivery of the actions detailed in the Plan, including through working groups established between the NDIA and jurisdictional representatives.

## **1.3 Key Elements**

The following key elements have been agreed by the Parties as critical for managing the transition to the NDIS. The key elements also draw on trial site experience and build upon Northern Territory Government experience and knowledge in funding and managing the Territory's disability service system.



**Part 1** – Includes elements related to NDIS design and national policy that provide a framework for implementation. The implementation of these elements will commence as agreed in the Bilateral Agreement and further policy development.

**Part 2** – Includes elements for transition that governments and the NDIA can work on together under current policy settings and existing inter-governmental agreements.

### **Part 1 – Bilateral and National Policy Elements**

1. Phasing arrangements
2. Workforce arrangements
3. NDIA locations and infrastructure
4. Quality and safeguards
5. Continuity of support arrangements
6. Sector and system readiness (focus on remote and/or thin markets)
7. Mainstream interfaces
8. Information, Linkages and Capacity Building (ILC)
9. Specialist disability accommodation for NDIS participants
10. Implementation of funding arrangements

### **Part 2 – Administration and Service Delivery Elements**

1. Pre-intake preparations
2. Data exchange and systems planning
3. Reviews and evaluation: inter-operability of legislation
4. Participant readiness
5. Participants/cohorts with specific or complex requirements
6. Provider readiness
7. Government provision of disability supports
8. Functions to support system stewardship
9. Community Level Implementation in the Northern Territory – Specific Northern Territory Arrangements
10. Transition working arrangements for culturally and linguistically diverse communities
11. Public communications and engagement



## 2 Part 1 – Bilateral and National Policy Elements

### 1 Phasing Arrangements

The Northern Territory Bilateral Agreement and Schedules for transition to full Scheme detail high level phasing arrangements for the Northern Territory. Phasing and related funding arrangements are set out in Schedule A (Participant Transition Arrangements in the Northern Territory) and Schedule B (Financial Contributions for Transition in the Northern Territory).

#### **Deliverable:**

A legislative rule under the *NDIS Act 2013* will give practical effect to Schedule A and B of the Bilateral Agreement to enable timely and efficient phasing of eligible participants to the NDIS. This will assist the Parties to develop and implement a detailed regional phasing approach.

Community Plans will be developed for each identified community in the Northern Territory phasing into the NDIS. Actions and timeframes for Community Plans are further detailed in Element 19.

#### **Outcome:**

The detailed cohort / regional phasing methodology and the legislative rule under the *NDIS Act 2013* will enable the Parties to prepare for the Scheme implementation and engage in pre-planning for participants.

#### **Agreed Actions:**

- The Parties will develop and implement a Phasing Strategy to operationalise Schedule A: Participant Transition Arrangements in the Northern Territory. The Phasing Strategy will:
  - Detail the methodology to operationalise Schedule A: Participant Transition Arrangements in the Northern Territory
  - Identify and agree intake prioritisation criteria, sequencing, timeframes and mechanisms for intake, including the development of working arrangements to effectively manage the re-prioritisation of participant streaming in urgent circumstances.
  - Facilitate the smooth transition of participants into the NDIS, with the NDIA commencing local area coordination functions six months in advance of the scheduled phasing of an area and/or community.
  - Ensure Commonwealth programs are aligned (where possible) to transition at the same time as similar Northern Territory programs.
- The Parties will develop key intake messages for public communications and engagement, and identify and agree responsibility for phasing actions. This includes developing working arrangements for managing state-territory border phasing, including public communication and engagement.
- The Commonwealth and Northern Territory Governments will develop the legislative rule under the *NDIS Act 2013*.

- The Phasing Strategy will be reviewed quarterly by the NTTIG.

**Timeframe:**

The Commonwealth and Northern Territory Governments will develop the legislative rule under the *NDIS Act 2013*, by Quarter 2, 2016-17, or earlier by negotiation. The Regional Phasing Strategy for East Arnhem and Darwin Supported Accommodation will be finalised by Quarter 2, 2016-17. The strategy for Darwin Remote, Katherine and Alice Springs Supported Accommodation will be developed by the end of Quarter 2, 2016-17. The strategy for Darwin Urban and Central Australia will be developed by the end of Quarter 2, 2017-18. The Phasing Strategy will be reviewed quarterly by the NTTIG and implemented in sequence throughout transition.

## **2 Workforce Arrangements**

Consistent with Schedule H: Workforce, the first offer of employment for the NDIA should be to appropriately skilled existing Northern Territory Government disability staff. Under Schedule H, the Northern Territory and Commonwealth Governments have agreed to a confined merit based selection process to fill roles within the NDIA targeting Northern Territory Government disability staff.

The Parties will develop and agree to a Workforce Transition Plan to give effect to workforce transition arrangements set out in Schedule H: Workforce. This work is separate to broader national work on market, sector and workforce development.

**Deliverable:**

The NDIA and Northern Territory Government will develop and implement an agreed Workforce Transition Plan for the Northern Territory that will accurately identify and quantify materially affected Northern Territory Government staff.

**Outcome:**

An appropriately skilled workforce will enhance the NDIA's capacity to support participants to access the Scheme in line with the phasing schedule.

**Agreed Actions:**

- The NDIA will develop an NDIA Workforce Transition Plan to cover the transition period in the Northern Territory. The Plan will detail the NDIA's staffing requirements including roles, cohorts, skills and capabilities, classifications and locations.
- The workforce transition plan will consider the need to manage Northern Territory Government business as usual during transition years.
- The NDIA and Northern Territory Government will agree to the definition of materially affected staff in accordance with Schedule H.
- The NDIA will develop a process to support the first offer process for Northern Territory Government materially affected staff for the initial and subsequent recruitment campaigns (in consultation with Northern Territory Government).



- The Northern Territory Government will implement a communication strategy to relevant Northern Territory Government staff regarding the transition process.
- The Parties will advise each other of issues arising or unintended consequences in relation to the implementation of the Workforce Transition Plan such as the location of the current workforce.

**Timeframe:**

Workforce transition of Northern Territory Government staff will be aligned with the agreed bilateral phasing schedule. The NDIA Workforce Transition Plan will be developed by Quarter 2, 2016-17.

**3 NDIA Locations and Infrastructure**

During transition the NDIA will have a physical presence in selected locations, including a network of offices that have branding and a staff complement.

**Deliverable:**

The NDIA will develop and execute a property strategy and implementation plan that aligns with agreed phasing arrangements and which takes into consideration strategic property procurement and existing Commonwealth/Territory infrastructure.

**Outcome:**

The NDIA has an appropriate physical presence to support participants to access the Scheme.

**Agreed Actions:**

- The NDIA will establish a physical presence in the Northern Territory consistent with the Property Strategy and Implementation Plan.
- The NDIA will consult with governments on strategic property planning and implementation to support the intake of participants during the transition period, including exploring co-location opportunities, use of existing office accommodation and use of existing government infrastructure and resources as appropriate.

**Timeframe:**

The NDIA will establish a physical presence in Northern Territory locations in line with the Property Strategy and Implementation Plan. NDIA locations and infrastructure will be progressively rolled out across the Northern Territory in accordance with the phasing schedule.

**4 Quality and Safeguards Arrangements**

An interim approach to quality and safeguards during transition is agreed in Schedule F (Transition Arrangements for Quality and Safeguards in the Northern Territory) to the Bilateral Agreement. Existing Commonwealth and Northern Territory Governments quality and safeguarding systems will continue to operate in the Northern Territory throughout



transition or until such time as a nationally consistent framework has been agreed and implemented, whichever is sooner.

**Deliverable:**

The Parties will develop and implement working arrangements for quality and safeguards in the Northern Territory during transition (until a National Framework is agreed and implemented).

**Outcome:**

An agreed and defined level of quality and safeguarding mechanisms available to people with disability, their families and carers, living in the Northern Territory during transition is developed.

**Agreed Actions:**

- The Parties will review the experience of the Barkly trial and work together to develop and implement agreed quality and safeguards working arrangements for transition, detailing the roles and responsibilities of each Party. The Interim Quality and Safeguards Working Arrangements will be developed by Quarter 2, 2016-17 and amended if necessary.
- The Parties will work together to consider any impacts of the Interim Quality and Safeguards Working Arrangements on the development of the National Framework for Quality and Safeguards and will develop a transition strategy once the National Framework is agreed.
- The Parties will work together to operationalise the National Framework for Quality and Safeguards once developed and agreed.
- The NDIA and Northern Territory Government will agree to a streamlined registration process for providers as part of the Working Arrangements by Quarter 2, 2016-17. This will include existing registered providers in the Barkly trial site.

**Timeframe:**

Quality and Safeguards at full Scheme is highly dependent on the development of a National Framework for Quality and Safeguards. Interim Working Arrangements will be developed and agreed by Quarter 2, 2016-17. The Interim Working Arrangements continue in the Northern Territory until a National Framework is agreed and implemented. Schedule F will be updated to reflect any decisions on the direction of a national system.

**5 Continuity of Support Arrangements in the Northern Territory**

The Parties will agree to a process to give effect to the arrangements and implementation that is set out in Schedule D: Continuity of Support Arrangements in the Northern Territory.

**Deliverable:**

The Parties will develop and implement approaches to provide Continuity of Support for existing clients in the Northern Territory who will not meet access requirements, or who are



eligible but are receiving specialist disability supports that do not meet the definition of reasonable and necessary to appropriate alternative supports

**Outcome:**

Approaches are implemented to manage continuity of support during the transition to the NDIS.

**Agreed Actions:**

- The Northern Territory and Commonwealth Governments will identify cohorts or individuals in the Northern Territory for whom they currently have administrative responsibility and Continuity of Support may apply.
- The Northern Territory Government, in consultation with the NDIA, will develop working arrangements for ineligible clients under 65 years (and ineligible clients under 50 years for Aboriginal or Torres Strait Islander people) currently in Northern Territory Government programs.
- The Commonwealth, in consultation with the NDIA, will develop working arrangements for ineligible clients under 65 years (and ineligible clients under 50 years for Aboriginal or Torres Strait Islander people) currently in Commonwealth programs.
- The Commonwealth, in consultation with the Northern Territory Government, has determined the administrative arrangements for people 65 years and over (or over 50 years for Aboriginal or Torres Strait Islander clients) in specialist disability services, as outlined in Schedule D of the Bilateral Agreement. The Commonwealth will work in partnership with the Northern Territory Government to develop appropriate transfer arrangements for these clients.
- The Parties will develop specific communication strategies to inform existing clients who will not meet the access requirements for the NDIS, and incorporate into the joint Communication and Engagement.

**Timeframe:**

The approaches to continuity of support arrangements will be agreed by end Quarter 2, 2016-17. Approaches and communication strategies implemented in accordance with the phasing arrangements (phasing schedule).

**6 Sector and System Readiness and Remote Markets**

Consistent with Schedule E (Sector and System Readiness) to the Bilateral Agreements, the Parties will have a role in preparing providers, the workforce, individuals, and existing mainstream and community systems to operate in the NDIS system. The Parties will identify existing levers in their respective jurisdictions to influence market responsiveness to meet the demand for disability supports during transition, consistent with the NDIS Integrated Market, Sector and Workforce Strategy. Market readiness activities will support the implementation of nationally agreed market, sector and workforce strategies and build on existing work by governments and the NDIA.



The Parties agree that arrangements for provider of last resort services must be able to be activated during transition to ensure that eligible participants are able to access reasonable and necessary supports even in remote communities or where there have been consistently thin or non-existent markets.

**Deliverable:**

Consistent with Schedule E, the Northern Territory and Commonwealth Governments will continually review market, sector, participant, workforce, and system readiness to transition to the NDIS. If this monitoring indicates significant concerns that put agreed transition arrangements at risk, then a strategy for addressing issues will be developed.

**Outcome:**

Participants are able to exercise choice and control in regards to their plan implementation that will enhance social and economic outcomes. Remote communities experience direct economic benefit, including opportunities for Indigenous workforce development and participation.

**Agreed Actions:**

- The Parties will continue to work together to progress efforts and address emerging issues related to Northern Territory sector and system readiness.
- The Parties will share information about local markets and existing disability support supply in the Northern Territory and develop appropriate market indicators and monitoring mechanisms.
- A market readiness risk management framework will be developed and implemented (as required) by the NDIA throughout the transition period.
- A local market assessment will be conducted by the NDIA in consultation with the Northern Territory Government in 2016.
- The Northern Territory Government will support the NDIA to manage the transition from the current assistive technology (AT) programs to the NDIS. During the transition, the Northern Territory Government will provide continued access to AT products and services sourced by Northern Territory equipment programs, where this is agreed by both Parties and it provides value for the NDIS.
- The NDIA will work with the NT Government to identify and develop approaches to ensure that a provider of last resort is implemented in the event of market failure, where no viable alternatives are available. A provider of last resort will only be implemented when all other avenues and market stewardship approaches have been unable to secure appropriate supports for participants. A community-by-community approach will be taken to ensure the needs of participants and the community are met.



**Timeframe:**

- The Parties will plan a range of activities to prepare and inform market and sector development by Quarter 2, 2016-17. This work will intersect and build on other sector and system readiness activities outlined in Part 2.

**7 Mainstream Interfaces**

The Parties will support participants' access to mainstream services as per the Applied Principles and Tables of Support as agreed by COAG (Attachment A to Schedule I in the Bilateral Agreement). Governments will work with the NDIA to ensure the interface between the NDIS and mainstream services is managed effectively and efficiently at the local level, in line with COAG policy decisions and to give effect to Schedule I, Arrangements for the interface between the NDIS and mainstream services in transition, in the Bilateral Agreement.

**Deliverable:**

Efficient and effective development and implementation of working arrangements, including a schedule of issues to ensure the interface between mainstream and NDIS supports at a Territory level are established, maintained and communicated (in line with the Applied Principles and Tables of Support agreed by COAG) to maximise economic and social participation.

**Outcome:**

Participants receive supports from the most appropriate service system, enhancing Scheme sustainability and participant outcomes.

**Agreed Actions:**

- The Parties will determine local governance arrangements and escalation processes to resolve mainstream interface policy and practice issues to support transition to full Scheme.
- The Parties will develop and support the implementation of local working arrangements and resolve mainstream interface issues that includes establishing local governance arrangements through local escalation points, ensuring streamlined referrals can occur to coordinate participants' NDIS planned supports with mainstream services.
- The Parties will establish and maintain supports consistent with the Applied Principles and Tables of Support and Outcomes Framework. The Northern Territory Government will inform Northern Territory mainstream services to support successful interfaces.

**Timeframe:**

Working arrangements will be developed by Quarter 2, 2016-17, and implemented in accordance with the Northern Territory Phasing Schedule. Escalation processes will be reviewed throughout transition.



## **8 Information, Linkages and Capacity Building (ILC)**

The Parties agree to work together to ensure ILC activities are available to support the transition, including having Local Area Coordination (LAC) supports available six months in advance of NDIS roll-out into a particular area, as per Schedule A (Participant Transition Arrangements in the Northern Territory), and consistent with the agreed framework on Information, Linkages and Capacity Building.

### **Deliverable:**

A robust system of ILC activities that assists transition and complements support to participants as well as providing support to non-participants and the community.

### **Outcome:**

A holistic approach to the delivery of ILC activities that promotes collaboration and partnership with local communities and mainstream and universal services to create greater inclusivity and accessibility for people with disability and enhances the sustainability of the Scheme.

### **Agreed Actions:**

- The Northern Territory and Commonwealth Governments will work with the NDIA to map current ILC type activities. Detailed mapping of current Commonwealth and Northern Territory Government funded ILC type activities in the Northern Territory to include:
  - identification of providers
  - program expenditure
  - support types
  - activities and any other relevant information (where available).
- The Parties note that some data may be difficult to obtain given the nature of ILC-type activity delivered.
- The Parties will develop criteria and an overall transition plan for current ILC type activities delivered in the Northern Territory taking into account both national priorities and local need, building on existing best practice and well-established networks and resources that are in place.
- The NDIA will develop, in consultation with the Northern Territory and Commonwealth Governments, an ILC Transition Plan by Quarter 2, 2016-17 which includes:
  - Identifying supports and/or contracts that during transition will either continue to be maintained by the Northern Territory and Commonwealth Governments or cease, and respective timeframes.
  - Identifying any funding that will be provided to the Northern Territory and Commonwealth Governments by the NDIS to support ILC activity during transition
  - A process for managing and working with relevant providers to enable them to remain sustainable during transition and understand future requirements.



- Communication Strategy
- Trialling outcome based reporting measures for programs that are funded during transition consistent with the ILC Commissioning Framework.

**Timeframe:**

ILC mapping work has been completed. The plan for ILC transition will be completed by Quarter 2, 2016-17. The Communication Strategy was drafted and shared with the Northern Territory in Quarter 1, 2016-17. The remaining actions will be implemented prior to transition and sequenced according to the Phasing Schedule.

**9 Specialist Disability Accommodation for NDIS Participants**

Consistent with the Specialist Disability Accommodation Pricing and Payments Framework agreed by the Disability Reform Council in Quarter 2, 2015-16, the NDIS will support specialist disability accommodation for participants with high support needs who require and prefer specialist accommodation to live independently. The NDIA will implement the Framework (noting the NDIA will not own or manage any participant accommodation assets).

**Deliverable:**

The Northern Territory Government will inform the NDIA of the current operating model in the Northern Territory including asset ownership and funding obligations of government and any identified transfer of assets from government to non-government organisations. The Northern Territory Government will work with the NDIA to develop and implement working arrangements to manage any impact associated with Northern Territory's accommodation, property and asset profile, and the implementation of the NDIA Specialist Disability Accommodation and Pricing and Payments Framework for funding participants needing specialist disability accommodation.

**Outcome:**

Access to appropriate specialist disability housing and related supports is maximised for participants during transition.

**Agreed Actions:**

- The NDIA and the Northern Territory Government will jointly identify issues arising from the agreed approach between governments to disability accommodation that must be managed during transition.
- The NDIA and the Northern Territory Government will discuss and agree options for Northern Territory group home and other supported accommodation arrangements during transition.
- Plans or strategies agreed between the Northern Territory Government and the NDIA should have due regard to any policy agreements on the use of user cost of capital during the transition period.
- The NDIA and Northern Territory Government will develop and implement working arrangements (where necessary) to manage the impact of accommodation changes (if any) during transition for participants and providers including vacancy management.



- The Northern Territory Government will inform the NDIA about the current operating model in the Northern Territory including asset ownership (of government and non-government facilities) and funding obligations.

**Timeframe:**

The Northern Territory Government will inform the NDIA about asset ownership and administration by Quarter 2, 2016-17. If required, develop working arrangements to manage the impact of any disability accommodation changes during transition by end of Quarter 3, 2017-18, and implement these working arrangements throughout transition.

## **10 Implementation of Funding Arrangements**

The Parties will jointly consider practical approaches to implement the funding arrangements set out in Schedule B: Financial Contributions for Transition in the Northern Territory and the agreed NDIS funding mechanism in transition, including the management of in-kind supports during transition.

**Deliverable:**

Working arrangements, including distinct roles and responsibilities, for the efficient administration of the funding arrangements.

**Outcome:**

Financial sustainability of the NDIS and ability to provide reasonable and necessary supports to people with disability.

**Agreed Actions:**

- The Parties will implement the funding mechanism and ensure it is managed effectively and contributions are made within agreed timeframes. Agreed arrangements will include:
  - the arrangements for streamlining and managing in-kind supports;
  - process for governments to exit from in-kind funding arrangements and effectively communicate the transition to participants and providers.
- The Commonwealth and Northern Territory Governments will confirm with the NDIA by Quarter 2, 2016-17 the current mix of cash and in-kind supports for the first cohort and region to transition from Quarter 3, 2017-18, including a detailed breakdown of in-kind supports by client as per the agreed in-kind data standard. Details for all other phasing cohorts and regions in the Northern Territory will be confirmed by Quarter 2, 2016-17.

**Timeframe:**

The working arrangements will be agreed by Quarter 2, 2016-17.



## 2 Part 2 – Administration and Service Delivery Elements

### 11 Pre-intake Preparations

The Parties will agree on preparations (not covered elsewhere in this plan or the Bilateral Agreement) to be completed prior to transition to full Scheme that will streamline the intake of participants into the NDIS.

#### **Deliverable:**

The Parties agree the required transition preparations (not covered elsewhere) and their practical implementation to ensure streamlined intake and access for existing Northern Territory disability clients.

#### **Outcome:**

Phasing targets are achieved through participants' streamlined eligibility and intake to the NDIS, ensuring they receive reasonable and necessary supports.

#### **Agreed Actions:**

- The Parties will identify and agree defined programs.
- NDIA will develop a process for clients for defined and non-defined programs to support participants to access the Scheme in a streamlined way.
- The NDIA will design and implement intake pathways that respond to the need for determination of access decisions, pre-planning support, plan development and plan implementation. Referral pathways for those found ineligible for the Scheme and those who will be eligible for Continuity of Support will also be created.
- The Commonwealth and Northern Territory Governments will inform the NDIA of any contracts that cannot be ceased in line with the phasing schedule, and agree with the NDIA a plan for managing these contracts through transition by Quarter 2, 2016-17.
- The Commonwealth and Northern Territory Governments will put in place arrangements that allow for variation and cessation of funding agreements with disability service providers in line with Schedule A to the Bilateral Agreement.
- The Northern Territory Government will inform and support existing providers with regard to existing contracts and support collection of data required to facilitate access for existing clients to the NDIS from Northern Territory funded providers.

#### **Timeframe:**

Pre-intake roles and responsibilities will be captured in the Program of Work and will be confirmed by end Quarter 1, 2016-17. Defined programs will be confirmed by Quarter 2 2016-17.

### 12 Data exchange and systems planning

Consistent with Schedule G in the Bilateral Agreement, the purpose of this element is to maximise the utility/value of client and provider data held by jurisdictions and use this data to



manage and streamline the transition of existing Northern Territory and Commonwealth Governments clients to the NDIS.

**Deliverable:**

Effective and timely transfer of client and service provider data between the Parties to ensure streamlined intake arrangements can be effectively implemented.

**Outcome:**

The NDIA will implement streamlined participant access to the Scheme, which will help avoid delays against the agreed phasing schedule. Participants will gain benefit from the NDIS resulting in increased social and economic participation.

**Agreed Actions:**

- The NDIA will negotiate with the Northern Territory and Commonwealth Governments with the agreed Data Standard items required to effectively transition people from their existing Northern Territory and Commonwealth systems into the NDIS.
- The Parties will agree legal authorisation for data exchange and privacy provisions by Quarter 2, 2016-17.
- The NDIA and the Northern Territory Government will identify availability of participant data requested by the NDIA, including what data is held by the Northern Territory Government and what data is held by external providers (e.g. block funded supports) by Quarter 2, 2016-17.
- The Northern Territory and Commonwealth Governments will develop an approach for the collection, cleansing and transfer of client and service provider data to the NDIA, including roles and responsibilities, key activities and milestones by Quarter 2, 2016-17.
- The Parties will develop information sharing protocols and processes by Quarter 2, 2016-17 consistent with the Bilateral Agreement.
- The NDIA will work with the Northern Territory Government to update data transitioned from the Northern Territory Government to the NDIA to allow for changes in circumstances three months prior to cohort/regional phasing commencing.
- The NDIA will provide the Northern Territory Government with access to participant data and jurisdiction specific reports during the transition period, subject to privacy and other requirements, consistent with Schedule G.

**Timeframe:**

Legal authorisation for data exchange has been confirmed. A plan to collect and transfer data will be developed and agreed by Quarter 2, 2016-17. Implementation will commence once a way forward is agreed by all Parties. Information sharing protocols and jurisdictional reporting arrangements are to be agreed by Quarter 2, 2016-17.

**13 Reviews and Evaluations: Inter-operability of Legislation**

The Northern Territory Government will review Territory legislation and other instruments to assess how they may affect the transition to the NDIS. Key areas include, but are not limited to:



- the role of the Ombudsman, Commissioners, guardianship and nominees
- business registration
- OHS regulations
- building codes (shared accommodation)
- boarding house regulations
- justice legislation
- quality and safeguards
- restrictive practices
- mental health legislation

In addition, the Northern Territory Government and the NDIA will monitor the outcomes of relevant evaluations, reviews and the experience of the Barkly trial site operations for the purpose of ensuring transition to the NDIS is as seamless as possible for people.

**Deliverable:**

Existing Territory legislation is reviewed and mediation strategies are developed to manage any inconsistencies during the transition period.

**Outcome:**

Reputational risk to the Parties is managed and potential legal action against the Parties is avoided.

**Agreed Actions:**

- The Northern Territory Government will undertake a stocktake of inter-operability of legislation and other instruments to support full Scheme transition (e.g. self-assessment, analysis of gaps/conflicts and develop remediation plan if required).
- The Parties will identify any gaps or conflicts in legislation (and other instruments) and develop remediation plan(s) as required.
- Align current policy and practice regarding eligibility decisions between the NDIS Act 2013 and the Northern Territory Disability Services Act 2012, and other associated legislation to reasonable and necessary (if required).

**Timeframe:**

All review and evaluation activities relating to Territory legislation and other instruments will be completed by Quarter 4, 2017-18. Where impediments are identified, remediation strategies will be developed and implemented to support transition to full Scheme. Active monitoring and remediation strategies will be developed and implemented as required throughout the transition period.

**14 Participant Readiness**

Consistent with Schedule E: Sector and System Readiness, the Parties will identify and implement strategies to support and prepare people with disability, their families and carers to transition to the NDIS and maximise their capacity to exercise choice and control. This



may include establishing an LAC presence and Community Connectors in identified communities in advance of the NDIS commencing in regions and communities.

**Deliverable:**

A joint approach between the Parties to support and prepare people with a disability to feel empowered to exercise choice and control as they transition to the NDIS.

**Outcome:**

Participants have access to pre-planning and plan development supports to enable them to access the Scheme in line with the phasing schedules.

**Agreed Actions:**

- NDIA will review the experience of the Barkly to build the capacity of participants throughout transition. This may include a stocktake of lessons learnt in trial, sector development initiatives and pre-planning and implementation workshops.
- The Northern Territory Government will review and share lessons learned to build the capacity of participants for transition. This may include stocktake of lessons learned from specific participant readiness activities conducted by the Northern Territory Government.
- The Parties will plan, implement and coordinate capacity building initiatives for people with disability, their families and carers. This includes supporting people to articulate their goals and aspirations, understand reasonable and necessary and engage as active consumers. Initiatives will take into account the unique demographic characteristics and geography of the Northern Territory to maximise access and equity for participants, consistent with the NDIA Rural and Remote Strategy.
- The NDIA and the Northern Territory Government will ensure preparation and transition activities align to phasing sequencing and pre-intake preparations.

**Timeframe:**

Reviews will be undertaken by end of Quarter 2, 2016-17. A participant readiness approach and agreed actions and Engagement and Communication Plan will be developed and implemented through transition according to phasing in Schedule A: Participant Transition Arrangements in the Northern Territory.

**15 Participants/Cohorts with Specific or Complex Requirements**

Some participants and cohorts of participants may require additional consideration and support to access the NDIS (by the Parties) to ensure they are identified and their needs are addressed during the transition to the NDIS.

**Deliverable:**

The Parties will define and agree cohorts with specific or complex needs to access the NDIS and plan appropriate transition arrangements.



**Outcome:**

Specific needs are addressed avoiding delays to phasing, and increasing participant outcomes and social and economic participation.

**Agreed Actions:**

- The Northern Territory and Commonwealth Governments will work with the NDIA to develop approaches for the transition of existing participants and cohorts with specific or complex needs. This may include, but is not limited to:
  - Hard to reach and / or high-risk individuals and cohorts who may require intensive support to transition to the NDIS.
  - People with immediate needs requiring rapid provision of NDIS or non-NDIS supports, such as people experiencing crisis or emergency situations.
  - New and emerging cohorts during transition.
  - People involved in out-of-home care or the justice system.
  - Participants residing in supported accommodation facilities.
- The NDIA and the Northern Territory Government will agree working arrangements to engage and transition cohorts (or individuals) with specific or complex requirements and develop a strategy for transition by Quarter 2, 2016-17.

**Timeframe:**

The working arrangements to transition people and/or cohorts with specific or complex needs will be implemented between three and six months prior to phasing or as required/agreed.

**16 Provider Readiness**

Consistent with Schedule E: Sector and System Readiness, the Parties will improve the capacity of providers to transition to the Scheme (note this element links to elements 11. *Pre-intake Preparations* and 6. *Sector and System Readiness and Remote Markets*).

Communication and capacity building strategies will help ensure existing and potential providers are ready to participate in the NDIS, minimise risks to support continuity, and assist provider's transition to the NDIS.

**Deliverable:**

An agreed approach to improve the capacity of providers to transition to full Scheme, including the development of communication and capacity building strategies.

**Outcome:**

Provider sustainability and service availability are improved in areas where there are historically limited markets. Participants are able to access reasonable and necessary supports, as providers have business operating models in place that allow them to operate successfully in the NDIS market.

**Agreed Actions:**

- The Northern Territory and Commonwealth Governments will undertake a stocktake of existing readiness activities to ensure providers are able to operate effectively with the NDIS.
- The NDIA will develop and implement national approaches to provider readiness. Working arrangements will be developed in consultation with the Northern Territory and Commonwealth Governments to optimise preparedness for the Scheme.
- The Northern Territory Government will assist existing funded providers to prepare for the transition to the NDIS.

**Timeframe:**

A stocktake of existing provider readiness activities has been completed. Communication and capacity building provider initiatives will be developed prior to transition and implemented throughout transition according to sequencing and in alignment with the Communication and Engagement Strategy.

**17 Government Provision of Disability Supports**

The Northern Territory Government will inform the NDIA of intentions regarding their ongoing role in direct delivery of disability and related supports.

**Deliverable:**

The Northern Territory Government will identify and confirm services that will continue to be directly provided and funded by government during transition and at full Scheme and those that may not continue.

**Outcome:**

The market and participants are suitably prepared for any changes in direct service provision of disability supports by the Northern Territory Government.

**Agreed Actions:**

- The Northern Territory Government will notify the NDIA of any decisions regarding changes to its role in direct provision of disability supports including risk management considerations and handling strategies.
- The NDIA and Northern Territory Government will jointly review the impacts of the Northern Territory Government continuing or exiting from direct service delivery programs and will plan and implement an approach to managing transition issues, including risk management strategies and contingency plans.

**Timeframe:**

The approach of the Northern Territory Government to direct service delivery of specialist disability supports will be shared with the NDIA by Quarter 3, 2017-18.

The approach to managing any transition issues arising will be developed as required.



## **18 Functions to Support System Stewardship**

The Northern Territory Government and the NDIA will work to identify key administrative functions currently delivered or oversighted by the Territory that will need to intersect with the NDIA. The Parties acknowledge the Northern Territory Government's ongoing role in providing these services to the whole population including people with disability, which need to be managed to ensure continuity of these functions during the transition to full Scheme.

### **Deliverable:**

The development of a continuity plan for the management of the Northern Territory Government's remaining administrative functions is considered and implemented prior to transition.

### **Outcome:**

Functions, knowledge and expertise transferred from the Territory system to the Parties to ensure continuity of function and minimise the impact on people with disability of inadequate management/transfer of functions. If functions/business are identified as best undertaken by the NDIA, but are not currently agreed as core key business, funding would be required for the additional administrative cost.

### **Agreed Actions:**

- The Northern Territory Government (in collaboration with NDIA) will identify emerging issues during the transition, including ancillary administration issues around functions such as emergency management, maintenance of vulnerable persons registers, business continuity, registering demand, quality and safeguards and capacity building.
- The Northern Territory Government and the NDIA will determine by Quarter 2, 2016-17 which key administrative functions currently facilitated and managed by the Territory should continue during transition, taking into account business as usual requirements of the Northern Territory as the NDIS rolls out.
- The Northern Territory Government and NDIA (and the Commonwealth as required) will discuss and explore roles and responsibilities and arrangements of administrative key functions during transition.
- The NDIA and the Northern Territory Government will identify where there is a high risk to clients due to the transition to the NDIS, lack of service in particular areas, or other identified issues and develop strategies to manage this risk during the transition.
- The Northern Territory Government will provide information to the NDIA by Quarter 2, 2016-17 on emergency/disaster management processes to ensure supports continue to be available for participants in times of emergency during transition. Working arrangements will be developed to ensure the Northern Territory Government and the NDIA are prepared to effectively support the management of an emergency/disaster situation.

### **Timeframe:**

The Northern Territory Government and the NDIA will work together to identify, plan and clarify roles and responsibilities for the management of identified key functions during

transition. Agreement of the Commonwealth will be sought in regards to any functions proposed to be transferred to the NDIA.

## **19 Community Level Implementation in the Northern Territory – Specific NT Arrangements**

The Northern Territory faces unique challenges in service delivery, such as the wet season, remoteness, the cost of service delivery, a widely dispersed population over a large geographic area and the low availability and quality of transport infrastructure and services. This means that flexibility and local planning, engagement and involvement in decision-making are fundamental considerations. The NDIA community plan checklist (Appendix 1) provides guidance for local implementation.

### **Deliverable:**

Specific community plans will be developed for the implementation of the NDIS in the Northern Territory using a community by community approach. These will be informed by Northern Territory Government's experience and Remote Engagement and Coordination Strategy, the NDIA's experience in the Barkly trial site, relevant NDIA strategies and plans (including the Aboriginal and Torres Strait Islander Engagement Strategy and Action Plan and the Rural and Remote Strategy), and any other relevant inputs agreed by the Parties.

### **Outcome:**

Transition to the NDIS in specified Northern Territory communities will be timely, appropriate and consider the unique circumstances and requirements of each community.

### **Agreed Actions:**

- The Northern Territory Government will nominate the communities and local areas that require specific community level approaches to NDIS transition by Quarter 1, 2016-17.
- The Northern Territory Government will identify existing community level strategies, collate local issues and support knowledge and information transfer to the NDIA by end Quarter 2, 2016-17.
- The NDIA and Northern Territory Government will design, develop and implement community plans for NDIS transition for nominated communities and local areas, seeking feedback from key stakeholders including Aboriginal and Torres Strait Islander peoples and local councils.
- Plans developed will reflect the NDIA's Aboriginal and Torres Strait Islander Engagement Plan and the Rural and Remote Strategy. A detailed communications and engagement strategy for each community will also be developed and implemented in alignment with the phasing schedule.

### **Timeframe:**

Community plans for East Arnhem will be developed prior to phasing commencing, and for subsequent phasing regions, six months prior to phasing commencing as per Schedule A of the Bilateral Agreement.



## **20 Culturally and Linguistically Diverse (CALD) Communities Transition Working Arrangements**

The delivery of the NDIS in CALD communities provides particular challenges in terms of mode of delivery, workforce supply, communications and engagement.

### **Deliverable:**

Identify particular challenges about mode of service delivery, workforce supply, provider and participant readiness and communication and engagement for people from CALD communities. Develop and implement transition-working arrangements as required to facilitate streamlined transition for people with disability from CALD communities.

### **Outcome:**

The Scheme is sensitive to, and supports the needs of participants from a CALD background in the Northern Territory.

### **Agreed Actions:**

- The Northern Territory Government will review its existing CALD strategies, and collate understanding of local issues and experiences to support knowledge and information transfer to the NDIA.
- The NDIA and the Northern Territory Government will develop as necessary CALD transition working arrangements for the Northern Territory, taking into account relevant NDIA strategies and plans, including a detailed communications strategy, seek feedback from key stakeholders and consolidate findings.

### **Timeframe:**

Working arrangements will be developed and implemented for the Northern Territory CALD population, cascading from national policy work agreed at COAG, and will be implemented in accordance with sequencing and phasing arrangements.

## **21 Public Communication and Engagement**

The Parties will work together to develop tailored communication and engagement plans for a range of stakeholders including the general public, providers, existing Northern Territory Government clients and potential participants with an agreed and aligned message structure. These plans will reflect agreed national communications strategies for transition to the NDIS.

### **Deliverable:**

A tailored communication and engagement strategy that reflects agreed national communications strategies for transition to full Scheme.

### **Outcome:**

People are actively engaged with the NDIS through consistent messaging, and the NDIS meets public expectations regarding the attainment of the intended outcomes.



**Agreed Actions:**

- The NDIA (working with Northern Territory and Commonwealth Governments) has developed a transition to NDIS communications and engagement strategy and will identify opportunities for joint messaging.
- The Parties will develop and implement communication and engagement plans, aligned with the Communications and Engagement Strategy, to provide consistent messages to potential participants and the public. The execution of communications and engagement plans will occur consistent with the phasing schedule.
- The Parties agree that the NDIS content on external sites will not replicate NDIS website content and will provide an appropriate web-link.
- The Parties will develop and implement a media management protocol, including crisis communications, risks, key messages and mitigation strategies.

**Timeframe:**

The integrated transition to NDIS communications and engagement strategy has been developed. Communication and engagement plans will be implemented on an ongoing basis, and in accordance with the phasing schedule.



## Appendix 1: NDIA Community Plan Checklist

Local Element	Activity	Progress
Workforce	First offer arrangements explored	
	Local employment arrangements determined with community leaders	
	Community Connector required?	
	Advertising of positions is appropriately targeted	
	Cultural competency training of staff has occurred/commenced	
	Other mandatory training is identified and delivered (4WD, first aid, remote travel etc)	
Community level phasing strategy	Defined and non defined programs present identified	
	IILC transition and engagement plan in place and implemented	
	Culturally and locally appropriate intake processes adopted	
	Participants aware of rights, and complaints process.	
	Providers have agreed quality and safeguards process in place. Registered with NTG	
Sector and System Readiness	Community level market assessment	
	Community level providers and workforce mapped	
	Local economic participation opportunities identified	
	Workforce development including opportunities for local Indigenous employment identified	
	Capacity for growth of existing community providers identified	
	Opportunities to attract new providers identified	

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Local Element	Activity	Progress
	Need for POLR identified. Arrangements in place	
	AT provision and support available in or for local community	
Participant readiness	Any community specific characteristics identified	
	S55 data for NTG clients received	
	Culturally appropriate targeted participant readiness activities developed	
Provider readiness	Individuals with complex requirements identified in each community and an intake/planning process prepared	
	Providers/potential providers aware of NDIS transition	
Mainstream interfaces	Providers in the community registered with NTG and NDIA	
	Local processes and information sharing identified and agreed, including local governance and escalation processes to ROWG	
Pre-intake preparations	Community level transition group established (if needed) with clear roles and responsibilities	<input type="checkbox"/> Council <input type="checkbox"/> Local Authority <input type="checkbox"/> Traditional Owners
	Process for escalating issues (eg ROWG) established	
Public communications and engagement	Key messages for each community developed	<input type="checkbox"/> Language(s) <input type="checkbox"/> Translations required
	Media tools identified eg local radio	
	Community engagement plan developed and delivered	<input type="checkbox"/> Local Protocols <input type="checkbox"/> Interpreters required

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### 3 Glossary of Terms

Term	Description
Aboriginal and Torres Strait Islander	Aboriginal and Torres Strait Islander peoples is the collective term for all people who identify and are recognised as descendants of the original inhabitants of Australia, and acknowledges the many Aboriginal and Torres Strait Islander groups in Australia.
Assistive Technology (AT)	Assistive technology is the term used to cover aids, equipment and technology that provide practical solutions to everyday activities for people with disability.
Bilateral Agreement	An agreement between the Commonwealth Government and jurisdictional Governments regarding roles and responsibilities for the transition to full coverage of an NDIS in Australia. The Northern Territory NDIS Bilateral Agreement is between the Commonwealth and the Territory Government of the Northern Territory.
Cash contribution to NDIS	Cash funding provided by Territory and Commonwealth Governments to the NDIS. See In Kind Contribution (a non-cash contribution from jurisdictions to the NDIS).
Choice and Control	Enabling participants to control the supports they receive and to choose how support is provided. This can also involve a range of options from choosing providers to managing their own support funding; choose types and timing of provision support, which provider and how payments will be administered.
Council of Australian Governments (COAG)	The Council of Australian Governments (COAG) is the peak intergovernmental forum in Australia. The members of COAG are the Prime Minister, State and Territory Premiers and Chief Ministers and the President of the Australian Local Government Association.
Continuity of Support	Ensures people with disability who are currently receiving services are not disadvantaged in the transition to the NDIS. This means that if a person is currently receiving a disability service, but does not become a participant in the NDIS, they can continue to have access to support that is consistent with their current arrangements.
Client Data Standard	The information being sought by the NDIS about existing clients funded for supports by States and Territories to assist with streamlined intake, access and planning processes.
Defined Programs	Approved Commonwealth and Territory programs whereby people receiving support from these programs can transition to the NDIS without a requirement to provide evidence of disability because the eligibility of these programs is consistent with NDIS disability criteria.

Term	Description
Eligibility requirements	Also known as ‘access requirements,’ are the criteria a person must meet to become a participant in the NDIS.
Evidence base	The evidentiary base for decision making by NDIA personnel, including whether a person meets the access criteria and is eligible for funding for reasonable and necessary supports, as well as the factual information compiled by the NDIA from its experience in trial sites, data collection and independent research.
Full Scheme	The dates by which the Scheme will be available to all eligible residents.
In-kind contribution	Contributions from jurisdictions and the Commonwealth to NDIS that are not in the form of cash but instead are in the form of services provided to individuals on behalf of the NDIS through existing government programs.
Local Area Coordinator (LAC)	<p>Local Area Coordination is an important part of the supports and activities that will be available to people with disability and their communities as they transition to the NDIS. It is designed to support people with disability to explore and build an ordinary life within their communities.</p> <p>LACs work with participants to</p> <ul style="list-style-type: none"> <li>• Provide assistance to connect to and build informal and natural supports</li> <li>• Provide assistance with the planning process and effective implementation</li> <li>• Work with non-participants as part of Information, Linkages and Capacity Building</li> <li>• Work with community, providers and mainstream to build inclusion and awareness of the needs of people with disability</li> </ul>
Mainstream Interface Principles and Tables of Support	The interactions of the NDIS with other service systems will reinforce the obligations of other service delivery systems to improve the lives of people with disability, in line with the National Disability Strategy. The principles outlined in the Mainstream Interface Principles and Tables of Support document will be used to determine the funding and delivery responsibilities of the NDIS and other systems in achieving this vision. The principles can be found at <a href="https://www.coag.gov.au/node/497">https://www.coag.gov.au/node/497</a>
National Disability Insurance (NDIA)	The NDIA is an independent statutory body whose role is to implement the National Disability Insurance Scheme (NDIS), which will support a better life for hundreds of thousands of Australians.



Term	Description
National Disability Insurance Scheme (NDIS)	The NDIS is an insurance scheme created to provide assistance in the form of funding for persons or entities for the purpose of assisting people with disability to realise their potential for physical, social, emotional and intellectual development, and to fully participate in social and economic life.
National Disability Insurance Scheme Rules	National Disability Insurance Scheme Rules will give practical effect to the intent of the <i>NDIS Act 2013</i> . <a href="https://www.comlaw.gov.au/Details/F2013L01063">https://www.comlaw.gov.au/Details/F2013L01063</a>
Outcomes Framework	The NDIA's mechanism for measuring success for people with disability in areas like choice and control, daily living activities, relationships, home, health and wellbeing, lifelong learning, work, and social, community and civic participation.
Participant	A person becomes a participant in the National Disability Insurance Scheme on the day the CEO determines the person meets the access criteria and has been assessed as satisfying the criteria for approval/acceptance.
Parties	Parties refers to the signatories to the Operational Plan, namely the Commonwealth Government, the Northern Territory Government and the NDIA.
Planning process	The process designed to assist participants and their families to purchase reasonable and necessary support to meet their disability support needs.
Provider	The NDIS funds reasonable and necessary supports that help a participant to reach their goals, objectives and aspirations, and to undertake activities to enable the participant's social and economic participation. NDIA staff make decisions based on the National Disability Insurance Scheme Act 2013 (NDIS Act) and the rules made under the NDIS Act. The operational guidelines also provide practical guidance for decision makers.
National Quality and Safeguards Framework	A nationally consistent framework that ensures people with disability can make decisions about their supports while also enabling them to live free from abuse, neglect and exploitation. The framework will also promote innovation, continuous improvement and best practice in the provision of supports.
Reasonable and necessary supports	Defined as the most appropriate, cost effective support to enable a participant's social and economic participation. The NDIA publishes operational guidelines to assist decisions on what is to be funded as a reasonable and necessary support by NDIS in a participant's plan. For



Term	Description
	supports to be reasonable and necessary they must meet all elements of the test set out in s34 of the NDIS Act 2013.
Rural and Remote	The Rural, Remote and Metropolitan Areas classification applied by the NDIA is the Modified Monash Model. It has seven categories based primarily on population numbers and an index of remoteness. <a href="http://www.doctorconnect.gov.au/internet/otd/publishing.nsf/Content/MM_M_locator">http://www.doctorconnect.gov.au/internet/otd/publishing.nsf/Content/MM_M_locator</a>
Service Delivery Operating Model (SDOM)	The SDOM is the overarching design of how the Agency will operate, at a service delivery level, to best deliver on the intent of the NDIS. The design of the SDOM seeks to ensure the Agency administers the NDIS in a fair, flexible and efficient way.
Supported Accommodation	Accommodation support options range from a low level of formal support provided every few days (for example, in-home and drop-in support services), through to support provided 24 hours a day.
System Stewardship	System stewardship refers to the responsible planning, management and administration of existing government functions through the transition to the NDIS.