

CHIEF COUNSEL DIVISION: DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025 – WORK PROGRAMME

What outcomes does the Division generate for the NDIA	Initiatives undertaken to achieve the outcome	Activities undertaken under this initiative	How is the impact of the Division measured	Does the work treat a strategic risk?
Strategic Objective 1: A dispute resolution operating model that is simpler and fairer.				
Aspiration 1. A quality experience and improved outcomes for participants.	1.1. Enable a human-centred approach to alternative dispute resolution using internal capability.	1.1.1 Develop induction training modules and competency framework for Case Managers. 1.1.2. Phase 1: Case Manager (non-lawyer) participant contact; revise SOI ahead of CM changes. 1.1.3. Phase 2: Case Managers leading Conciliation; re-visioning the engagement between Case Manager and lawyer ahead of the conciliation. 1.1.4. Phase 3: Case Managers leading case conferences in the AAT with internal legal support.	• Reduce time of planning matters in the AAT to 150 days from 242 days the previous year. • 80% case resolution within 9 months. • Reduced average external legal costs per matter to \$8,400.	1. Participant experience Ability to meet participant expectations for access decisions, delivery of personalised plans and timely reviews, including responsiveness to the management of critical incidents and/or issues. 2. Participant outcomes Ability to facilitate achievement of identified goals to enable participant social and economic outcomes
	1.2. Ensure strategic and consistent advice in decisions.	1.2.1. Build Knowledge bank. 1.2.2. Build an AAT Advice service 1.2.3. Litigation guidelines and Standard Operating Procedures (including Evidence policy (to include use of social media as evidence and use of IME; summons/partial agreement policies). 1.2.4. Develop a cross divisional Opinions database.		
	1.3. Implement a Legal Cost Reduction Strategy to significantly reduce and manage our external legal spend.	1.3.1. Transition all AAT legal contracts from hourly rate contracts to bundle fee arrangements/ secondments. 1.3.2. Commence a 12-month review of current 8 x bundle fee contract. arrangements and introduce a range of quality assurance mechanisms 1.3.3. Create NDIA Legal Provider Framework. 1.3.4. Update standing instructions to align with updated litigation Strategy. 1.3.5. Create new Procurement arrangements for NDIA external legal service providers with updated bundle agreements.		

Strategic Objective 2: Human-centred solutions to improve participants' experience.				
Aspiration 1. A quality experience and improved outcomes for participants. Aspiration 2. A competitive market with innovative supports. Aspiration 3. A genuinely connected and engaged sector.	2.1 Establish an Early Assessment capability.	2.1.1 Recruitment for Early Assessment (EA) teams. 2.1.2 Developing consistent approaches to decision making in early assessment (SOP). 2.1.3 Early Assessment awareness training to AAT Case Management Branch. 2.1.4 EA awareness training to key business areas within the Agency. 2.1.5. Resourcing requirement for 100% review of caseloads. 2.1.6 Develop Early assessment specific in-house legal advice support.	- Improved participant satisfaction and their satisfaction with accessibility. - Increase the number of matters reviewed by - Early Assessment to 75%.	1. Participant experience: Ability to meet participant expectations for access decisions, delivery of personalised plans and timely reviews, including responsiveness to the management of critical incidents and/or issues. 2. Participant outcomes: Ability to facilitate achievement of identified goals to enable participant social and economic outcomes. 3. Partner performance Ability to maintain necessary Agency partners capacity and capability, including Partners in The Community and outsourced service providers. 9. Stakeholder relationship and trust: Ability to build and maintain mutual trust with the sector, participants and community through improved engagement and co-design for Scheme changes.

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2.2 A participant-centred approach to the appeals process and address power imbalance.	2.2.1. Human centred design project on the AAT process - Strategy Branch-led. 2.2.2 Co-design a participant survey to gather regular participant feedback.		
2.3 Implement an Independent Expert Review trial	2.3.1. Transition of IER into BAU into AAT Case Management Branch and DR&L Branch. 2.3.2. Survey and evaluation process of the IER - Research & Evaluation Branch-led 2.3.3 IER closure		
2.4. Reduce the number of aged matters in the AAT.	2.4.1 Review of aged matters - all matters in the AAT 12 months and longer. 2.4.2 Transition of aged matters to inhouse legal team. 2.4.3 Dashboard for Case Managers. 2.4.4 Lessons learnt – caseload elevation to inform future training needs/gaps and training modules.		
2.5 Enhance AAT advocacy capability.	2.5.1. Advocacy Skills: Including a training program for solicitor/advocacy groups. 2.5.2. Establish a legal framework for Advocacy. 2.5.3. Work with DSS towards expanding legal assistance funding and services.		

Strategic Objective 3: Increased consistency and transparency in our decision making				
Aspiration 1. A quality experience and improved outcomes for participants. Aspiration 2. A competitive market with innovative supports. Aspiration 3. A genuinely connected and engaged sector	3.1 Improve in-house Litigation oversight governance.	3.1.1. Build an in-house Litigation governance and oversight: - Agree on operation model/agree and manage AAT stakeholder arrangements - Agree on AAT Governance arrangements (HOC/Federal Court).	100% reporting and response to Model Litigant complaints. - Less FOI requests relating to AAT matters. - Effective policies, advice and systems enhance continuous improvements in decision making.	1. Participant experience: Ability to meet participant expectations for access decisions, delivery of personalised plans and timely reviews, including responsiveness to the management of critical incidents and/or issues. 2. Participant outcomes: Ability to facilitate achievement of identified goals to enable participant social and economic outcome.
	3.2 Deliver a Model Litigant Framework to apply the highest standards of ethical behaviour.	3.2.2. Establish monthly MLO Series. 3.2.3. Develop the Model Litigant Framework.		
	3.3. Establish mechanisms to inform continuous improvement in reviewable decisions.	3.3.1. Establish an inbox for internal review feedback to identify areas of support to internal review improvements. 3.3.2. Create a register of all priority proposed legislative changes. 3.3.3. Develop Attribution Policy 3.3.4. Advise on Davis & Foster: High Court Decisions – Implications for Operational Guidelines and Rules. 3.3.5. Publish more information about AAT outcomes, including matters resolved without proceeding to hearing (ANAO recommendation: <i>agree to publish on a yearly basis a thematic analysis of review data to improve transparency of review process</i>).		
	3.4. Contemporary, fit-for-service systems to better meet the needs of the Division.	3.4.1. Develop fit-for-purpose business systems: PACE/LEX		



A healthy workplace culture where staff can grow professionally				
Aspiration 4. A high performing NDIA.	4.1 Succession planning for our staff.	4.1.1. Broad banding of APS4 – 6 legal roles. 4.1.2. Develop a pathway into the legal officer professional structure 4.1.3. Support future leaders for the Chief Counsel Division. 4.1.4. Develop a legal and case management capability framework. 4.1.5. Review the practical legal training arrangements.	• Improved workplace inclusion, engagement, and accessibility. • Staff are engaged, demonstrate leadership, integrity, and agility. • Improved Census survey engagement. • Increase retention rate within the Division.	7. People, capability, and capacity: Ability to attract and retain a highly capable, high performing workforce.
	4.2. Provide a safe and healthy work environment.	4.2.1 Develop a CCD work health and safety risk assessment.		
	4.3. Increase cultural capability to enable supportive work environment.			



CHIEF COUNSEL DIVISION

Our vision:

To be a thriving division that is integral to the Agency and helps build trust in the NDIS

DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Strategic objective	1. A dispute resolution operating model that is simpler and fairer	2. Human-centred solutions to improve Participants' experience	3. Increased consistency and transparency in our decision making	4. A healthy workplace culture where staff can grow professionally
Initiatives	1.1. Enable a human-centred approach to alternative dispute resolution using internal capability. 1.2. Ensure strategic and consistent advice in decisions. 1.3. Implement a Legal Cost Reduction Strategy to significantly reduce and manage our external legal spend.	2.1. Establish an Early Assessment capability. 2.2. A Participant-centred approach to the appeals process and address power imbalance. 2.3. Implement an Independent Expert Review Trial. 2.4. Reduce the number of aged matters in the AAT. 2.5. Enhance AAT Advocacy capability.	3.1. Improve in-house Litigation oversight and governance. 3.2. Deliver Model Litigant Framework to apply the highest standards of ethical behaviour. 3.3. Establish mechanisms to inform continuous improvement in reviewable decisions. 3.4. Contemporary, fit-for-service systems to better meet the needs of the Division.	4.1. Establish succession planning for our staff. 4.2. Provide a safe and healthy work environment. 4.3. Increase cultural capability to enable a supportive work environment.
Measures of success	• Reduce time of planning matters in the AAT to 150 days from 242 days the previous year. • 80% case resolution within 9 months. • Reduced average external legal costs per matter to \$8,400.	• Improved participant satisfaction and their satisfaction with accessibility. • Increase the number of matters reviewed by Early Assessment to 75%.	• Learning from MLO investigations included in continuous improvements initiatives. • Model litigant culture and practice communicated to all staff through CC Model litigant series. • Quarterly reporting to ALOC with AAT thematic analysis and policy advice.	• A 10% increase in the APS Census participation from prior year. • Census Action Plans delivered annually. • WHS Plan delivered and reviewed quarterly. • Annual training plan implemented. • Training & support for staff impacted by compassion fatigue and vicarious trauma.

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Dispute Resolution Improvement Strategy Working Group- Terms of Reference

1. Purpose

- 1.1 The Dispute Resolution Improvement Strategy) or 'DRIS') working group will be the forum to:
 - 1.1.1 Drive a unified understanding of the Chief Counsel division's change management and priorities and ensure a coordinated approach to achieving the strategic objectives as set out in the Plan.
 - 1.1.2 Provide advice and guidance in the development of the change management work program within the division during the lifetime of the Strategy.
 - 1.1.3 Consider emerging risks and priorities over the period of the Strategy and provide recommendations to the sponsor any changes to priorities and/or inclusion of new projects.
 - 1.1.4 Develop a strategy as part of the Plan to promote and lead a culture of integrity, respect, and inclusiveness to drive and support a highly engaged and effective workforce within the Chief Counsel Division.

2. Lifespan of the Working Group

- 2.1 The lifespan of the Working Group is determined by the sponsor.

3. Detailed functions

- 3.1 The responsibilities of the working group:
 - 3.1.1 Document the division's operating model and recommend to Chief Counsel a changed approach to the model based on priorities and achieving the strategic objectives set out in the DRIS.
 - 3.1.2 Develop a Work Program and roadmap with agreed set of deliverables and timelines and allocate leads.
 - 3.1.3 Develop performance outcomes against targets.
 - 3.1.4 Develop a 3year work program and identify leads and timelines to achieve the strategic objectives as defined in the Plan.
 - 3.1.5 Develop an interim 6 month- project plan with priority work to be completed.
 - 3.1.6 Include the CCD risk register and risk framework for the Division aligned to the initiatives.

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- 3.1.7 Develop and champion a cultural change management plan to support and drive a highly engaged effective teams within the Division.

4. Reporting

- 4.1 The Working Group will provide fortnightly updates to the Chief Counsel as the sponsor of the Plan
- 4.2 The working group will also provide fortnightly updates to the Chief Counsel and monthly update at the AAT Strategic team meetings.

5. Membership

- 5.1 Membership of the Working Group is as follow:
- 5.1.1 Marija §22(1)(a)(i) - irrelevant material Director, Communications and Engagement, AAT Case Management Branch (Chair)
- 5.1.2 Kathryn §22(1)(a)(i) - irrelevant material Deputy Chief Counsel, AAT Dispute Resolution and Litigation branch
- 5.1.3 Patricia §22(1)(a)(i) - irrelevant material Principal Legal Officer, AAT Dispute Resolution and Litigation branch
- 5.1.4 Jess §22(1)(a)(i) - irrelevant material Director, Chief Counsel Operations
- 5.1.5 Liam §22(1)(a)(i) - irrelevant material and Cathy §22(1)(a)(i) - irrelevant material Directors from Independent Expert Review Program
- 5.1.6 Bridget §22(1)(a)(i) - irrelevant material and Tom §22(1)(a)(i) - irrelevant material Principal Lawyers from Legal Service branch
- 5.1.7 Arielle §22(1)(a)(i) - irrelevant material Alice §22(1)(a)(i) - irrelevant material and Lee §22(1)(a)(i) - irrelevant material Directors from the AAT Case Management branch.
- 5.1.8 Fiona §22(1)(a)(i) - irrelevant material Director, AAT Dispute Resolution and Litigation
- 5.2 The Chair may nominate another NDIA senior executive as Alternate Chair. The Alternate Chair will act as Chair if the Chair is unavailable.
- 5.3 Where a Working Group member is unable to attend, a proxy or delegate may attend with the approval of the Chair.
- 5.4 As required, a Working Group member may request additional invitees or observers to attend Working Group meetings.
- 5.5 The Secretariat will confirm attendance in advance of each meeting and reschedule, if needed, to ensure availability of a quorum.
- 6. Secretariat**
- 6.1 The Chair will also perform the Secretariat function.

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7. Meeting arrangements**Meeting agenda and action items**

- 7.1 The agenda will be prepared and provided to Working Group members 3 business days before a meeting. The Working Group Secretariat will circulate the agenda.
- 7.2 The duration of meetings is limited to one hour, if possible.
- 7.3 Decisions and actions will be recorded for all meetings. Decision and action registers will be maintained by the WG Secretariat.
- 7.4 Agreed actions will be updated fortnightly by the WG Secretariat and form the primary minutes for meetings.

Frequency

- 7.5 The WG will meet fortnightly at a minimum, to support the momentum required to initially drive to Plan and meet the expectations of ELT.
- 7.6 Extra-ordinary meetings will be scheduled as required.

8. Working Group sponsor

- 8.1 The DRIS working group will report to the Chief Counsel.

Conduct at meetings

- 8.1 All Working Group members are expected to:
 - 8.1.1 Act in accordance with NDIA and APS values during meetings, and in relation to their decision-making duties;
 - 8.1.2 Read all papers before attending the meeting;
 - 8.1.3 Remain within the allotted time for agenda items;
 - 8.1.4 Operate from a whole-of-Scheme perspective and be accountable to identify risks and opportunities;
 - 8.1.5 Bring forward papers which enable the Working Group to discharge its responsibilities;
 - 8.1.6 Act in a collegiate and collaborative manner when discussing and resolving issues;
 - 8.1.7 Provide the Working Group with accurate and timely information to enable well-informed reporting; and
 - 8.1.8 Declare and avoid conflicts of interest and conflicts of role.

Quorum

- 8.2 A quorum will consist of 8 or more WG members, one of whom must be the Chair or Alternate Chair.

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National Disability Insurance Scheme – Dispute Resolution Improvement Strategy Working Group

9. Review of terms of reference

- 9.1 These terms of reference will be reviewed by the Working Group at least quarterly.

Operating Guide

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Operating Guide – Dispute Resolution Improvement Strategy Working Group

Delivery and Coordination

1. Purpose

This Operating Guide outlines the Strategy and Reporting (S&R) team's function in coordinating and delivering efficient and compliant support to the monthly Dispute Resolution Improvement Strategy Working Group (DRIS WG), ensuring alignment with endorsed strategy objectives and internal governance requirements. It sets out the pre-meeting protocol, in-meeting responsibilities and post meeting follow-ups for the S&R team to allow for the timely delivery of the DRIS WG.

2. Pre-meeting checklist

Task	Responsibility	Timeframe	Record Keeping
Draft Agenda <i>*Agenda to include links to Dashboard pdfs.</i>	Project Officer (with clearance from Assistant Director)	5 days prior to meeting	Agendas & Membership
Update DRIS Progress Reporting presentation <i>*Including slides on updated data from Dashboards – if available at the time.</i>	Project Officer	5 days prior to meeting	DRIS Performance Reporting Presentations
Update and prepare Meeting Pack*	Project Officer (with clearance from Assistant Director)	5 days prior to meeting	DRIS Working Group
Pre-brief to the chair attaching Meeting Pack*, confirming their requirement as	Assistant Director <i>*As Director is also currently Chair.</i>	4 days prior to meeting	Clearance to be sought via email

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chair, current attendee responses and other matters which may need to be highlighted.			<i>*Template to be set up</i>
Finalise and circulate Agenda and <i>Meeting Pack</i> * with updated invitation	Project Officer (with clearance from Assistant Director)	3 days prior to meeting	DRIS Working Group Invite to be sent from Legal Strategy & Reporting calendar
Review and update progress reporting in Implementation Actions Plan	Project Officer and Assistant Director	3 days prior to meeting	DRIS Implementation Plan.docx
Review prior Actions Register to check for outstanding items	Project Officer and Assistant Director	3 days prior to meeting	DRIS WG Actions Register.docx
Briefing email to WG including <i>Meeting Pack</i> *	Director	3 days prior to meeting	Email to be sent from Director's inbox
Review attendee list (acceptances and declines)	Project Officer	Day before meeting	Reponses to Legal Strategy & Reporting inbox and indicators on invitation
Pre-brief Chair on responses	Assistant Director	Day before meeting	Pre-brief to be sent via email

3. In-meeting procedure

Task	Responsibility	Timeframe	Record Keeping
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Record key discussion points and actions	Project Officer	During meeting	DRIS WG Actions Register.docx
Update Implementation Action Table	Project Officer	During meeting	DRIS Implementation Plan.docx

4. Post-meeting follow-ups

Task	Responsibility	Timeframe	Record Keeping
Update Action Register	Director with assistance from Project Officer and Assistant Director	Within 1 day after meeting	DRIS WG Actions Register.docx
Update Implementation Plan	Assistant Director with Project Officer	Within 1 day after meeting	DRIS Implementation Plan.docx
WG wrap up email (email to include updated Actions Register and Implementation Plan after WG)	Director	Within 3 days after meeting	Email to be sent from Director's inbox

5. Governance

- All documents relevant to the LSS IWG will be saved in SharePoint: [DRIS](#)
- Attendees at meetings will be matched against the members list: [DRIS WG Membership List 2025.xlsx](#)

6. Definitions

- **Meeting Pack*** - consists of Agenda, Actions Register, Implementation Action Plan, DRIS



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Progress Reporting (in PDF format) & any other relevant papers for meeting (such as presentations, other progress reports and dashboards).

DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025 – IMPLEMENTATION ACTIONS STATUS TABLE

For best formatting, please open this document in desktop version of Microsoft Word



Initiative	Activity	Lead	Delivery Timeframe	Status	Status Update and Next Steps
Strategic Objective 1: A dispute resolution operating model that is simpler and fairer					
1.1. A human-centered approach to alternative dispute resolution using internal capability.	1.1.6 Phase 5: All Case Managers in consultation with internal legal are co-leading case conferences and/or conciliation in the ART with internal legal support	Kathryn Tim (support from Jess)	31 August 2025		Item drafted but not yet distributed. Kathryn J will work on this via the Menti and Law Sessions separately. Survey to law firms to be done separately.
	1.2.4. Litigation guidelines and Standard Operating Procedures completed	Kathryn (support from Alice and Cat)	[Current timeline is June – timeline will be pushed back to end of the year.]		Mapping this work is still pending. There may be a project underway shortly which will support this process mapping. Kathryn J will use this as a new action item with updated timeframes.
	1.2.4.1 Complete end to end process for litigation to document the process				
	1.2.4.2 Create a prioritisation map for SOPs for completion.				
	1.2.4.3 Complete priority SOPs.				
	1.2.4.4 Identify future SOPs				
1.2. Strategic and consistent advice in decisions.	1.2.5 Standard Operating Procedures for IME Question bank	Martine Alice	31 August 2025		Completed and waiting on SES sign-off by Kathryn J. Out of session confirmation to be sought before closing off. Current working group will update Standing Instructions for this item as a <u>new action</u> . To close at next WG.
Strategic Objective 2: Human-centered solutions to improve Participants' experience					All activities (apart from 2.2.2) complete

Strategic Objective 3: Increased consistency and transparency in our decision making					
3.3 Mechanisms to inform continued improvement in reviewable decisions.	3.3.7 Update policies, processes and training to support legal and non-legal staff involved in ART matters, on matters referred to the Guidance and Appeals Panel (GAP): - Develop a protocol for matters that will be referred to the GAP or appealed to the Federal Court. (Priority) - Develop Standard Operating Procedures to support activity above. - Update internal training to support staff involved in matters referred to the GAP.	Kathryn with support from Alice and Cat	30 September 2025		Kathryn J – Seeking clarification around the wording for GAP and seek an update on the status. Kathryn – Is participating in a Working Group to amend the sections on the GAP. First step will be CEO sign-off of realignment of delegations. Kathryn J to provide update following Working Group discussions. CM has recommended EL1/EL2 Senior Instructors to be assigned GAP Matters appeals in the first instance to identify what oversight we need. These

					matters need to be brought to ALOC earlier in order to give early visibility to SLT.
					Tim ^{s22(1)(a)(i) - Ir} agreed EL2s are to provide this service. Documentation will also be developed by a different Working Group. David ^{s22(1)(a)(i) - Ir} to lead this Action with timing for September to remain.
	3.3.9 Develop quality assurance and reporting functions of all CMART applications to include thematic analysis of ART matters which resolve or are withdrawn, with a particular focus on causation, with reports to be incorporated into identified Agency-wide governance. - Develop reports on withdrawal and settlement in ART, with reports to be incorporated into identified Agency-wide governance.	Fiona ^{s22(1)(a)(i) - Ir} - lead/ Tim ^{s22(1)(a)(i) - Ir} Kathryn ^{s22(1)(a)(i) - Ir}	30 September 2025		Fiona, Tim & Kathryn – to continue this work. A checklist on when we settled matters is required. Daniel F requested data from law firm to be included in the Standing Instructions/Provider Framework. David ^{s22(1)(a)(i) - Ir} and Yael ^{s22(1)(a)(i) - Ir} to be connected to this space. Kathryn J – Identifying strategic reasons why they withdraw is key. *Due date extension to be September.
Strategic Objective 4: A healthy workplace culture where staff can grow professionally					
4.1 Succession planning for our staff.	4.1.4. Develop a legal and case management capability framework.	Cat ^{s22(1)(a)(i) - Ir}	N/A		Paused while the Agency-led capability framework is underway. Will re-commence once the Agency framework has been released.

COMPLETED ACTIVITIES

INITIATIVE	ACTIVITY	LEAD/S	DELIVERED	STATUS
Strategic Objective 1: A dispute resolution operating model that is simpler and fairer				
1.1. A human-centered approach to alternative dispute resolution using internal capability.	1.1.1 Develop induction training modules and competency framework for Case Managers	Lee ^{s22(1)(a)(i) - Ir}	31-May-23	COMPLETE
	1.1.2. Phase 1: AATCMB: Case Manager (non-lawyer) participant contact DR&L: revise SOI ahead of CM changes	Kathryn ^{s22(1)(a)(i) - Ir} /Daniel ^{s22(1)(a)(i) - Ir}	30-Apr-24	COMPLETE
	1.1.3. Phase 2: AATCMB: Case Manager (non-lawyer) participant contact	Kathryn ^{s22(1)(a)(i) - Ir} /Fran ^{s22(1)(a)(i) - Ir}	31-Mar-24	COMPLETE
	1.1.4. Phase 3: Trial Phase for CM-led Case Conferences Trial stage with a cohort of Case Managers leading case conferences in the AAT with internal legal support.	Kathryn ^{s22(1)(a)(i) - Ir} /Tim ^{s22(1)(a)(i) - Ir}	30-Sept-24	COMPLETE
	1.1.5 Phase 4: Trial Phase for CM-led conciliation Trial stage with a cohort of Case Managers leading conciliation in the AAT with internal legal support.	Kathryn ^{s22(1)(a)(i) - Ir} /Tim ^{s22(1)(a)(i) - Ir}	30-Sept-2024	COMPLETE

1.2. Strategic and consistent advice in decisions.	1.2.1. Build Knowledge bank	Kathryn [REDACTED]/Gertrude [REDACTED]	23-Apr-24	COMPLETE
	1.2.2. Build AAT Early Assessment Support Services.	Patricia [REDACTED]	31-Jan-24	COMPLETE
	1.2.3. Litigation guidelines and Standard Operating Procedures: to cover Evidence policy including a policy on the use of social media as evidence summons/partial agreement policies	Kathryn [REDACTED]/Gertrude [REDACTED]	30-Apr-24	COMPLETE
	1.2.6. Develop a cross divisional Opinions database	Sara [REDACTED]	31-Dec-23	COMPLETE
1.3 Legal Cost Reduction Strategy to significantly reduce and manage our external legal spend.	1.3.1. Transition all AAT legal contracts from hourly rate contracts to bundle fee arrangements/ secondments	Fiona [REDACTED]	10-Jul-23	COMPLETE
	1.3.2. Commence a 12-month review of current 8 x bundle fee contract arrangements and introduce a range of quality assurance mechanisms	Fiona [REDACTED]	30-Jun-23	COMPLETE
	1.3.3. Create NDIA Legal Provider Framework	Fiona [REDACTED]	31-Oct-23	COMPLETE
	1.3.4. Update standing instructions for procurement processes.	Fiona [REDACTED]	27-Oct-23	COMPLETE
	1.3.5. Create new Procurement arrangements for NDIA external legal service providers with updated bundle agreements.	Fiona [REDACTED]	31-Jan-24	COMPLETE
	1.3.6. IME Procurement Process Established and Implemented	Tim [REDACTED]/Kathryn [REDACTED]/Marine [REDACTED] [REDACTED]/Scott [REDACTED]	30- Sept-25	COMPLETE
Strategic Objective 2: Human-centered solutions to improve Participants' experience				
2.1 Establish an Early Assessment capability.	2.1.1 Recruitment for Early Assessment teams	Richelle [REDACTED]	30-Apr-23	COMPLETE
	2.1.2 Developing consistent approaches to decision making in early assessment (SOP)	Richelle [REDACTED]	20-Jun-23	COMPLETE
	2.1.3 Early Assessment awareness training to AATCM	Richelle [REDACTED]	30-Jun-23	COMPLETE
	2.1.4 EA awareness training to PED (ND/NARB)	Richelle [REDACTED]	30-Jun-23	COMPLETE
	2.1.5 Resourcing requirement for 100% review of caseloads for Case Management.	Richelle [REDACTED]	1-Dec-23	COMPLETE
	2.1.6. Develop Early assessment specific legal advice support to review 100% of access matters (with in-house providing legal advice to capacity of in-house legal resources).	Kathryn [REDACTED]	30-Apr-25	COMPLETE

	2.1.6 (1) Assessment of level of support required for EA legal specific in-house legal advice to support 100% of access and planning matters	Kathryn ^{s22(1)(a)(i) - irrelevant m}	30-Apr-25	COMPLETE
	2.1.6 (2) Standard Operating Procedure to support activities 2.1.6 completed	Kathryn ^{s22(1)(a)(i) - irrelevant m} / Tim ^{s22(1)(a)(i) - irrelevant m} / Fiona ^{s22(1)(a)(i) - irrelevant m}	30-Apr-25	COMPLETE
2.2 Human-centered approach to the appeals process and address power imbalance.	2.2.1. Human Centred design project on the AAT process - let by Strategy Branch	Marija ^{s22(1)(a)(i) - irrelevant m}	1-Sep-23	COMPLETE
	2.2.2 Co-design a participant engagement & survey to gather regular participant feedback	Fiona ^{s22(1)(a)(i) - irrelevant m} (with input from other relevant leads attending the meeting)	Undelivered	Closed – not completed: needs to be prioritised as an action prior to a revised DRIS – need to re-baseline participant experience before next DRIS version.
2.3 Implement an Independent Expert Review trial	2.3.1. Transition of IER into BAU into AAT CM and DR&L branches	Andrew ^{s22(1)(a)(i) - irrelevant m}	30-Jun-23	COMPLETE
	2.3.2. Survey and evaluation process of the IER (of pilot phase 1)	Andrew ^{s22(1)(a)(i) - irrelevant m} / Research Evaluation branch	31-Jan-24	COMPLETE
	2.3.3. IER Closure	Andrew ^{s22(1)(a)(i) - irrelevant m} / Daniel ^{s22(1)(a)(i) - irrelevant m}	31-Jan-24	COMPLETE
2.4 Reduce the number of aged matters (over 12 months) in the AAT.	2.4.1 Review of aged matters - all matters in the AAT 12 months and longer	Arielle ^{s22(1)(a)(i) - irrelevant m} / David ^{s22(1)(a)(i) - irrelevant m}	1-Jul-23	COMPLETE
	2.4.2 Transition aged matters from LSPs on hourly rate contracts (Clayton Utz, Ashurst, Sparke Helmore) to inhouse legal team, with the assistance of secondment arrangements.	Kathryn ^{s22(1)(a)(i) - irrelevant m}	31-Aug-24	COMPLETE
	2.4.3. Transition aged matters from existing LSPs (Hunt & Hunt, HWLE) to inhouse legal team with the assistance from practice build staff (Ally Group, Lawyerbank, Sparke Helmore)	Kathryn ^{s22(1)(a)(i) - irrelevant m}	30-Apr-24	COMPLETE
	2.4.4. Transition all matters from existing LSPs to new LSP arrangements (Maddocks, Sparkes, Mills, Moray).	Kathryn ^{s22(1)(a)(i) - irrelevant m} / Fiona ^{s22(1)(a)(i) - irrelevant m} (Gertrude, Cathy ^{s22(1)(a)(i) - irrelevant m})	26-Oct-24	COMPLETE
	2.4.3 Dashboard for Case Managers to identify matters over 12 months	Justin ^{s22(1)(a)(i) - irrelevant m} / David ^{s22(1)(a)(i) - irrelevant m} / Arielle ^{s22(1)(a)(i) - irrelevant m}	30-Sep-23	COMPLETE
	2.4.4 Lessons learnt – caseload elevation to inform future training needs/gaps and training modules.	Arielle ^{s22(1)(a)(i) - irrelevant m} / David ^{s22(1)(a)(i) - irrelevant m}	31-Jan-24	COMPLETE
2.5 Enhance AAT advocacy capability.	2.5.1. Advocacy Skills: - Including a training program for solicitor/advocacy	Kathryn ^{s22(1)(a)(i) - irrelevant m}	31-Dec-24	COMPLETE

2.5.2. Establish a legal framework for Advocacy	Chief Counsel/Kathryn ^{s22(1)(a)(i) - irrelevant m}	30-Jun-24	COMPLETE
2.5.3. Support to DSS towards supporting advocate training legal assistance funding and services.	Alice ^{s22(1)(a)(i) - irrelevant m} / Kathryn ^{s22(1)(a)(i) - irrelevant m}	30-Jun-24	COMPLETE

Strategic Objective 3: Increased consistency and transparency in our decision making				
3.1 Improve in-house Litigation oversight and governance.	3.1.1. Build an in-house Litigation oversight and governance: - Agree on operation model/agree and manage AAT stakeholder arrangements/agree on AAT Governance arrangements (HOC/Federal Court)	Kathryn ^{s22(1)(a)(i) - irrelevant m}	6-Sep-23	COMPLETE
3.2 Deliver a Model Litigant Framework to apply the highest standards of ethical behaviour.	3.2.2. Establish monthly MLO Series	Kathryn ^{s22(1)(a)(i) - irrelevant m}	30-Apr-23	COMPLETE
	3.2.3. Develop the Model Litigant Framework	Jess ^{s22(1)(a)(i) - irrelevant m} / Tom ^{s22(1)(a)(i) - irrelevant m}	31-Mar-23	COMPLETE
3.3 Mechanisms to inform continues improvement in reviewable decisions.	3.3.1. Establish a comms. strategy with AAT and Internal Review	Alice ^{s22(1)(a)(i) - irrelevant m}	31-Jan-24	COMPLETE
	3.3.2. Create a register of all priority proposed legislative changes	Bridget ^{s22(1)(a)(i) - irrelevant m}		COMPLETE
	3.3.3 (I). Assist the Agency to manage legal risks on attribution. Attribution Policy to be developed by the Agency's Policy area.	Nick ^{s22(1)(a)(i) - irrelevant m} / Bridget ^{s22(1)(a)(i) - irrelevant m}	1-Dec-23	COMPLETE
	3.3.4. Advise on Davis Advise Foster (Caleb/Bridget) High Court Decisions – Implications for Operational Guidelines and Rules.	Davis matter: Bridget ^{s22(1)(a)(i) - irrelevant m}	31-Jul-23	COMPLETE
	3.3.5. Publish more information about AAT outcomes, including matters resolved without proceeding to hearing (ANAO recommendation: <i>agree to publish on a yearly basis a thematic analysis of review data to improve transparency of review process</i>).	Daniel ^{s22(1)(a)(i) - irrelevant m} / Kathryn ^{s22(1)(a)(i) - irrelevant m} / Ben ^{s22(1)(a)(i) - irrelevant m}	31-Mar-24	COMPLETE
	3.3.6 Publish statement on NDIA's Operational Guidelines- Reviewing our decisions on the Agency's commitment to learnings from merits review.	Marija ^{s22(1)(a)(i) - irrelevant m} with input from Kathryn ^{s22(1)(a)(i) - irrelevant m}	7-Jul-25	COMPLETE Statement was published on Monday, 7 July 2025. Statement has been published on the NDIS – Our Guidelines page (Reviewing our decisions NDIS) as well as the NDIS website (Request a review of a decision NDIS) on 08/07/2025.

	3.3.8 Establish engagement with the Administrative Review Council, if and as necessary.	Andrew s22(1)(a)(i) - irrelevant	30 June 2025	COMPLETE A reply to ARC rec to be developed.
	3.3.10 Develop qualitative Themes and Trends for Lessons Learned for quarterly reporting of ART final decisions.	Kathryn s22(1)(a)(i) - irrelevant lead with input from Fiona s22(1)(a)(i) - irrelevant	30-Jun-25	COMPLETE
	3.3.11 Develop a quantitative Themes and Trends for Lessons Learned for quarterly reporting in ART final decisions. The report will include active caseloads, median time to finalisation, overturn rates. - Develop governance arrangements for the sharing of significant issues and thematic reports with ALOC and other key stakeholders and an extract provided quarterly as part of the Significant Issues Reporting. - Incorporate quarterly reporting into the Service Delivery Continuous Improvement Model and other identified Agency-wide governance to inform operational improvements, and decisions on management of ART cases. - Build on existing monthly litigation reporting engagements with DSS to share ART decisions and high-level analysis, in addition to existing Federal Court updates.	Kathryn s22(1)(a)(i) - irrelevant (Kathryn s22(1)(a)(i) - irrelevant /Tim s22(1)(a)(i) - irrelevant /Fiona s22(1)(a)(i) - irrelevant (Fiona s22(1)(a)(i) - irrelevant)	30-Jun-25	COMPLETE
3.4 Contemporary, fit-for-service systems to better meet the needs of the Division.	3.4.1 Develop fit-for-purpose business systems: PACE & LEX replacement scoping	Fiona s22(1)(a)(i) - irrelevant Marija s22(1)(a)(i) - irrelevant	31-Aug-25	COMPLETE No Agency IT system will be put in place at this stage.

Strategic Objective 4: A healthy workplace culture where staff can grow professionally

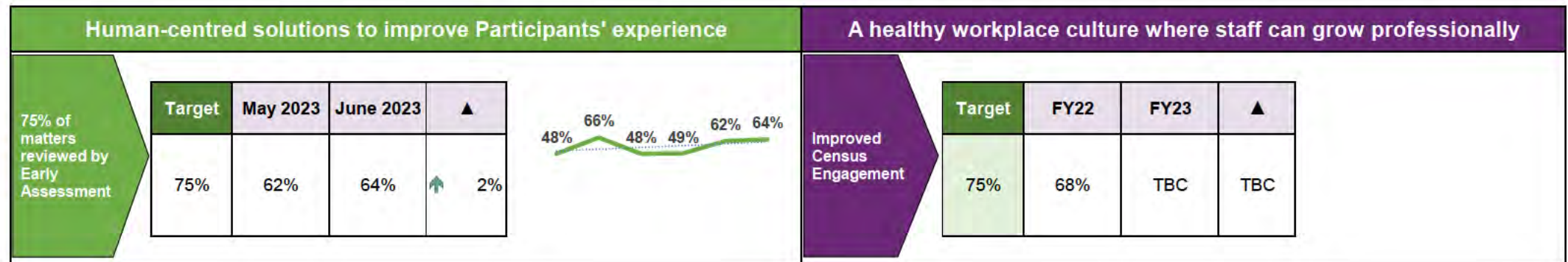
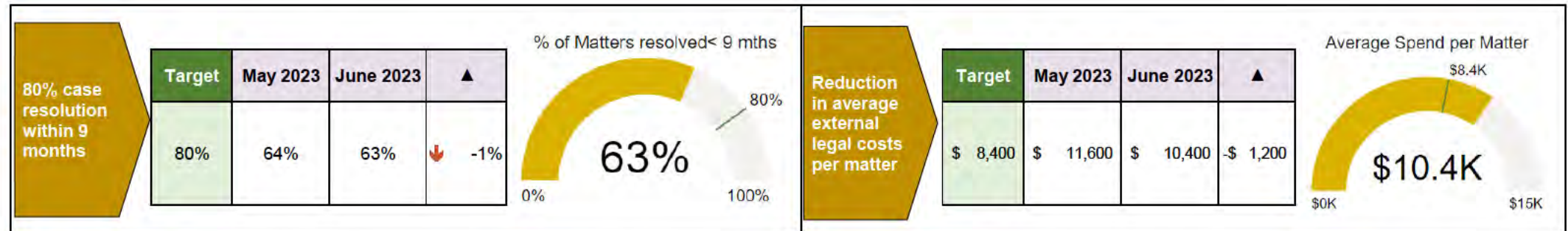
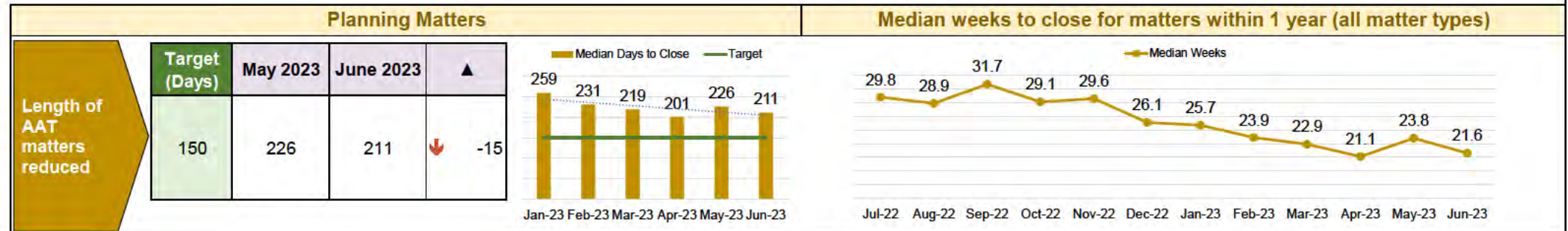
4.1 Succession planning for our staff.	4.1.1. Pilot of Broad Banding of APS4 – 6 legal roles.	Yvonne s22(1)(a)(i) - irrelevant	31-Jan-24	COMPLETE
	4.1.2. Develop a pathway into the legal officer professional structure	Cat s22(1)(a)(i) - irrelevant	30-Sep-23	COMPLETE
	4.1.3 Support future leaders for the Chief Counsel Division: EL1 and EL2 leadership program	Cat s22(1)(a)(i) - irrelevant	30-Jun-25	COMPLETE
	4.1.5. Review the practical legal training arrangements.	Ben s22(1)(a)(i) - irrelevant /Kathryn s22(1)(a)(i) - irrelevant /Cathy s22(1)(a)(i) - irrelevant	31-Aug-23	COMPLETE

4.2. Provide a safe and healthy work environment.	4.2.1 Develop a CCD work health and safety risk assessment.	Daniel (b)(7)(D) /Kathryn (b)(7)(D)	1-Dec-23	COMPLETE
	4.2.2 Implementation of the Work Health and Safety Risk Assessment	Alice (b)(7)(D)	1-April-24	COMPLETE

DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

PERFORMANCE DASHBOARD AS AT 30 JUNE 2023

A dispute resolution model that is simpler and fairer

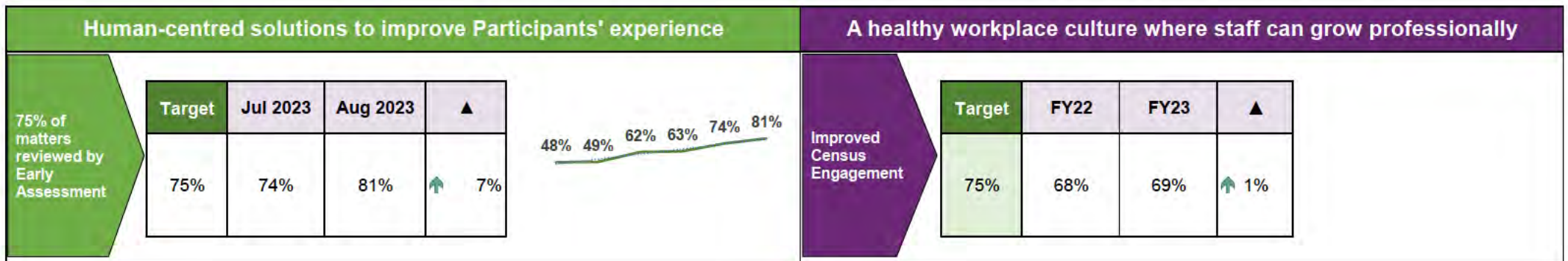
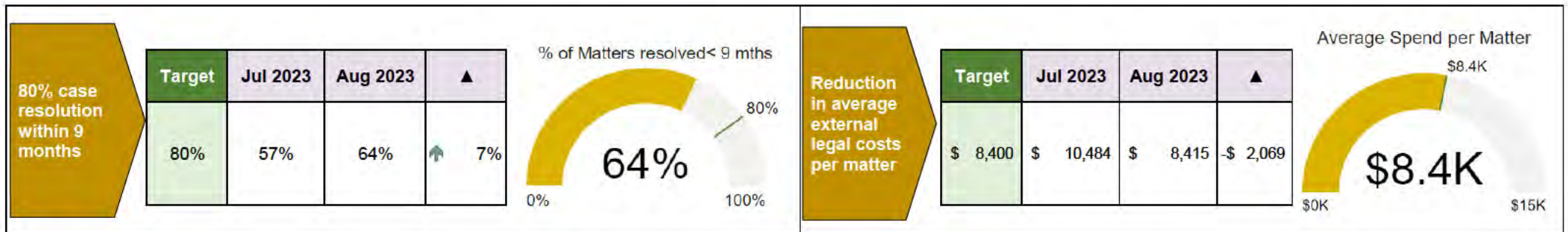
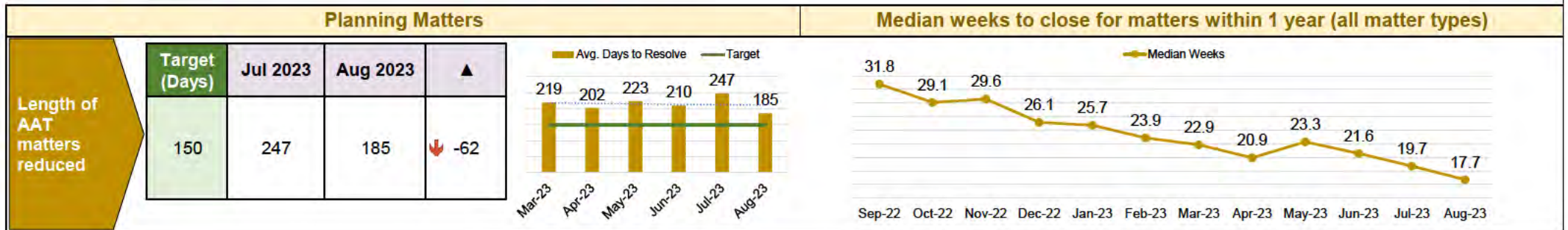


DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 31 August 2023



A dispute resolution model that is simpler and fairer



DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 30 September 2023

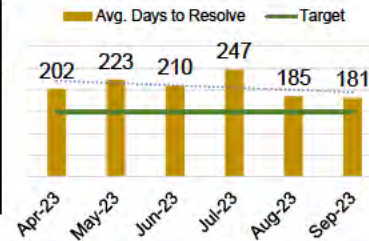
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A dispute resolution model that is simpler and fairer

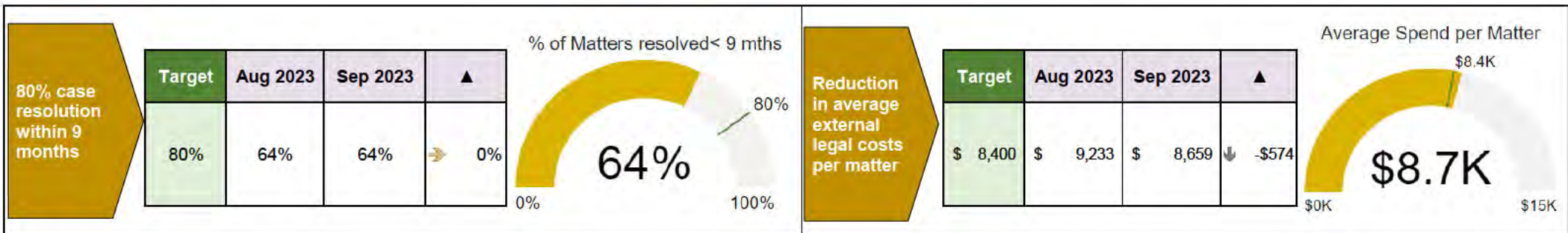
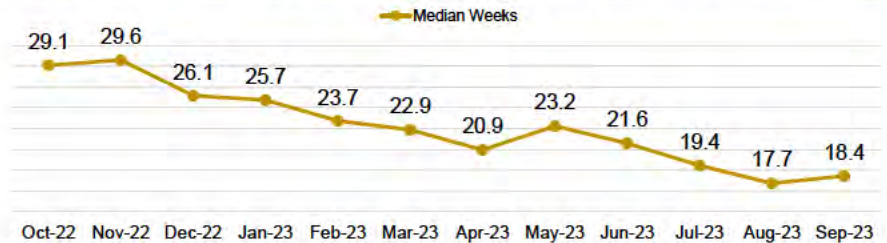
Planning Matters

Length of AAT matters reduced

Target (Days)	Aug 2023	Sep 2023	▲
150	185	181	↓ -4



Median weeks to close for matters within 1 year (all matter types)



Human-centred solutions to improve Participants' experience

75% of matters reviewed by Early Assessment

Target	Aug 2023	Sep 2023	▲
75%	81%	71%	↓ -9%



A healthy workplace culture where staff can grow professionally

Improved Census Engagement

Target	FY22	FY23	▲
75%	68%	69%	↑ 1%

CHIEF COUNSEL DIVISION: DRIS— PERFORMANCE REPORTING FOR 2023/2024

Reporting cycle: Q1 (Jul.23-Sept.23)

Measure of success	Targets* <i>*targets are set for end of FY24/25</i>	Lead	Status	Progress and Analysis <i>(Guide: outline what the division/branch has done to achieve/support strategic objective outline progress on key activities under the respective initiative to achieve the SO)</i>
Strategic Objective 1: A dispute resolution operating model that is simpler and fairer.				
1.1. Reduce time of planning matters in the AAT to 150 days from 242 days the previous year.	150 days	AATCMB	On Track	As at 30 September, the average time for planning matters in the AAT is 181 days; a reduction of 66 days since July 2023. The median weeks to close matters within 1 year have reduced to an average of 18.5 weeks for the quarter, from 21.6 weeks in June 2023.
1.2. 80% of AAT case resolved within 9 months.	80% within ≤ 9 months	AATCMB	On Track	As at 30 September, 64% of cases have been resolved within 9 months. This has remained unchanged from the previous month.
1.3. Decrease average external legal costs per matter.	\$8,400	DR&L	On Track	Target reached within the first quarter. As at 30 September, average external legal costs per matter is \$8,659, \$574 less than the previous month.
Strategic Objective 2: Human-centred solutions to improve Participants' experience				
2.1. Increase participants satisfaction, and their satisfaction with accessibility.	Baseline	AATCMB/ DR&L	On Track	Work underway by the QRST team on a participant survey.
2.2. Increase in matters reviewed by Early Assessment to 75%.	75%	AATCMB	On Track	Target reached in first quarter. As at 30 September, 71% of matters have been reviewed by the Early Assessment team.
Strategic Objective 3: Increased consistency and transparency in our decision making				
3.3. Learning from MLO investigations into a breach or potential breach included in continuous improvements initiatives.	Not practicable	CC Executive Office	On Track	

OFFICIAL



3.4. Model litigant culture and practice communicated to all staff through Chief Counsel Model litigant series	Not practicable	CC Executive Office	Choose an item.	
3.5. Quarterly reporting to ALOC with AAT thematic analysis and policy advice to enhance continuous improvements in decision making.	Quarterly reporting	DR&L/ AATCMB	Choose an item.	
Strategic Objective 4: A healthy workplace culture where staff can grow professionally				
4.1. A 10% increase in the APS Census participation from the previous year.	75%	All Branches	On Track	Census engagement for FY23 was 69%, equating to a 1% improvement from the previous year.
4.2. Census Action Plans delivered annually.	100% of Census Action Plans closed.			Census engagement plans have been completed by all branches in the CCD. Ongoing reporting for deliverables will be reflected in future DRIS quarterly reporting.
4.3. Continuous improvement to support staff in dispute resolution processes: 4.3.1. WHS Plan delivered and implemented. 4.3.2. Annual Training Plan in place for each branch and reviewed quarterly. 4.3.3. Tailored training and support available for staff who may be impacted by compassion fatigue and vicarious trauma.	WHS plan delivered annually. Training program delivered annually.	All Branches	On Track	

Guide to complete the status of each measure of success:

Use the following guide to complete the status for each measure of success. Not all targets are a number, for some measures, we are seeking to establish a baseline and for others it is not practicable to have a target.

For measures with set targets:

On track	At risk	Significantly behind	Achieved
Achievements towards the target is progressing well and there are no or few minor issues that will threaten achievement. Likely to reach the target at the end of the year, provided no significant changes in resourcing or environment.	Achievements of the target is likely to be impacted by issues that require management attention. These need to be addressed promptly – the target can still be achieved with careful management.	Achievements of the target is being impacted by significant issues. Target will not be achieved without significant, immediate action. Corrective action is required to meet the target and/or support the strategic goal, and the issue/s cannot be managed solely by the branch.	Achievement of the target, or achievement above the target.
Any area of concern can be addressed as part of BAU at branch level.	Required Executive Involvement (Division).	Requires immediate broader Executive involvement.	

For measures that have 'not practicable to set target': status is focussed on performance sufficiently supporting achievement of the relevant strategic objective, as opposed to achieving a target.

On track	At risk	Significantly behind	Achieved
Results are demonstrating achievements towards the relevant strategic objective, with no or few minor issues that will threaten the measure of success. Likely to be able to demonstrate achievement of the relevant strategic objective via a measure provided no significant changes in resources or environment.	Issues that require management attention are likely to impact the results demonstrating achievements towards the relevant strategic objective. These need to be addressed promptly – demonstration of achievements towards the relevant strategic objective via this measure can still be achieved with careful management.	Significant issues are impacting the results demonstrating achievements towards the relevant strategic objective via this measure. This outcome will not be achieved without significant, immediate action. Corrective action is required to ensure this measure can demonstrate achievement towards the relevant strategic objective, and the issue/s cannot be managed solely by the Division.	Results demonstrate achievement of the strategic objective.
Any area of concern can be addressed as part of BAU at branch level.	Required Executive Involvement (Division).	Requires immediate broader Executive involvement.	

DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 31 October 2023

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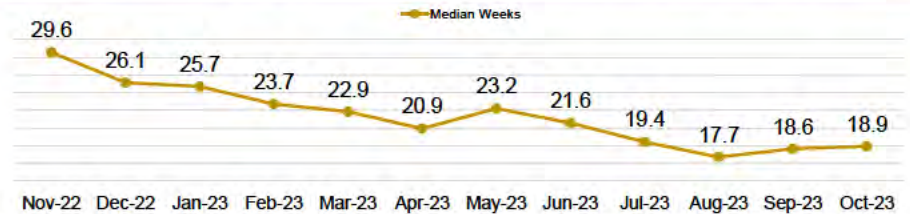
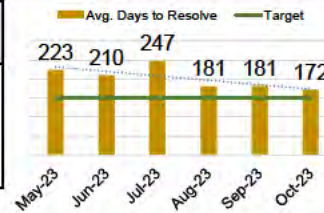
A dispute resolution model that is simpler and fairer

Planning Matters

Median weeks to close for matters within 1 year (all matter types)

Length of
AAT
matters
reduced

Target (Days)	Aug 2023	Sep 2023	Oct 2023	▲
150	181	181	172	↓ -10

80% case
resolution
within 9
months

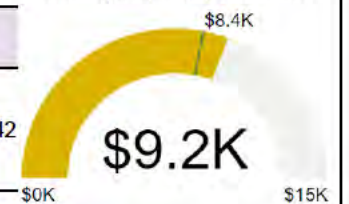
Target	Aug 2023	Sep 2023	Oct 2023	▲
80%	65%	64%	70%	↑ 6%

% of Matters resolved < 9 mths

Reduction
in average
external
legal costs
per matter

Target	Aug 2023	Sep 2023	Oct 2023	▲
\$ 8,400	\$ 9,527	\$ 9,928	\$ 9,186	↓ -\$742

Average Spend per Matter



Human-centred solutions to improve Participants' experience

A healthy workplace culture where staff can grow professionally

75% of
matters
reviewed by
Early
Assessment

Target	Aug 2023	Sep 2023	Oct 2023	▲
75%	81%	71%	43%	↓ -27%

Improved
Census
Engagement

Target	FY22	FY23	▲
75%	68%	69%	↑ 1%

DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 30 November 2023

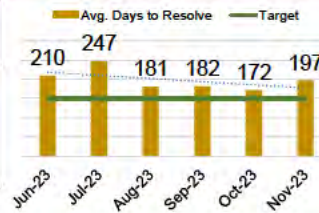
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A dispute resolution model that is simpler and fairer

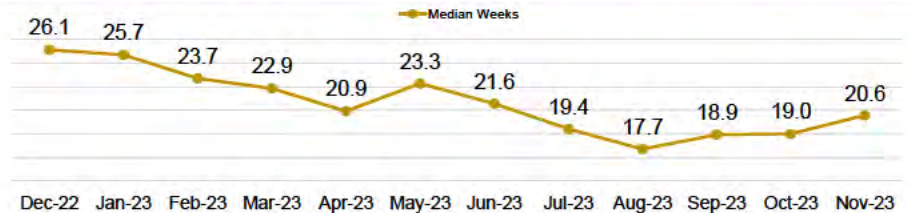
Planning Matters

Target (Days)	Sep 2023	Oct 2023	Nov 2023	▲
150	182	172	197	↑ 26

Length of AAT matters reduced



Median weeks to close for matters within 1 year (all matter types)



80% case resolution within 9 months

Target	Sep 2023	Oct 2023	Nov 2023	▲
80%	63%	70%	68%	↓ -3%

% of Matters resolved < 9 mths



Reduction in average external legal costs per matter

Target	Sep 2023	Oct 2023	Nov 2023	▲
\$ 8,400	\$ 10,452	\$ 10,057	\$ 11,426	↑ \$1,368

Avg. External Spend per Closed Matter



Human-centred solutions to improve Participants' experience

Target	Sep 2023	Oct 2023	Nov 2023	▲
75%	71%	43%	60%	↑ 17%

75% of matters reviewed by Early Assessment



A healthy workplace culture where staff can grow professionally

Target	FY22	FY23	▲
75%	68%	69%	↑ 1%

Improved Census Engagement

DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 31 December 2023

ndis

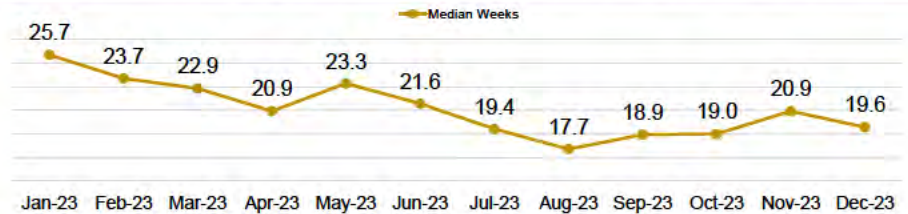
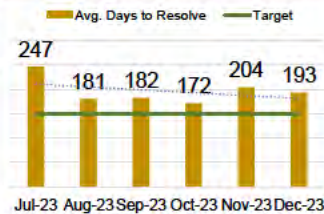
A dispute resolution model that is simpler and fairer

Planning Matters

Median weeks to close for matters within 1 year (all matter types)

Length of
AAT
matters
reduced

Target (Days)	Oct 2023	Nov 2023	Dec 2023	▲
150	172	204	193	↓ -11

80% case
resolution
within 9
months

Target	Oct 2023	Nov 2023	Dec 2023	▲
80%	70%	66%	71%	↑ 5%

Reduction in average
external
legal costs
per matter

Target	Oct 2023	Nov 2023	Dec 2023	▲
\$ 8,400	\$ 10,337	\$ 12,492	\$ 9,148	↓ -\$3,344



Human-centred solutions to improve Participants' experience

A healthy workplace culture where staff can grow professionally

75% of
matters
reviewed by
Early
Assessment

Target	Oct 2023	Nov 2023	Dec 2023	▲
75%	43%	60%	42%	↓ -18%

Improved
Census
Engagement

Target	FY22	FY23	▲
75%	68%	69%	↑ 1%

DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

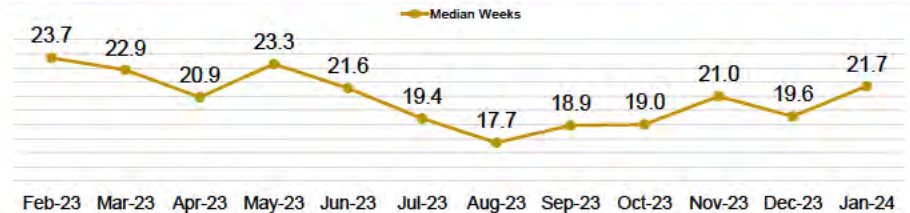
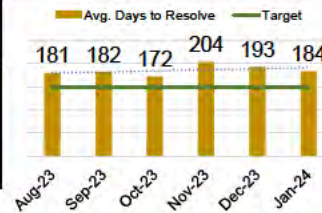
Performance Dashboard as at 31 January 2024

ndis

A dispute resolution model that is simpler and fairer

Planning Matters**Median weeks to close for matters within 1 year (all matter types)**Length of
AAT
matters
reduced

Target (Days)	Nov 2023	Dec 2023	Jan 2024	▲
150	204	193	184	↓ -9

80% case
resolution
within 9
months

Target	Nov 2023	Dec 2023	Jan 2024	▲
80%	66%	71%	75%	↑ 4%

% of Matters resolved < 9 mths

Reduction
in average
external
legal costs
per matter

Target	Nov 2023	Dec 2023	Jan 2024	▲
\$ 8,400	\$ 12,865	\$ 10,196	\$ 7,408	↓ -\$2,788

Avg. External Spend per Closed Matter

**Human-centred solutions to improve Participants' experience****A healthy workplace culture where staff can grow professionally**75% of
matters
reviewed by
Early
Assessment

Target	Nov 2023	Dec 2023	Jan 2024	▲
75%	59%	41%	96%	↑ 56%

Improved
Census
Engagement

Target	FY22	FY23	▲
75%	68%	69%	↑ 1%

OFFICIAL: SENSITIVE

DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 31 January 2024

Data Sources: AAT LEX Matter management System & APS Census Reports

Data Disclaimer: The AAT matter data used in this dashboard is sourced from the AAT LEX Matter Management System and is accurate as at the date of extraction on 8 February 2024. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and updates. Therefore, data referencing a specific date in this dashboard may change in a later data export.

This paper covers the following information:

1. DRIS Objective: A dispute resolution model that is simpler and fairer
 - a. KPI: Length of AAT matters reduced
 - b. KPI: Median weeks to close for matters within 1 year (all matter types)
 - c. KPI: 80% case resolution within 9 months
 - d. KPI: Reduction in average external legal costs per matter
2. DRIS Objective: Human-centred solutions to improve Participants' experience
 - a. KPI: 75% of matters reviewed by Early Assessment
3. DRIS Objective: A healthy workplace culture where staff can grow professionally
 - a. KPI: Improved Census Engagement

DRIS Objective: A dispute resolution model that is simpler and fairer

KPI: Length of AAT matters reduced

Target (Days): 150

Nov 23 - 204

Dec 23 - 193

Jan 24 - 184

KPI: Median weeks to close for matters within 1 year (all matter types)

Feb-23 - 23.7

Mar-23 - 22.9

Apr-23 - 20.9

May-23 - 23.3

Jun-23 - 21.6

Jul-23 - 19.4

Aug-23 - 17.7

Sep-23 - 18.9

Oct-23 - 19.0

Nov-23 - 21.0

Dec-23 - 19.6

Jan-24 - 21.7

KPI: 80% case resolution within 9 months

Target - 80%

OFFICIAL: SENSITIVE

Nov-23 - 66%
 Dec-23 - 71%
 Jan-24 - 75%

KPI: Reduction in average external legal costs per matter

Target - \$8,400
 Nov-23 - \$12,865
 Dec-23 - \$10,196
 Jan-24 - \$7,408

DRIS Objective: Human-centred solutions to improve Participants' experience

KPI: 75% of matters reviewed by Early Assessment

Target - 75%
 Nov-23 - 59%
 Dec-23 - 41%
 Jan-24 - 96%

DRIS Objective: A healthy workplace culture where staff can grow professionally

KPI: Improved Census Engagement

Target - 75%
 FY22 - 68%
 FY23 - 69%

DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 29 February 2024

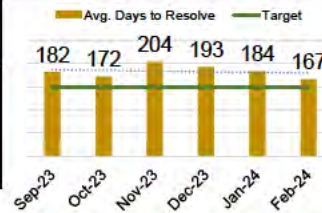
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A dispute resolution model that is simpler and fairer

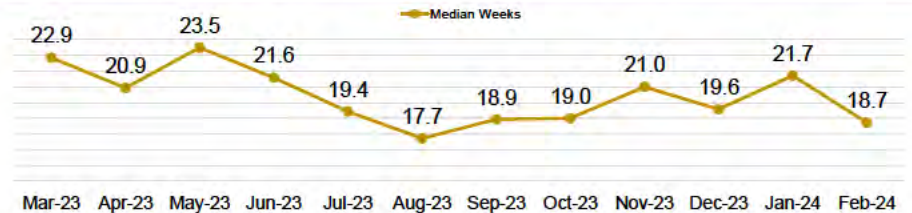
Planning Matters

Target (Days)	Dec 2023	Jan 2024	Feb 2024	▲
150	193	184	167	↓ -17

Length of AAT matters reduced



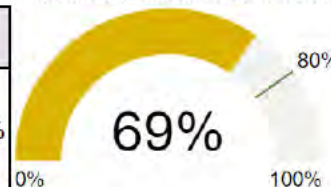
Median weeks to close for matters within 1 year (all matter types)



80% case resolution within 9 months

Target	Dec 2023	Jan 2024	Feb 2024	▲
80%	71%	75%	69%	↓ -6%

% of Matters resolved < 9 mths



Reduction in average external legal costs per matter

Target	Dec 2023	Jan 2024	Feb 2024	▲
\$ 8,400	\$ 10,545	\$ 8,455	\$ 10,355	↑ \$1,900

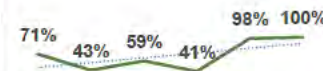
Avg. External Spend per Closed Matter



Human-centred solutions to improve Participants' experience

Target	Dec 2023	Jan 2024	Feb 2024	▲
75%	41%	98%	100%	↑ 2%

75% of matters reviewed by Early Assessment



A healthy workplace culture where staff can grow professionally

Target	FY22	FY23	▲
75%	68%	69%	↑ 1%

Improved Census Engagement

DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 31 March 2024

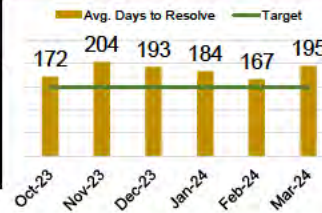
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A dispute resolution model that is simpler and fairer

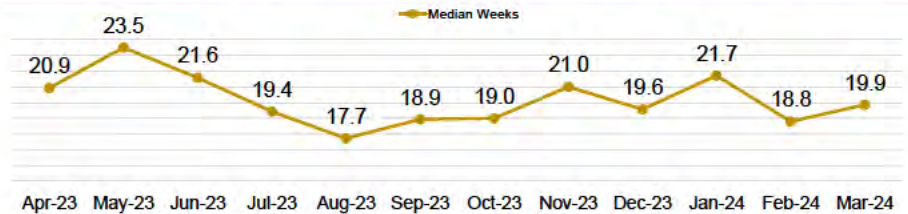
Planning Matters

Target (Days)	Jan 2024	Feb 2024	Mar 2024	▲
150	184	167	195	↑ 28

Length of AAT matters reduced



Median weeks to close for matters within 1 year (all matter types)



80% case resolution within 9 months

Target	Jan 2024	Feb 2024	Mar 2024	▲
80%	75%	69%	69%	→ 0%

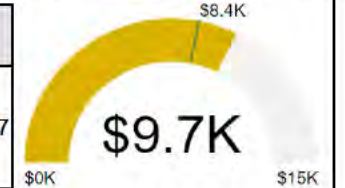
% of Matters resolved < 9 mths



Reduction in average external legal costs per matter

Target	Jan 2024	Feb 2024	Mar 2024	▲
\$ 8,400	\$ 8,903	\$ 11,360	\$ 9,742	↓ -\$1,617

Avg. External Spend per Closed Matter



Human-centred solutions to improve Participants' experience

Target	Jan 2024	Feb 2024	Mar 2024	▲
75%	98%	100%	76%	↓ -24%

75% of matters reviewed by Early Assessment



A healthy workplace culture where staff can grow professionally

Target	FY22	FY23	▲
75%	68%	69%	↑ 1%

Improved Census Engagement



DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 31 May 2024

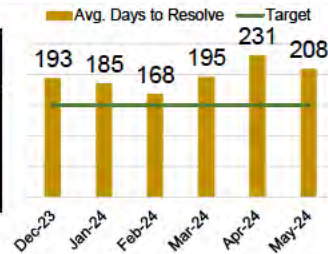
Report run date: 7 June 2024

A dispute resolution model that is simpler and fairer

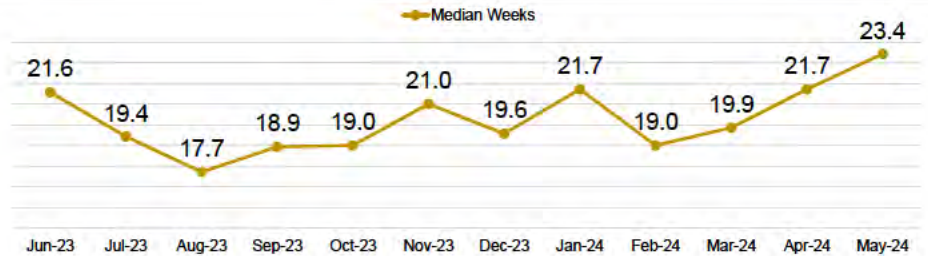
Planning Matters

Length of
AAT
matters
reduced
(Days)

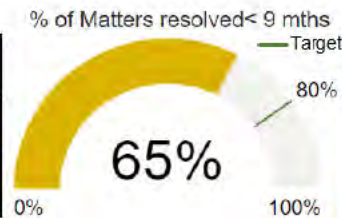
Target (Days)	Mar 2024	Apr 2024	May 2024	▲
150	195	231	208	↓ -23



Median weeks to close for matters within 1 year (all matter types)

80% case
resolution
within 9
months

Target	Mar 2024	Apr 2024	May 2024	▲
80%	68%	60%	65%	↑ 5%

Reduction
in average
external
legal costs
per matter

Target	Mar 2024	Apr 2024	May 2024	▲
\$ 8,400	\$ 11,155	\$ 9,199	\$ 8,437	↓ -\$762



Human-centred solutions to improve Participants' experience

75% of
matters
reviewed by
Early
Assessment

Target	Mar 2024	Apr 2024	May 2024	▲
75%	74%	84%	75%	↓ -9%



A healthy workplace culture where staff can grow professionally

Improved
Census
Engagement

Target	FY22	FY23	▲
75%	68%	69%	↑ 1%

Data Source: AAT LEX Matter management System

Data Disclaimer: The AAT matter data used in this dashboard is sourced from the AAT LEX Matter Management System and is accurate as at the date of extraction on 7th June 2024. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and updates. Therefore, data referencing a specific date in this dashboard may change in a later data export.



DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 30 June 2024

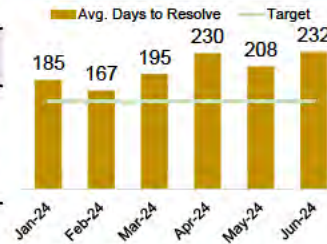
Report run date: 5 July 2024

A dispute resolution model that is simpler and fairer

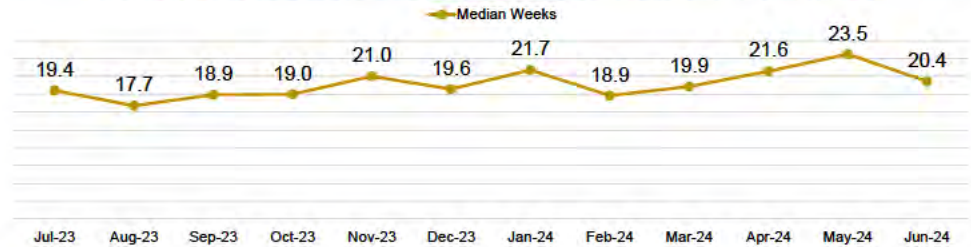
Planning Matters

Length of
AAT
matters
reduced
(Days)

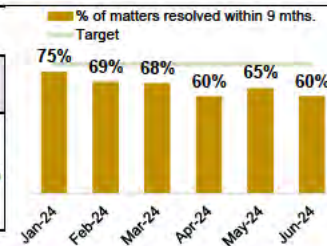
Target	Apr 2024	May 2024	Jun 2024	▲
150	230	208	232	↑ 24



Median weeks to close for matters within 1 year (all matter types)

80% case
resolution
within 9
months

Target	Apr 2024	May 2024	Jun 2024	▲
80%	60%	65%	60%	↓ -5%

Reduction
in average
external
legal costs
per matter

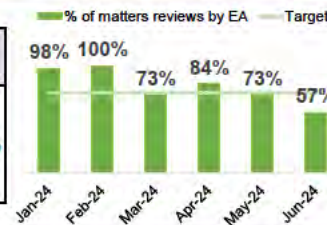
Target	Apr 2024	May 2024	Jun 2024	▲
\$ 8,400	\$ 9,551	\$ 9,961	\$ 8,784	↓ -\$1,177



Human-centred solutions to improve Participants' experience

75% of
matters
reviewed by
Early
Assessment

Target	Apr 2024	May 2024	Jun 2024	▲
75%	84%	73%	57%	↓ -16%



A healthy workplace culture where staff can grow professionally

Improved
Census
Engagement

Target	FY22	FY23	▲
75%	68%	69%	↑ 1%

Data Source: AAT LEX Matter management System

Data Disclaimer: The AAT matter data used in this dashboard is sourced from the AAT LEX Matter Management System and is accurate as at the date of extraction on 4th July 2024. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and updates. Therefore, data referencing a specific date in this dashboard may change in a later data export.

OFFICIAL: SENSITIVE

DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 30 June 2024

Data Sources: AAT LEX Matter management System & APS Census Reports

Data Disclaimer: The AAT matter data used in this dashboard is sourced from the AAT LEX Matter Management System and is accurate as at the date of extraction on 4 July 2024. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and updates. Therefore, data referencing a specific date in this dashboard may change in a later data export.

This paper covers the following information:

1. DRIS Objective: A dispute resolution model that is simpler and fairer
 - a. KPI: Length of AAT matters reduced
 - b. KPI: Median weeks to close for matters within 1 year (all matter types)
 - c. KPI: 80% case resolution within 9 months
 - d. KPI: Reduction in average external legal costs per matter
2. DRIS Objective: Human-centred solutions to improve Participants' experience
 - a. KPI: 75% of matters reviewed by Early Assessment
3. DRIS Objective: A healthy workplace culture where staff can grow professionally
 - a. KPI: Improved Census Engagement

DRIS Objective: A dispute resolution model that is simpler and fairer

KPI: Length of AAT matters reduced

Target (Days): 150

Apr 24 - 230

May 24 - 208

Jun 24 - 232

KPI: Median weeks to close for matters within 1 year (all matter types)

Jul-23 - 19.4

Aug-23 - 17.7

Sep-23 - 18.9

Oct-23 - 19.0

Nov-23 - 21.0

Dec-23 - 19.6

Jan-24 - 21.7

Feb-24 - 18.9

Mar-24 - 19.9

Apr-24 - 21.6

May-24 - 23.5

Jun-24 - 20.4

KPI: 80% case resolution within 9 months

Target - 80%

OFFICIAL: SENSITIVE

Apr-24 - 60%
 May-24 - 65%
 Jun-24 - 60%

KPI: Reduction in average external legal costs per matter

Target - \$8,400
 Apr-24 - \$9,551
 May-24 - \$9,961
 Jun-24 - \$8,784

DRIS Objective: Human-centred solutions to improve Participants' experience

KPI: 75% of matters reviewed by Early Assessment

Target - 75%
 Apr-24 - 84%
 May-24 - 73%
 Jun-24 - 57%

DRIS Objective: A healthy workplace culture where staff can grow professionally

KPI: Improved Census Engagement

Target - 75%
 FY22 - 68%
 FY23 - 69%



DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 31 July 2024

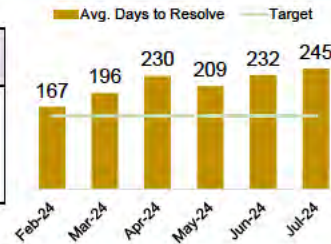
Report run date: 7 August 2024

A dispute resolution model that is simpler and fairer

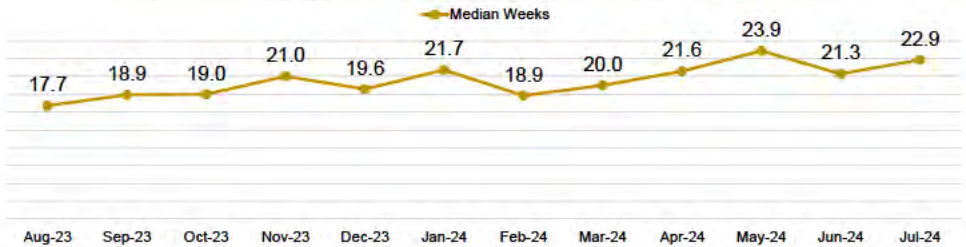
Planning Matters

Length of
AAT
matters
reduced
(Days)

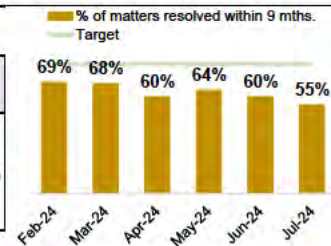
Target (Days)	May 2024	Jun 2024	Jul 2024	▲
150	209	232	245	↑ 13



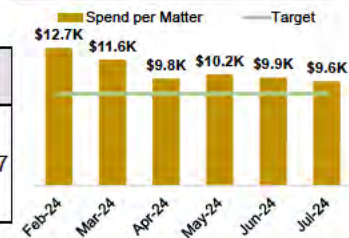
Median weeks to close for matters within 1 year (all matter types)

80% case
resolution
within 9
months

Target	May 2024	Jun 2024	Jul 2024	▲
80%	64%	60%	55%	↓ -5%

Reduction
in average
external
legal costs
per matter

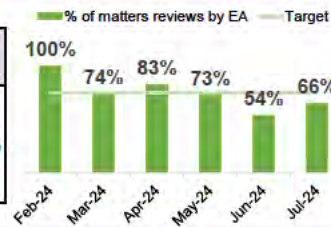
Target	May 2024	Jun 2024	Jul 2024	▲
\$ 8,400	\$ 10,210	\$ 9,902	\$ 9,575	↓ -\$327



Human-centred solutions to improve Participants' experience

75% of
matters
reviewed by
Early
Assessment

Target	May 2024	Jun 2024	Jul 2024	▲
75%	73%	54%	66%	↑ 11%



A healthy workplace culture where staff can grow professionally

Improved
Census
Engagement

Target	FY22	FY23	▲
75%	68%	69%	↑ 1%

Data Source: AAT LEX Matter management System

Data Disclaimer: The AAT matter data used in this dashboard is sourced from the AAT LEX Matter Management System and is accurate as at the date of extraction on 5th August 2024. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and updates. Therefore, data referencing a specific date in this dashboard may change in a later data export.

OFFICIAL: SENSITIVE

DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 31 July 2024

Data Sources: AAT LEX Matter management System & APS Census Reports

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 - c. KPI: 80% case resolution within 9 months
 - d. KPI: Reduction in average external legal costs per matter
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 - a. KPI: 75% of matters reviewed by Early Assessment
3. DRIS Objective: A healthy workplace culture where staff can grow professionally
 - a. KPI: Improved Census Engagement

DRIS Objective: A dispute resolution model that is simpler and fairer

KPI: Length of AAT matters reduced

Target (Days): 150

May 24 - 209

Jun 24 - 232

Jul 24 – 245

KPI: Median weeks to close for matters within 1 year (all matter types)

Aug-23 - 17.7

Sep-23 - 18.9

Oct-23 - 19.0

Nov-23 - 21.0

Dec-23 - 19.6

Jan-24 - 21.7

Feb-24 - 18.9

Mar-24 - 20.0

Apr-24 - 21.6

May-24 - 23.9

Jun-24 - 21.3

Jul-24 - 22.9

KPI: 80% case resolution within 9 months

Target - 80%

OFFICIAL: SENSITIVE

May-24 - 64%
Jun-24 - 60%
Jul-24 - 55%

KPI: Reduction in average external legal costs per matter

Target - \$8,400
May-24 - \$10,210
Jun-24 - \$9,902
Jul-24 - \$9,575

DRIS Objective: Human-centred solutions to improve Participants' experience

KPI: 75% of matters reviewed by Early Assessment

Target - 75%
May-24 - 73%
Jun-24 - 54%
Jul-24 - 66%

DRIS Objective: A healthy workplace culture where staff can grow professionally

KPI: Improved Census Engagement

Target - 75%
FY22 - 68%
FY23 - 69%



DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 31 August 2024

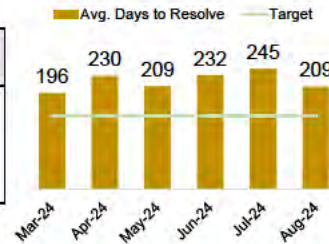
Report run date: 9 September 2024

A dispute resolution model that is simpler and fairer

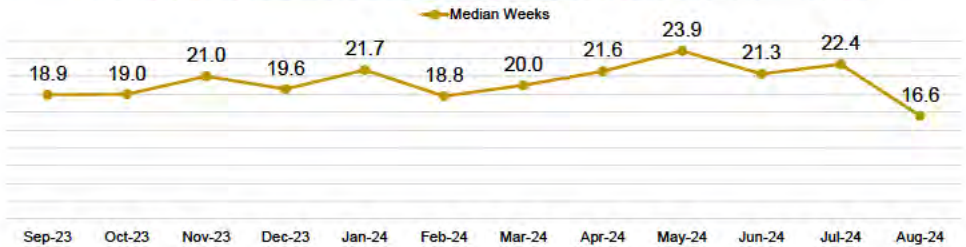
Planning Matters

Length of
AAT
matters
reduced
(Days)

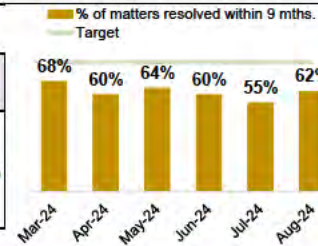
Target (Days)	Jun 2024	Jul 2024	Aug 2024	▲
150	232	245	209	↓ -36



Median weeks to close for matters within 1 year (all matter types)

80% case
resolution
within 9
months

Target	Jun 2024	Jul 2024	Aug 2024	▲
80%	60%	55%	62%	↑ 7%

Reduction
in average
external
legal costs
per matter

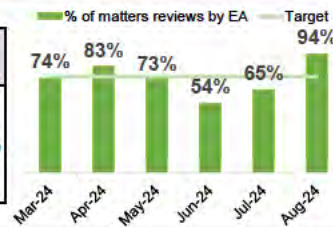
Target	Jun 2024	Jul 2024	Aug 2024	▲
\$ 8,400	\$ 11,245	\$ 11,375	\$ 11,093	↓ -\$282



Human-centred solutions to improve Participants' experience

75% of
matters
reviewed by
Early
Assessment

Target	Jun 2024	Jul 2024	Aug 2024	▲
75%	54%	65%	94%	↑ 29%



A healthy workplace culture where staff can grow professionally

Improved
Census
Engagement

Target	FY2022	FY2023	FY2024	▲
75%	68%	69%	74%	↑ 5%

Data Source: AAT LEX Matter management System

Data Disclaimer: The AAT matter data used in this dashboard is sourced from the AAT LEX Matter Management System and is accurate as at the date of extraction on 5th September 2024. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and updates. Therefore, data referencing a specific date in this dashboard may change in a later data export.

OFFICIAL: SENSITIVE

DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 31 August 2024

Data Sources: AAT LEX Matter management System & APS Census Reports

Data Disclaimer: The AAT matter data used in this dashboard is sourced from the AAT LEX Matter Management System and is accurate as at the date of extraction on 5 September 2024. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and updates. Therefore, data referencing a specific date in this dashboard may change in a later data export.

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 - b. KPI: Median weeks to close for matters within 1 year (all matter types)
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 - d. KPI: Reduction in average external legal costs per matter
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 - a. KPI: Improved Census Engagement

DRIS Objective: A dispute resolution model that is simpler and fairer

KPI: Length of AAT matters reduced

Target (Days): 150

Jun 24 - 232

Jul 24 – 245

Aug 24 – 209

KPI: Median weeks to close for matters within 1 year (all matter types)

Sep-23 - 18.9

Oct-23 - 19.0

Nov-23 - 21.0

Dec-23 - 19.6

Jan-24 - 21.7

Feb-24 - 18.8

Mar-24 - 20.0

Apr-24 - 21.6

May-24 - 23.9

Jun-24 - 21.3

Jul-24 - 22.4

Aug – 16.6

KPI: 80% case resolution within 9 months

Target - 80%

OFFICIAL: SENSITIVE

Jun-24 - 60%
Jul-24 - 55%
Aug-24 – 62%

KPI: Reduction in average external legal costs per matter

Target - \$8,400
Jun-24 - \$11,245
Jul-24 - \$11,375
Aug-24 - \$11,903

DRIS Objective: Human-centred solutions to improve Participants' experience

KPI: 75% of matters reviewed by Early Assessment

Target - 75%
Jun-24 - 54%
Jul-24 - 65%
Aug-24 – 94%

DRIS Objective: A healthy workplace culture where staff can grow professionally

KPI: Improved Census Engagement

Target - 75%
FY2022 - 68%
FY2023 - 69%
FY2024 – 74%



DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 30 September 2024

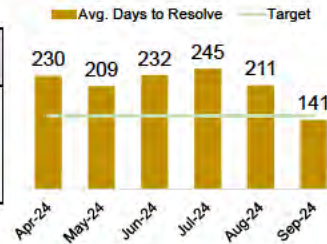
Report run date: 9 October 2024

A dispute resolution model that is simpler and fairer

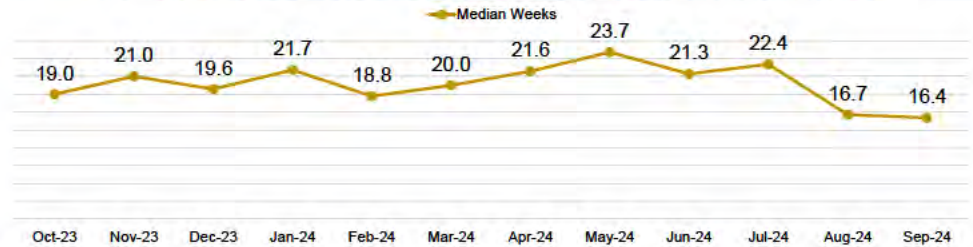
Planning Matters

Length of
AAT
matters
reduced
(Days)

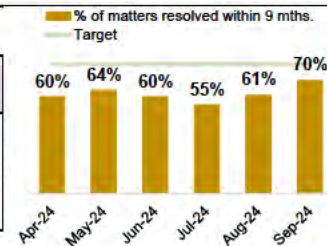
Target (Days)	Jul 2024	Aug 2024	Sep 2024	▲
150	245	211	141	↓ -70



Median weeks to close for matters within 1 year (all matter types)

80% case
resolution
within 9
months

Target	Jul 2024	Aug 2024	Sep 2024	▲
80%	55%	61%	70%	↑ 9%

Reduction
in average
external
legal costs
per matter

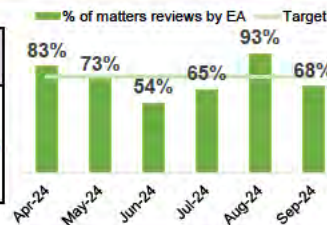
Target	Jul 2024	Aug 2024	Sep 2024	▲
\$ 8,400	\$ 11,791	\$ 12,138	\$ 9,284	↓ -\$2,854



Human-centred solutions to improve Participants' experience

75% of
matters
reviewed by
Early
Assessment

Target	Jul 2024	Aug 2024	Sep 2024	▲
75%	65%	93%	68%	↓ -26%



A healthy workplace culture where staff can grow professionally

Improved
Census
Engagement

Target	FY2022	FY2023	FY2024	▲
75%	68%	69%	74%	↑ 5%

Data Source: AAT LEX Matter management System

Data Disclaimer: The AAT matter data used in this dashboard is sourced from the AAT LEX Matter Management System and is accurate as at the date of extraction on 8th October 2024. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and updates. Therefore, data referencing a specific date in this dashboard may change in a later data export.

OFFICIAL: SENSITIVE

DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 30 September 2024

Data Sources: AAT LEX Matter management System & APS Census Reports

Data Disclaimer: The AAT matter data used in this dashboard is sourced from the AAT LEX Matter Management System and is accurate as at the date of extraction on 8 October 2024. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and updates. Therefore, data referencing a specific date in this dashboard may change in a later data export.

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 - a. KPI: Improved Census Engagement

DRIS Objective: A dispute resolution model that is simpler and fairer

KPI: Length of AAT matters reduced

Target (Days): 150

Jul 24 - 244.5

Aug 24 - 210.5

Sep 24 - 141

KPI: Median weeks to close for matters within 1 year (all matter types)

Oct-23 - 19.0

Nov-23 - 21.0

Dec-23 - 19.6

Jan-24 - 21.7

Feb-24 - 18.8

Mar-24 - 20.0

Apr-24 - 21.6

May-24 - 23.7

Jun-24 - 21.3

Jul-24 - 22.4

Aug-24 - 16.7

Sep-24 - 16.4

KPI: 80% case resolution within 9 months

Target - 80%

OFFICIAL: SENSITIVE

Jul-24 - 55%
Aug-24 - 61%
Sep-24 - 70%

KPI: Reduction in average external legal costs per matter

Target - \$8,400
Jul-24 - \$11,791
Aug-24 - \$12,138
Sep-24 - \$9,284

DRIS Objective: Human-centred solutions to improve Participants' experience

KPI: 75% of matters reviewed by Early Assessment

Target - 75%
Jul-24 - 65%
Aug-24 - 93%
Sep-24 - 68%

DRIS Objective: A healthy workplace culture where staff can grow professionally

KPI: Improved Census Engagement

Target - 75%
FY2022 - 68%
FY2023 - 69%
FY2024 – 74%



DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 31 October 2024

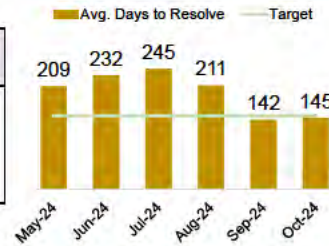
Report run date: 12 November 2024

A dispute resolution model that is simpler and fairer

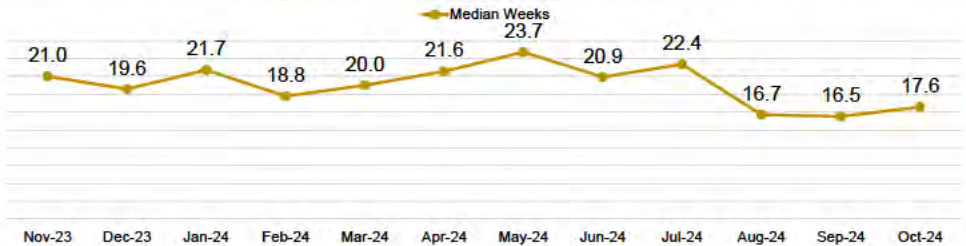
Planning Matters

Length of ART matters reduced (Days)

Target (Days)	Aug 2024	Sep 2024	Oct 2024	▲
150	211	142	145	↑ 4

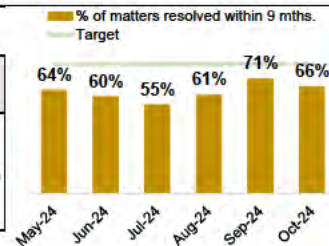


Median weeks to close for matters within 1 year (all matter types)



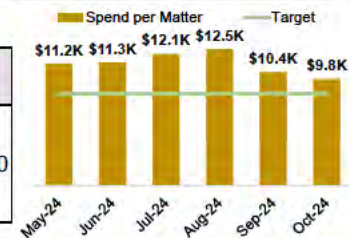
80% case resolution within 9 months

Target	Aug 2024	Sep 2024	Oct 2024	▲
80%	61%	71%	66%	↓ -5%



Reduction in average external legal costs per matter

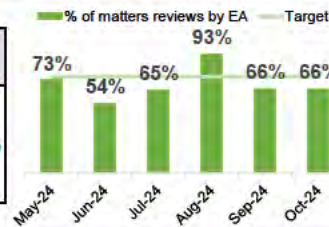
Target	Aug 2024	Sep 2024	Oct 2024	▲
\$ 8,400	\$ 12,546	\$ 10,437	\$ 9,797	↓ -\$640



Human-centred solutions to improve Participants' experience

75% of matters reviewed by Early Assessment

Target	Aug 2024	Sep 2024	Oct 2024	▲
75%	93%	66%	66%	→ 0%



A healthy workplace culture where staff can grow professionally

Improved Census Engagement

Target	FY2022	FY2023	FY2024	▲
75%	68%	69%	74%	↑ 5%

Data Source: ART LEX Matter management System

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OFFICIAL: SENSITIVE

DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 31 October 2024

Data Sources: AAT LEX Matter management System & APS Census Reports

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 - a. KPI: Improved Census Engagement

DRIS Objective: A dispute resolution model that is simpler and fairer

KPI: Length of AAT matters reduced

Target (Days): 150

Jul 24 - 211

Aug 24 - 142

Sep 24 - 145

KPI: Median weeks to close for matters within 1 year (all matter types)

Nov-23 - 21.0

Dec-23 - 19.6

Jan-24 - 21.7

Feb-24 - 18.8

Mar-24 - 20.0

Apr-24 - 21.6

May-24 - 23.7

Jun-24 - 20.9

Jul-24 - 22.4

Aug-24 - 16.7

Sep-24 - 16.5

Oct-24 - 17.6

KPI: 80% case resolution within 9 months

Target - 80%

OFFICIAL: SENSITIVE

Aug-24 - 61%
 Sep-24 - 71%
 Oct-24 – 66%

KPI: Reduction in average external legal costs per matter

Target - \$8,400
 Aug-24 - \$12,546
 Sep-24 - \$10,437
 Oct-24 - \$9,797

DRIS Objective: Human-centred solutions to improve Participants' experience

KPI: 75% of matters reviewed by Early Assessment

Target - 75%
 Aug-24 - 93%
 Sep-24 - 66%
 Oct-24 – 66%

DRIS Objective: A healthy workplace culture where staff can grow professionally

KPI: Improved Census Engagement

Target - 75%
 FY2022 - 68%
 FY2023 - 69%
 FY2024 – 74%



Chief Counsel Division

DISPUTE RESOLUTION IMPROVEMENT STRATEGY

2022 - 2025

Progress Report

[ndis.gov.au](https://www.ndis.gov.au) | October 2024

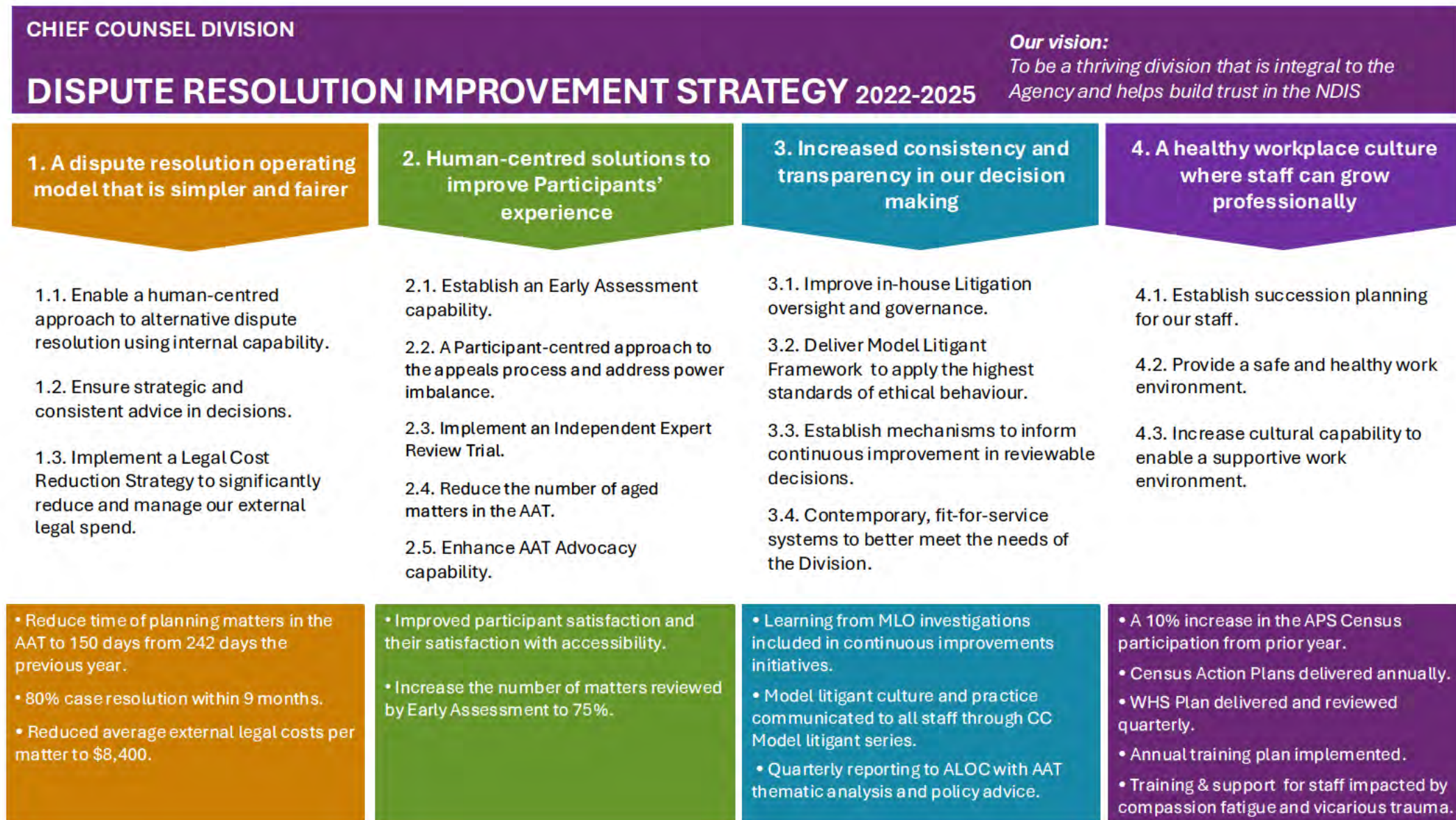
OFFICIAL - DRAFT

OFFICIAL - DRAFT

Chief Counsel Division

DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022 - 2025**Progress Report October 2024****Background**

- The DRIS sets out the CCD's strategic priorities to continue driving improvements to NDIS dispute resolution and deliver on Government commitments. The DRIS is guided by the principles set out the Participant Service Charter and the Model Litigant Obligations.
- The DRIS is informed by human-centred design work, led by the Service Design and Improvement Group, which involved extensive consultation with participants and advocates.
- Future reform initiatives will be incorporated into the DRIS, including learnings from the IER evaluation, and the NDIS Review and AAT reform.
- Key performance indicators have been developed for FY23/24 to support the execution and operational progress of the DRIS, and ensure risks are minimised and outcomes realised



DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022 - 2025

Progress Report October 2024

Strategic Objective 1: A dispute resolution operating model that is simpler and fairer

1.1. A human-centered approach to alternative dispute resolution using internal capability.

1.2. Strategic and consistent advice in decisions.

1.3. Legal Cost Reduction Strategy to significantly reduce and manage our external legal spend.

	1.1.1. Develop induction training modules and competency framework for Case Managers
	1.1.2. Phase 1: AATCMB: Case Manager (non-lawyer) participant contact DR&L: revise SOI ahead of CM changes
	1.1.3. Phase 2: AATCMB: Case Manager (non-lawyer) participant contact
	1.1.4. Phase 3: Trial Phase for CM-led case conferences Trial stage with a cohort of Case Managers leading case conferences in the AAT with internal legal support (dependency: recruitment & procurement)
	1.1.5. Phase 4: Trial Phase for CM-led conciliation Trial stage with a cohort of Case Managers leading conciliation in the AAT with internal legal support.
	1.1.6. Phase 5: Future state All Case Managers leading case conferences and/or conciliation in the AAT with internal legal support.

	1.2.1. Build Knowledge bank
	1.2.2. Build AAT Early Assessment Support Services.
	1.2.3. Litigation guidelines and Standard Operating Procedures: to cover Evidence policy including a policy on the use of social media as evidence summons/partial agreement policies
	1.2.4. Litigation guidelines and Standard Operating Procedures
	1.2.5. Standard Operating Procedures for IME
	1.2.6. Develop a cross divisional Opinions database

	1.3.1. Transition all AAT legal contracts from hourly rate contracts to bundle fee arrangements/ secondments
	1.3.2. Commence a 12-month review of current 8 x bundle fee contract arrangements and introduce a range of quality assurance mechanisms
	1.3.3. Create NDIA Legal Provider Framework
	1.3.4. Update standing instructions for procurement processes.
	1.3.5. Create new Procurement arrangements for NDIA external legal service providers with updated bundle agreements.
	1.3.6. IME Procurement (establish panel arrangement)



In Progress



On Hold

Not Started
Page 54 of 122

At Risk



Completed

DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022 - 2025

Progress Report October 2024

Strategic Objective 2: Human-centered solutions to improve Participants' experience

2.1 Establish an Early Assessment capability.

-  2.1.1. Recruitment for Early Assessment teams
-  2.1.2. Developing consistent approaches to decision making in early assessment (SOP)
-  2.1.3. Early Assessment awareness training to AATCMB
-  2.1.4. EA awareness training to PED (ND/NARB)
-  2.1.5. Resourcing requirement for 100% review of caseloads for Case Management.
-  2.1.6. Develop Early assessment specific in-house legal advice support to review 100% of matters.

2.2. Human-centered approach to the appeals process and address power imbalance.

-  2.2.1. Human Centred design project on the AAT process - let by Strategy Branch
-  2.2.2. Co-design a participant survey to gather regular participant feedback (Feedback forum)

2.3. Implement an Independent Expert Review trial

-  2.3.1. Transition of IER into BAU into AAT CM and DR&L branches
-  2.3.2. Survey and evaluation process of the IER (of pilot phase 1)
-  2.3.3. IER Closure

2.4. Reduce the number of aged matters (over 12 months) in the AAT.

-  2.4.1. Review of aged matters - all matters in the AAT 12 months and longer
-  2.4.2. Transition aged matters from LSPs on hourly rate contracts (Clayton Utz, Ashurst, Sparke Helmore) to inhouse legal team, with the assistance of secondment arrangements.
-  2.4.3. Transition aged matters from existing LSPs (Hunt & Hunt, HWLE) to inhouse legal team with the assistance from practice build staff (Ally Group, Lawyerbank, Sparke Helmore)
-  2.4.4. Transition all matters from existing LSPs to new LSP arrangements (Maddocks, Sparkes, Mills, Moray).
-  2.4.5. Dashboard for Case Managers to identify matters over 12 months
-  2.4.6. Lessons learnt – caseload elevation to inform future training needs/gaps and training modules.

2.5. Enhance AAT advocacy capability.

-  2.5.1. Advocacy Skills: Including a training program for solicitor/advocacy
-  2.5.2. Establish a legal framework for Advocacy
-  2.5.3. Support to DSS towards supporting advocate training legal assistance funding and services.



In Progress



On Hold

Not Started
Page 55 of 122

At Risk



Completed

DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022 - 2025

Progress Report October 2024

Strategic Objective 3: Increased consistency and transparency in our decision making

3.1. Improve in-house Litigation oversight and governance.



3.1.1. Build an in-house Litigation oversight and governance:
 - Agree on operation model/agree and manage AAT stakeholder arrangements/agree on AAT Governance arrangements (HOC/Federal Court)

3.2. Deliver a Model Litigant Framework to apply the highest standards of ethical behaviour.



3.2.1. Establish monthly MLO Series



3.2.2. Develop the Model Litigant Framework

3.3. Mechanisms to inform continues improvement in reviewable decisions.



3.3.1. Establish a comms. strategy with AAT and Internal Review



3.3.2. Create a register of all priority proposed legislative changes



3.3.3. (I). Assist the Agency to manage legal risks on attribution. Attribution Policy to be developed by the Agency's Policy area.



3.3.4. Advise on Davis : Advise Foster (Caleb/Bridget) High Court Decisions – Implications for Operational Guidelines and Rules.



3.3.5. Publish more information about AAT outcomes, including matters resolved without proceeding to hearing (ANAO recommendation: agree to publish on a yearly basis a thematic analysis of review data to improve transparency of review process).

3.4. Contemporary, fit-for-service systems to better meet the needs of the Division.



3.4.1. Develop fit-for-purpose business systems: PACE & LEX replacement scoping



In Progress



On Hold

Not Started
Page 50 of 122

At Risk



Completed

Strategic Objective 4: A healthy workplace culture where staff can grow professionally

4.1. Succession planning for our staff.

-  4.1.1. Pilot of Broad Banding of APS4 – 6 legal roles.
-  4.1.2. Develop a pathway into the legal officer professional structure
-  4.1.3. Support future leaders for the Chief Counsel Division
-  4.1.4. Develop a legal and case management capability framework.
-  4.1.5. Review the practical legal training arrangements

4.2. Provide a safe and healthy work environment.

-  4.2.1. Develop a CCD work health and safety risk assessment.
-  4.2.2. Implementation of the Work Health and Safety Risk Assessment

4.3. Increase cultural capability to enable supportive work environment.

-  TBA

Chief Counsel Division
DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022 - 2025
Progress Report October 2024

Pending Actions Summary

Strategic Objective 1: A dispute resolution operating model that is simpler and fairer	Strategic Objective 2: Human-centered solutions to improve Participants' experience	Strategic Objective 3: Increased consistency and transparency in our decision making	Strategic Objective 4: A healthy workplace culture where staff can grow professionally
1.1.4. Phase 3: Trial Phase for CM-led case conferences Trial stage with a cohort of Case Managers leading case conferences in the AAT with internal legal support (dependency: recruitment & procurement)	2.1.6. Develop Early assessment specific in-house legal advice support to review 100% of matters.	3.4.1. Develop fit-for-purpose business systems: PACE & LEX replacement scoping	4.1.3. Support future leaders for the Chief Counsel Division
1.1.5. Phase 4: Trial Phase for CM-led conciliation Trial stage with a cohort of Case Managers leading conciliation in the AAT with internal legal support.	2.2.2. Co-design a participant survey to gather regular participant feedback (Feedback forum)		4.1.4. Develop a legal and case management capability framework.
1.1.6. Phase 5: Future state All Case Managers leading case conferences and/or conciliation in the AAT with internal legal support.			4.3. Increase cultural capability to enable supportive work environment.
1.2.4. Litigation guidelines and Standard Operating Procedures			
1.2.5. Standard Operating Procedures for IME			
1.3.6. IME Procurement (establish panel arrangement)			

Last update: 23/10/2024



In Progress



On Hold



Not Started



At Risk



Completed

DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022 - 2025

Progress Report October 2024

Actions Status Summary

DRIS Strategic Objectives	Actions Status					Total
	Not Started 	In Progress 	On Hold 	At Risk 	Completed 	
Strategic Objective 1: A dispute resolution operating model that is simpler and fairer	1	2	0	3	12	18
Strategic Objective 2: Human-centered solutions to improve Participants' experience	0	1	0	1	18	20
Strategic Objective 3: Increased consistency and transparency in our decision making	0	1	0	0	8	9
Strategic Objective 4: A healthy workplace culture where staff can grow professionally	1	2	0	0	5	8
Total	2	6	0	4	43	55

Last update: 23/10/2024



DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 31 July 2024

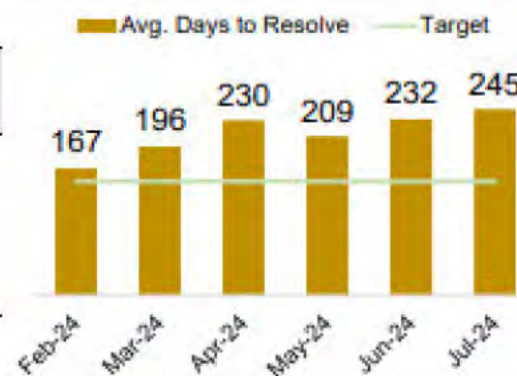
Report run date: 7 August 2024

A dispute resolution model that is simpler and fairer

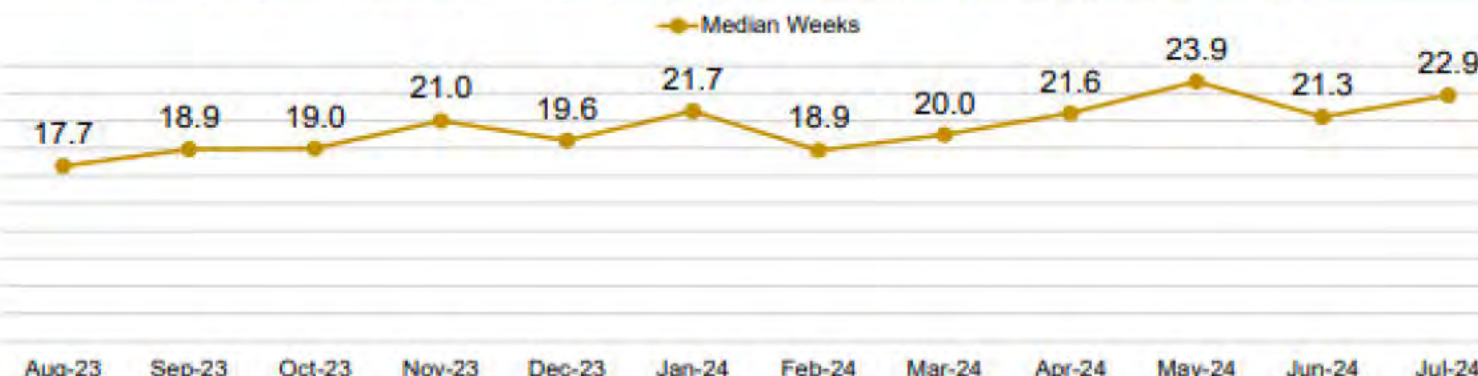
Planning Matters

Length of
AAT
matters
reduced
(Days)

Target (Days)	May 2024	Jun 2024	Jul 2024	▲
150	209	232	245	↑ 13

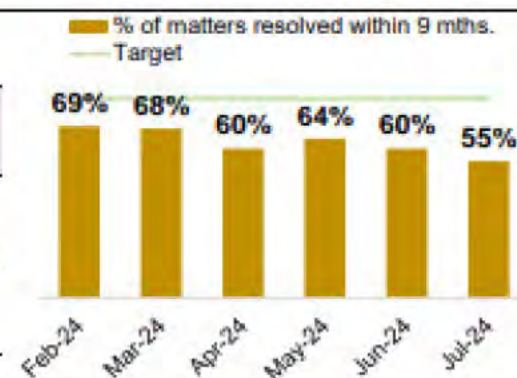


Median weeks to close for matters within 1 year (all matter types)



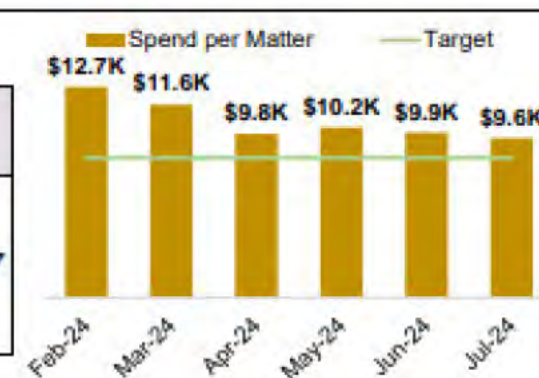
80% case
resolution
within 9
months

Target	May 2024	Jun 2024	Jul 2024	▲
80%	64%	60%	55%	↓ -5%



Reduction
in average
external
legal costs
per matter

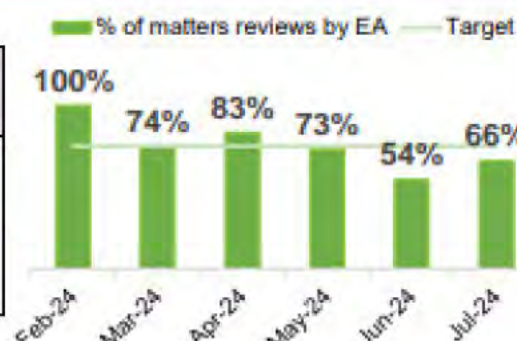
Target	May 2024	Jun 2024	Jul 2024	▲
\$ 8,400	\$ 10,210	\$ 9,902	\$ 9,575	↓ -\$327



Human-centred solutions to improve Participants' experience

75% of
matters
reviewed by
Early
Assessment

Target	May 2024	Jun 2024	Jul 2024	▲
75%	73%	54%	66%	↑ 11%



A healthy workplace culture where staff can grow professionally

Improved
Census
Engagement

Target	FY22	FY23	▲
75%	68%	69%	↑ 1%

Data Source: AAT LEX Matter management System

Data Disclaimer: The AAT matter data used in this dashboard is sourced from the AAT LEX Matter Management System and is accurate as at the date of extraction on 5th August 2024. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and updates. Therefore, data referencing a specific date in this dashboard may change in a later data export.

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DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 31 August 2024

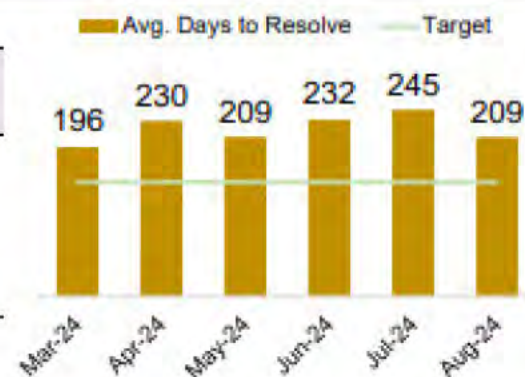
Report run date: 9 September 2024

A dispute resolution model that is simpler and fairer

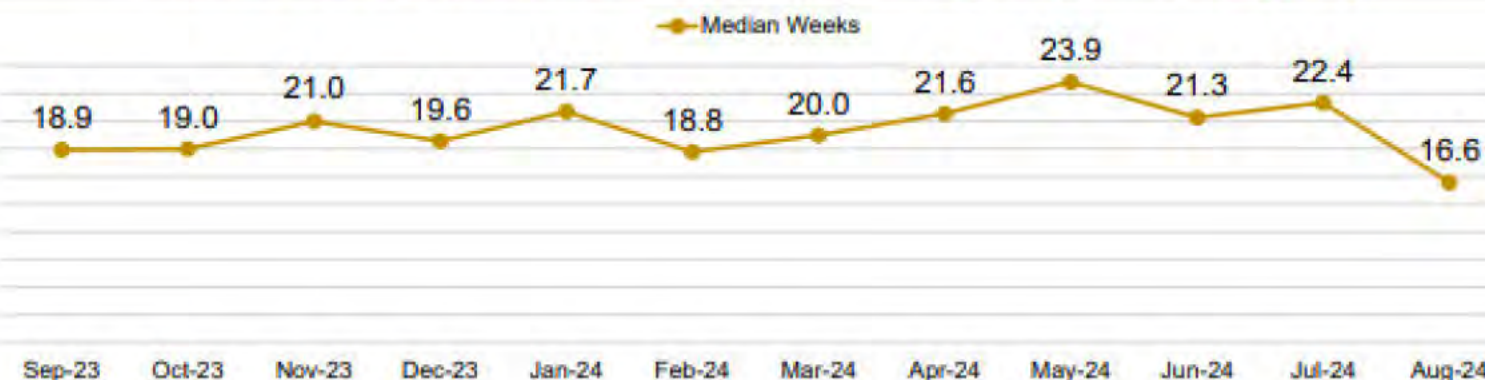
Planning Matters

Length of AAT matters reduced (Days)

Target (Days)	Jun 2024	Jul 2024	Aug 2024	▲
150	232	245	209	↓ -36

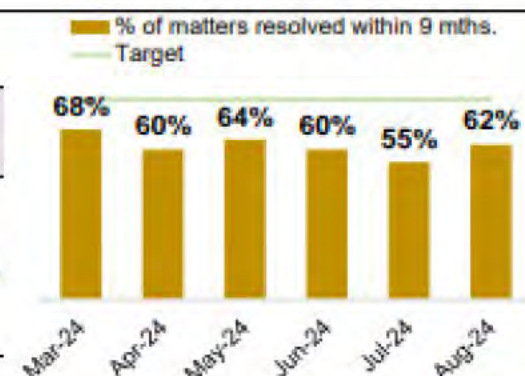


Median weeks to close for matters within 1 year (all matter types)



80% case resolution within 9 months

Target	Jun 2024	Jul 2024	Aug 2024	▲
80%	60%	55%	62%	↑ 7%



Reduction in average external legal costs per matter

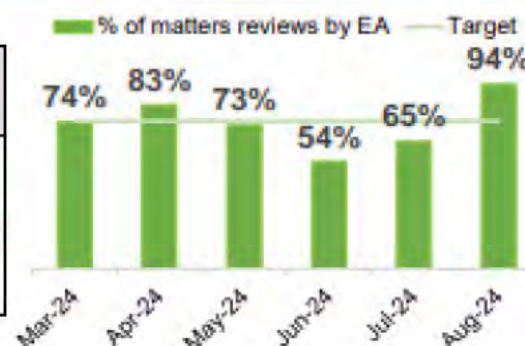
Target	Jun 2024	Jul 2024	Aug 2024	▲
\$ 8,400	\$ 11,245	\$ 11,375	\$ 11,093	↓ -\$282



Human-centred solutions to improve Participants' experience

75% of matters reviewed by Early Assessment

Target	Jun 2024	Jul 2024	Aug 2024	▲
75%	54%	65%	94%	↑ 29%



A healthy workplace culture where staff can grow professionally

Improved Census Engagement

Target	FY2022	FY2023	FY2024	▲
75%	68%	69%	74%	↑ 5%

Data Source: AAT LEX Matter management System

Data Disclaimer: The AAT matter data used in this dashboard is sourced from the AAT LEX Matter Management System and is accurate as at the date of extraction on 5th September 2024. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and updates. Therefore, data referencing a specific date in this dashboard may change in a later data export.



DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 30 September 2024

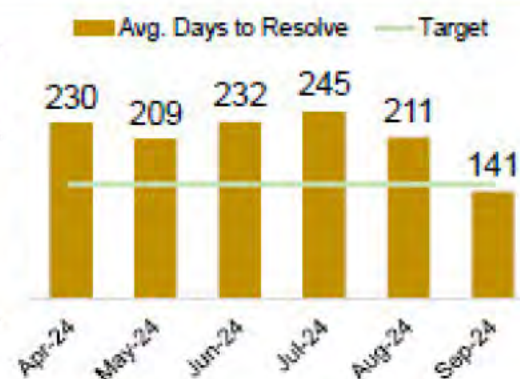
Report run date: 9 October 2024

A dispute resolution model that is simpler and fairer

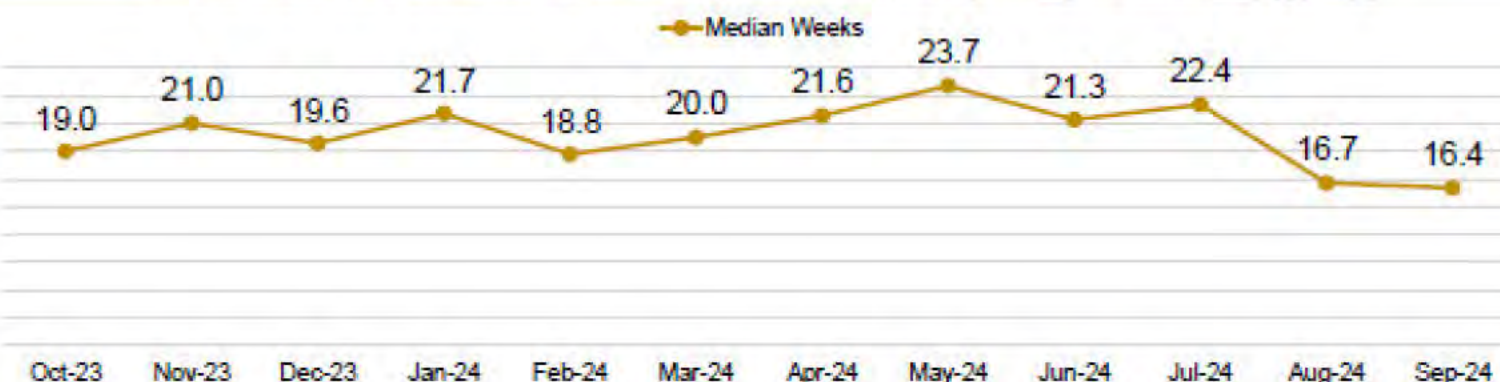
Planning Matters

Length of
AAT
matters
reduced
(Days)

Target (Days)	Jul 2024	Aug 2024	Sep 2024	
150	245	211	141	▲ ↓ -70



Median weeks to close for matters within 1 year (all matter types)



80% case
resolution
within 9
months

Target	Jul 2024	Aug 2024	Sep 2024	
80%	55%	61%	70%	▲ ↑ 9%



Reduction
in average
external
legal costs
per matter

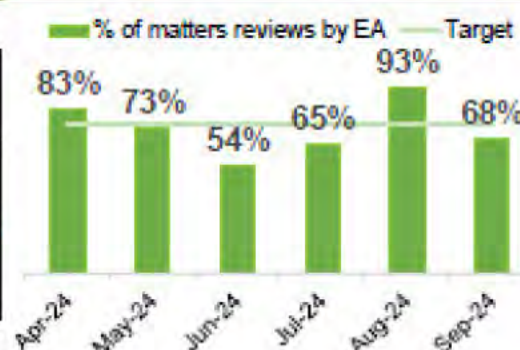
Target	Jul 2024	Aug 2024	Sep 2024	
\$ 8,400	\$ 11,791	\$ 12,138	\$ 9,284	▲ ↓ -\$2,854



Human-centred solutions to improve Participants' experience

75% of
matters
reviewed by
Early
Assessment

Target	Jul 2024	Aug 2024	Sep 2024	
75%	65%	93%	68%	▲ ↓ -26%



A healthy workplace culture where staff can grow professionally

Improved
Census
Engagement

Target	FY2022	FY2023	FY2024	
75%	68%	69%	74%	▲ ↑ 5%

Data Source: AAT LEX Matter management System

Data Disclaimer: The AAT matter data used in this dashboard is sourced from the AAT LEX Matter Management System and is accurate as at the date of extraction on 8th October 2024. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and updates. Therefore, data referencing a specific date in this dashboard may change in a later data export.



DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 30 November 2024

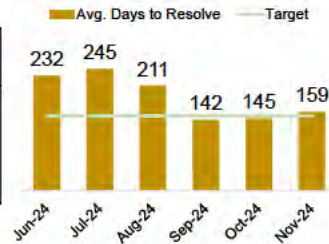
Report run date: 10 December 2024

A dispute resolution model that is simpler and fairer

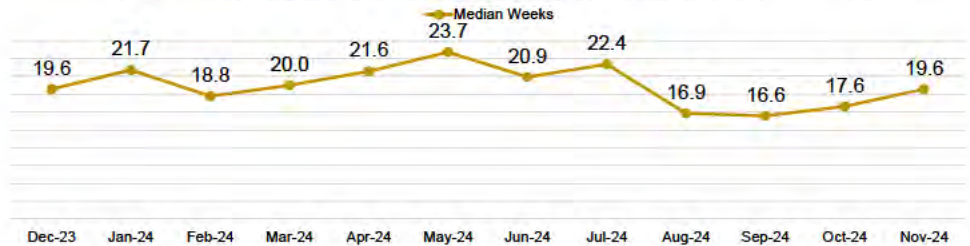
Planning Matters

Length of
ART
matters
reduced
(Days)

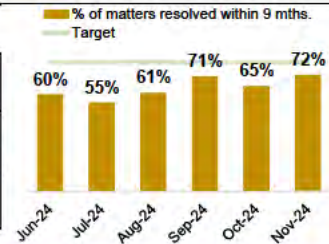
Target	Sep 2024	Oct 2024	Nov 2024	▲
150	142	145	159	↑ 14



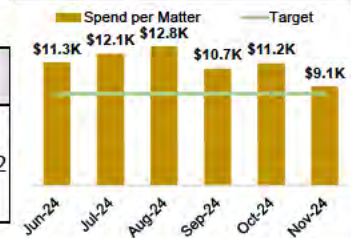
Median weeks to close for matters within 1 year (all matter types)

80% case
resolution
within 9
months

Target	Sep 2024	Oct 2024	Nov 2024	▲
80%	71%	65%	72%	↑ 7%

Reduction
in average
external
legal costs
per matter

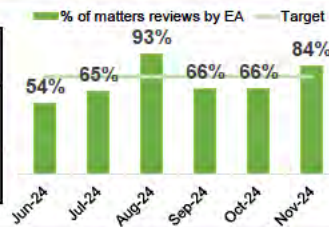
Target	Sep 2024	Oct 2024	Nov 2024	▲
\$ 8,400	\$ 10,743	\$ 11,226	\$ 9,114	↓ -\$2,112



Human-centred solutions to improve Participants' experience

75% of
matters
reviewed by
Early
Assessment

Target	Sep 2024	Oct 2024	Nov 2024	▲
75%	66%	66%	84%	↑ 18%



A healthy workplace culture where staff can grow professionally

Improved
Census
Engagement

Target	FY2022	FY2023	FY2024	▲
75%	68%	69%	74%	↑ 5%

Data Source: ART LEX Matter management System

Data Disclaimer: The ART matter data used in this dashboard is sourced from the ART LEX Matter Management System and is accurate as at the date of extraction on 4th December 2024. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and updates. Therefore, data referencing a specific date in this dashboard may change in a later data export.

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DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 30 November 2024

Data Sources: AAT LEX Matter management System & APS Census Reports

Data Disclaimer: The AAT matter data used in this dashboard is sourced from the AAT LEX Matter Management System and is accurate as at the date of extraction on 4 December 2024. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and updates. Therefore, data referencing a specific date in this dashboard may change in a later data export.

This paper covers the following information:

1. DRIS Objective: A dispute resolution model that is simpler and fairer
 - a. KPI: Length of AAT matters reduced
 - b. KPI: Median weeks to close for matters within 1 year (all matter types)
 - c. KPI: 80% case resolution within 9 months
 - d. KPI: Reduction in average external legal costs per matter
2. DRIS Objective: Human-centred solutions to improve Participants' experience
 - a. KPI: 75% of matters reviewed by Early Assessment
3. DRIS Objective: A healthy workplace culture where staff can grow professionally
 - a. KPI: Improved Census Engagement

DRIS Objective: A dispute resolution model that is simpler and fairer

KPI: Length of AAT matters reduced

Target (Days): 150

Sep 24 - 142

Oct 24 - 145

Nov - 159

KPI: Median weeks to close for matters within 1 year (all matter types)

Dec-23 - 19.6

Jan-24 - 21.7

Feb-24 - 18.8

Mar-24 - 20.0

Apr-24 - 21.6

May-24 - 23.7

Jun-24 - 20.9

Jul-24 - 22.4

Aug-24 - 16.9

Sep-24 - 16.6

Oct-24 - 17.6

Nov-24 - 19.6

KPI: 80% case resolution within 9 months

Target - 80%

OFFICIAL: SENSITIVE

Sep-24 - 71%
 Oct-24 – 65%
 Nov-24 – 72%

KPI: Reduction in average external legal costs per matter

Target - \$8,400
 Sep-24 - \$10,743
 Oct-24 - \$11,226
 Nov-24 – 9,114

DRIS Objective: Human-centred solutions to improve Participants' experience

KPI: 75% of matters reviewed by Early Assessment

Target - 75%
 Sep-24 - 66%
 Oct-24 – 66%
 Nov-24 – 84%

DRIS Objective: A healthy workplace culture where staff can grow professionally

KPI: Improved Census Engagement

Target - 75%
 FY2022 - 68%
 FY2023 - 69%
 FY2024 – 74%



DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 31 December 2024

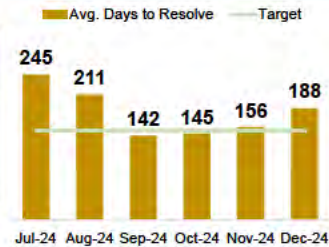
Report run date: 8 January 2025

A dispute resolution model that is simpler and fairer

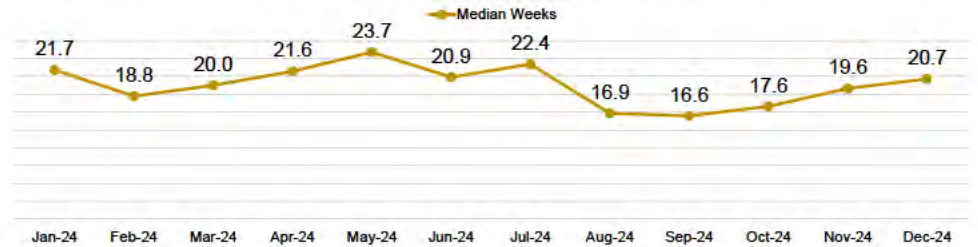
Planning Matters

Length of ART matters reduced (Days)

Target (Days)	Oct 2024	Nov 2024	Dec 2024	▲
150	145	156	188	↑ 32

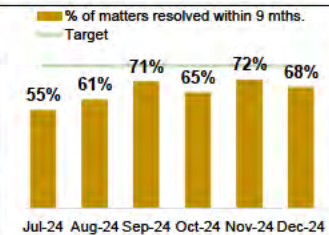


Median weeks to close for matters within 1 year (all matter types)



80% case resolution within 9 months

Target	Oct 2024	Nov 2024	Dec 2024	▲
80%	65%	72%	68%	↓ -4%



Reduction in average external legal costs per matter

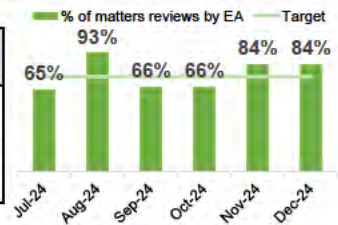
Target	Oct 2024	Nov 2024	Dec 2024	▲
\$ 8,400	\$ 11,631	\$ 9,980	\$ 9,035	↓ -\$945



Human-centred solutions to improve Participants' experience

75% of matters reviewed by Early Assessment

Target	Oct 2024	Nov 2024	Dec 2024	▲
75%	66%	84%	84%	→ 0%



A healthy workplace culture where staff can grow professionally

Improved Census Engagement

Target	FY2022	FY2023	FY2024	▲
75%	68%	69%	74%	↑ 5%

Data Source: ART LEX Matter management System

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OFFICIAL: SENSITIVE

DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 31 December 2024

Data Sources: AAT LEX Matter management System & APS Census Reports

Data Disclaimer: The AAT matter data used in this dashboard is sourced from the AAT LEX Matter Management System and is accurate as at the date of extraction on 8 January 2025. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and updates. Therefore, data referencing a specific date in this dashboard may change in a later data export.

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 - a. KPI: 75% of matters reviewed by Early Assessment
3. DRIS Objective: A healthy workplace culture where staff can grow professionally
 - a. KPI: Improved Census Engagement

DRIS Objective: A dispute resolution model that is simpler and fairer

KPI: Length of AAT matters reduced

Target (Days): 150

Oct 24 - 145

Nov 24 - 156

Dec 24 - 188

KPI: Median weeks to close for matters within 1 year (all matter types)

Jan-24 - 21.7

Feb-24 - 18.8

Mar-24 - 20.0

Apr-24 - 21.6

May-24 - 23.7

Jun-24 - 20.9

Jul-24 - 22.4

Aug-24 - 16.9

Sep-24 - 16.6

Oct-24 - 17.6

Nov-24 - 19.6

Dec-24 - 20.7

KPI: 80% case resolution within 9 months

Target - 80%

OFFICIAL: SENSITIVE

Oct-24 – 65%
 Nov-24 – 72%
 Dec-24 – 68%

KPI: Reduction in average external legal costs per matter

Target - \$8,400
 Oct-24 - \$11,631
 Nov-24 - \$9,980
 Dec-24 - \$9,035

DRIS Objective: Human-centred solutions to improve Participants' experience

KPI: 75% of matters reviewed by Early Assessment

Target - 75%
 Oct-24 – 66%
 Nov-24 – 84%
 Dec-24 – 84%

DRIS Objective: A healthy workplace culture where staff can grow professionally

KPI: Improved Census Engagement

Target - 75%
 FY2022 - 68%
 FY2023 - 69%
 FY2024 – 74%



DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 31 January 2025

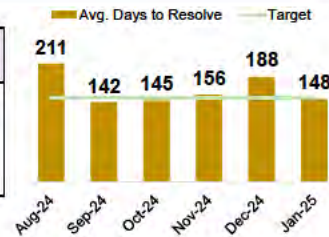
Report run date: 13 February 2025

A dispute resolution model that is simpler and fairer

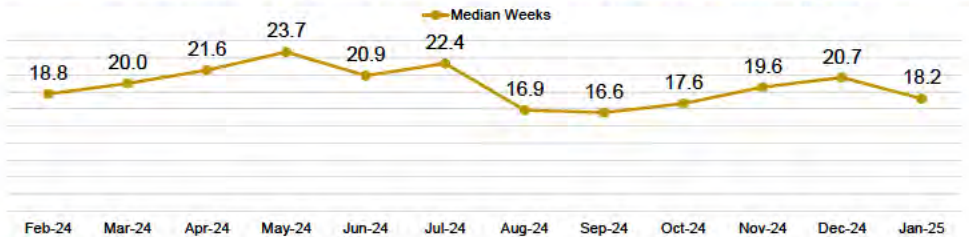
Planning Matters

Length of
ART
matters
reduced
(Days)

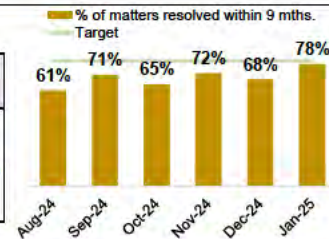
Target (Days)	Nov 2024	Dec 2024	Jan 2025	
150	156	188	148	▲ ↓ -40



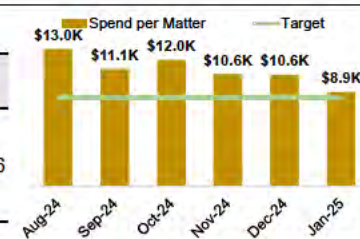
Median weeks to close for matters within 1 year (all matter types)

80% case
resolution
within 9
months

Target	Nov 2024	Dec 2024	Jan 2025	
80%	72%	68%	78%	▲ ↑ 10%

Reduction
in average
external
legal costs
per matter

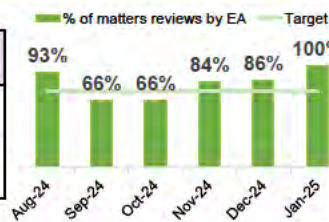
Target	Nov 2024	Dec 2024	Jan 2025	
\$ 8,400	\$ 10,642	\$ 10,587	\$ 8,931	▲ ↓ -\$1,656



Human-centred solutions to improve Participants' experience

75% of
matters
reviewed by
Early
Assessment

Target	Nov 2024	Dec 2024	Jan 2025	
75%	84%	86%	100%	▲ ↑ 14%



A healthy workplace culture where staff can grow professionally

Improved
Census
Engagement

Target	FY2022	FY2023	FY2024	
75%	68%	69%	74%	▲ ↑ 5%

Data Source: ART LEX Matter management System

Data Disclaimer: The ART matter data used in this dashboard is sourced from the ART LEX Matter Management System and is accurate as at the date of extraction on 5th February 2025. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and updates. Therefore, data referencing a specific date in this dashboard may change in a later data export.

OFFICIAL: SENSITIVE

DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 31 January 2025

Data Sources: AAT LEX Matter management System & APS Census Reports

Data Disclaimer: The AAT matter data used in this dashboard is sourced from the AAT LEX Matter Management System and is accurate as at the date of extraction on 5 February 2025. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and updates. Therefore, data referencing a specific date in this dashboard may change in a later data export.

This paper covers the following information:

1. DRIS Objective: A dispute resolution model that is simpler and fairer
 - a. KPI: Length of AAT matters reduced
 - b. KPI: Median weeks to close for matters within 1 year (all matter types)
 - c. KPI: 80% case resolution within 9 months
 - d. KPI: Reduction in average external legal costs per matter
2. DRIS Objective: Human-centred solutions to improve Participants' experience
 - a. KPI: 75% of matters reviewed by Early Assessment
3. DRIS Objective: A healthy workplace culture where staff can grow professionally
 - a. KPI: Improved Census Engagement

DRIS Objective: A dispute resolution model that is simpler and fairer

KPI: Length of AAT matters reduced

Target (Days): 150

Nov 24 – 156

Dec 24 – 188

Jan 25 – 148

KPI: Median weeks to close for matters within 1 year (all matter types)

Feb-24 - 18.8 weeks

Mar-24 - 20.0

Apr-24 - 21.6

May-24 - 23.7

Jun-24 - 20.9

Jul-24 - 22.4

Aug-24 - 16.9

Sep-24 - 16.6

Oct-24 - 17.6

Nov-24 - 19.6

Dec-24 - 20.7

Jan-25 – 18.2

KPI: 80% case resolution within 9 months

Target - 80%

OFFICIAL: SENSITIVE

Nov-24 – 72%
 Dec-24 – 68%
 Jan-25 – 78%

KPI: Reduction in average external legal costs per matter

Target - \$8,400
 Nov-24 - \$10,642
 Dec-24 - \$10,587
 Jan-25 - \$8,931

DRIS Objective: Human-centred solutions to improve Participants' experience

KPI: 75% of matters reviewed by Early Assessment

Target - 75%
 Nov-24 – 84%
 Dec-24 – 86%
 Jan-25 – 100%

DRIS Objective: A healthy workplace culture where staff can grow professionally

KPI: Improved Census Engagement

Target - 75%
 FY2022 - 68%
 FY2023 - 69%
 FY2024 – 74%



Chief Counsel Division

DISPUTE RESOLUTION IMPROVEMENT STRATEGY

2022 - 2025

Progress Report

[ndis.gov.au](https://www.ndis.gov.au) | January 2025



CHIEF COUNSEL DIVISION

DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Our vision:

To be a thriving division that is integral to the Agency and helps build trust in the NDIS

Strategic objective

1. A dispute resolution operating model that is simpler and fairer

2. Human-centred solutions to improve Participants' experience

3. Increased consistency and transparency in our decision making

4. A healthy workplace culture where staff can grow professionally

Initiatives

- 1.1. Enable a human-centred approach to alternative dispute resolution using internal capability.
- 1.2. Ensure strategic and consistent advice in decisions.
- 1.3. Implement a Legal Cost Reduction Strategy to significantly reduce and manage our external legal spend.

- 2.1. Establish an Early Assessment capability.
- 2.2. A Participant-centred approach to the appeals process and address power imbalance.
- 2.3. Implement an Independent Expert Review Trial.
- 2.4. Reduce the number of aged matters in the AAT.
- 2.5. Enhance AAT Advocacy capability.

- 3.1. Improve in-house Litigation oversight and governance.
- 3.2. Deliver Model Litigant Framework to apply the highest standards of ethical behaviour.
- 3.3. Establish mechanisms to inform continuous improvement in reviewable decisions.
- 3.4. Contemporary, fit-for-service systems to better meet the needs of the Division.

- 4.1. Establish succession planning for our staff.
- 4.2. Provide a safe and healthy work environment.
- 4.3. Increase cultural capability to enable a supportive work environment.

Measures of success

- Reduce time of planning matters in the AAT to 150 days from 242 days the previous year.
- 80% case resolution within 9 months.
- Reduced average external legal costs per matter to \$8,400.

- Improved participant satisfaction and their satisfaction with accessibility.
- Increase the number of matters reviewed by Early Assessment to 75%.

- Learning from MLO investigations included in continuous improvements initiatives.
- Model litigant culture and practice communicated to all staff through CC Model litigant series.
- Quarterly reporting to ALOC with AAT thematic analysis and policy advice.

- A 10% increase in the APS Census participation from prior year.
- Census Action Plans delivered annually.
- WHS Plan delivered and reviewed quarterly.
- Annual training plan implemented.
- Training & support for staff impacted by compassion fatigue and vicarious trauma.

DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022 - 2025

Progress Report

Measures of Success Status Summary: Q2 FY24/25

A dispute resolution operating model that is simpler and fairer

- Reduce time of planning matters in the AAT to 150 days from 242 days the previous year.
- 80% of AAT case resolved within 9 months.
- Decrease average external legal costs per matter to \$8,400.

Human-centred solutions to improve Participants' experience

- Improved participants satisfaction their satisfaction with accessibility.
- Increase in matters reviewed by Early Assessment to 75%.

Increased consistency and transparency in our decision making.

- Learning from MLO investigations into a breach or potential breach included in continuous improvements initiatives.
- Model litigant culture and practice communicated to all staff through Chief Counsel Model litigant series
- Quarterly reporting to ALOC with AAT thematic analysis and policy advice to enhance continuous improvements in decision making.

A healthy workplace culture where staff can grow professionally

- A 10% increase in the APS Census participation from the previous year. -
- Census Action Plans delivered annually.
- WHS Plan delivered and implemented.
- Annual training plan in place for each branch within the Division and reviewed quarterly.
- Tailored training and support available for staff who may be impacted by compassion fatigue and vicarious trauma.



ON TRACK



AT RISK



NOT YET ASSESSED

DRIS DASHBOARD MONTHLY VIEW



DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 31 December 2024

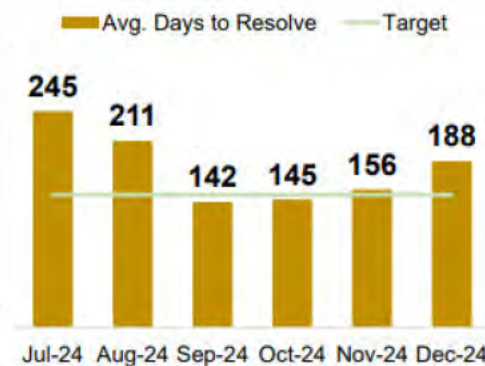
Report run date: 8 January 2025

A dispute resolution model that is simpler and fairer

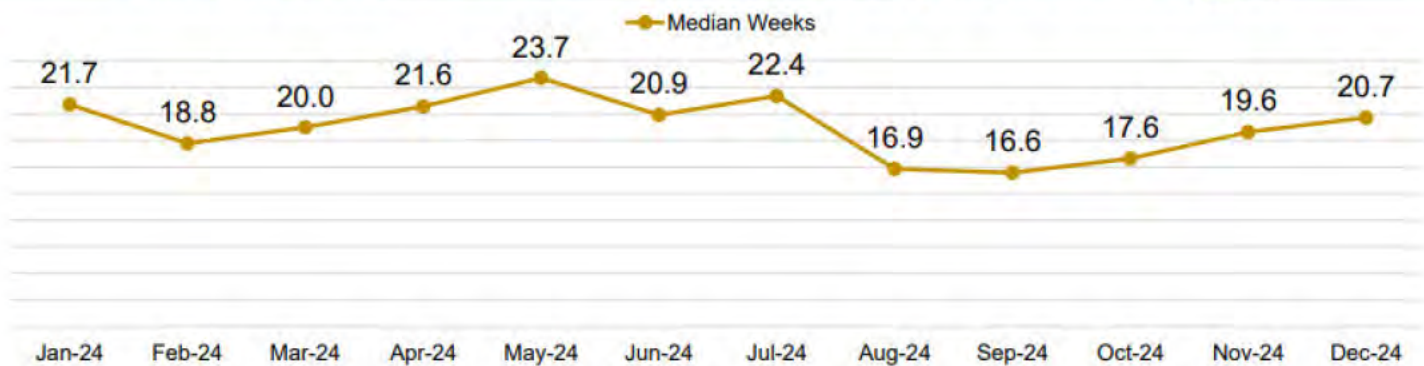
Planning Matters

Length of
ART
matters
reduced
(Days)

Target (Days)	Oct 2024	Nov 2024	Dec 2024	▲
150	145	156	188	↑ 32



Median weeks to close for matters within 1 year (all matter types)

80% case
resolution
within 9
months

Target	Oct 2024	Nov 2024	Dec 2024	▲
80%	65%	72%	68%	↓ -4%

Reduction
in average
external
legal costs
per matter

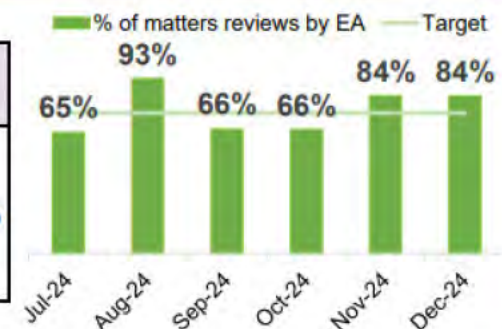
Target	Oct 2024	Nov 2024	Dec 2024	▲
\$ 8,400	\$ 11,631	\$ 9,980	\$ 9,035	↓ -\$945



Human-centred solutions to improve Participants' experience

75% of
matters
reviewed by
Early
Assessment

Target	Oct 2024	Nov 2024	Dec 2024	▲
75%	66%	84%	84%	→ 0%



A healthy workplace culture where staff can grow professionally

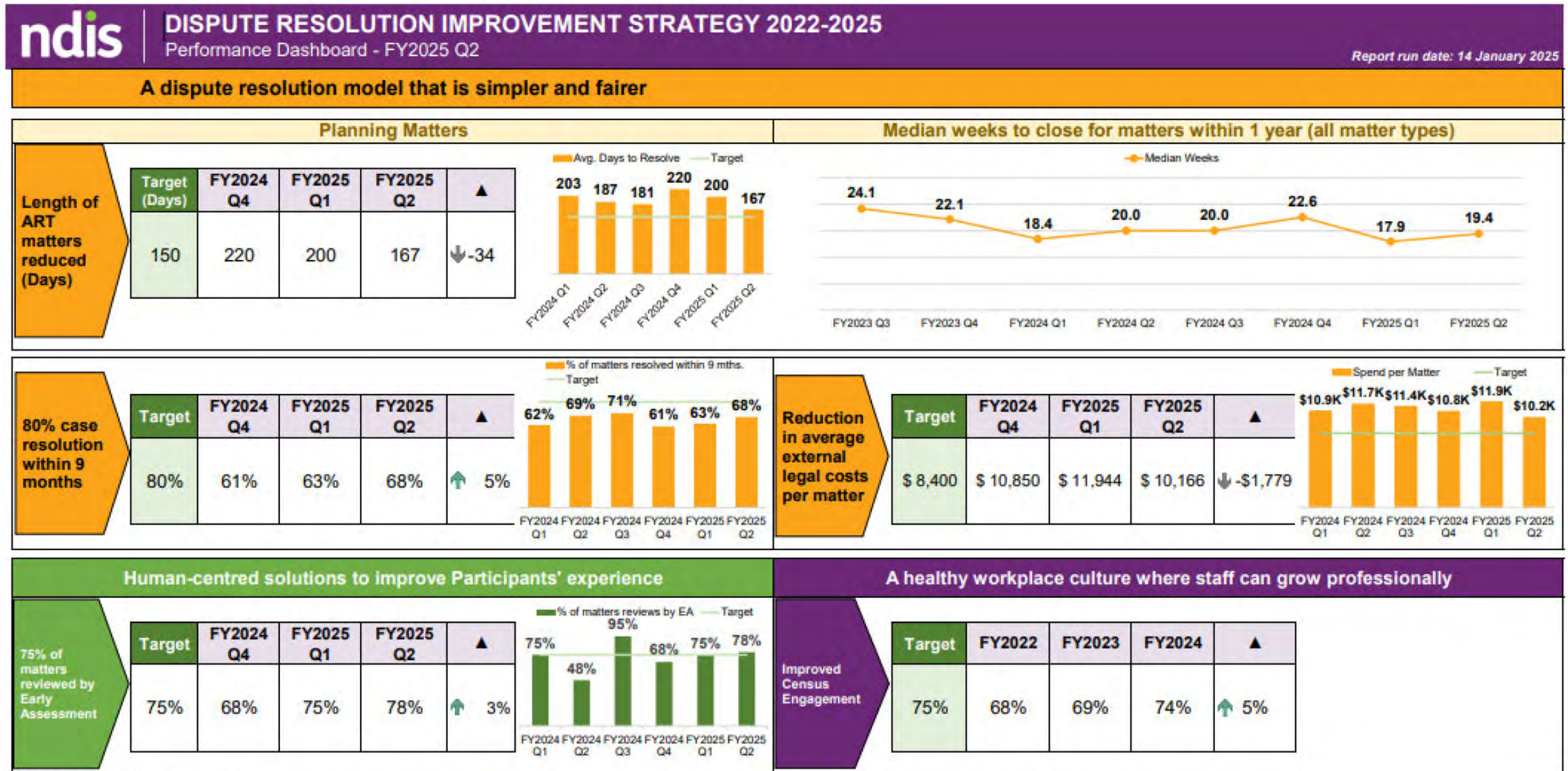
Improved
Census
Engagement

Target	FY2022	FY2023	FY2024	▲
75%	68%	69%	74%	↑ 5%

Data Source: ART LEX Matter management System

Data Disclaimer: The ART matter data used in this dashboard is sourced from the ART LEX Matter Management System and is accurate as at the date of extraction on 8th January 2025. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and updates. Therefore, data referencing a specific date in this dashboard may change in a later data export.

DRIS DASHBOARD QUARTERLY VIEW



Data Source: ART LEX Matter management System

Data Disclaimer: The ART matter data used in this dashboard is sourced from the ART LEX Matter Management System and is accurate as at the date of extraction on 8th January 2025. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and updates. Therefore, data referencing a specific date in this dashboard may change in a later data export.

Chief Counsel Division
DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022 - 2025
Progress Report January 2025

Strategic Objective 1: A dispute resolution operating model that is simpler and fairer

1.1. A human-centered approach to alternative dispute resolution using internal capability.

-  1.1.1. Develop induction training modules and competency framework for Case Managers
-  1.1.2. Phase 1: AATCMB: Case Manager (non-lawyer) participant contact DR&L: revise SOI ahead of CM changes
-  1.1.3. Phase 2: AATCMB: Case Manager (non-lawyer) participant contact
-  1.1.4. Phase 3: Trial Phase for CM-led case conferences
Trial stage with a cohort of Case Managers leading case conferences in the AAT with internal legal support (dependency: recruitment & procurement)
-  1.1.5. Phase 4: Trial Phase for CM-led conciliation Trial stage with a cohort of Case Managers leading conciliation in the AAT with internal legal support.
-  1.1.6. Phase 5: Future state
All Case Managers leading case conferences and/or conciliation in the AAT with internal legal support.

1.2. Strategic and consistent advice in decisions.

-  1.2.1. Build Knowledge bank
-  1.2.2. Build AAT Early Assessment Support Services.
-  1.2.3. Litigation guidelines and Standard Operating Procedures: to cover Evidence policy including a policy on the use of social media as evidence summons/partial agreement policies
-  1.2.4. Litigation guidelines and Standard Operating Procedures
-  1.2.5. Standard Operating Procedures for IME
-  1.2.6. Develop a cross divisional Opinions database

1.3. Legal Cost Reduction Strategy to significantly reduce and manage our external legal spend.

-  1.3.1. Transition all AAT legal contracts from hourly rate contracts to bundle fee arrangements/ secondments
-  1.3.2. Commence a 12-month review of current 8 x bundle fee contract arrangements and introduce a range of quality assurance mechanisms
-  1.3.3. Create NDIA Legal Provider Framework
-  1.3.4. Update standing instructions for procurement processes.
-  1.3.5. Create new Procurement arrangements for NDIA external legal service providers with updated bundle agreements.
-  1.3.6. IME Procurement (establish panel arrangement)



In Progress



On Hold



Not Started
Page 77 of 122



At Risk



Completed

Strategic Objective 2: Human-centered solutions to improve Participants' experience

2.1 Establish an Early Assessment capability.	2.2. Human-centered approach to the appeals process and address power imbalance.	2.3. Implement an Independent Expert Review trial	2.4. Reduce the number of aged matters (over 12 months) in the AAT.	2.5. Enhance AAT advocacy capability.
✓ 2.1.1. Recruitment for Early Assessment teams	✓ 2.2.1. Human Centred design project on the AAT process - let by Strategy Branch	✓ 2.3.1. Transition of IER into BAU into AAT CM and DR&L branches	✓ 2.4.1. Review of aged matters - all matters in the AAT 12 months and longer	✓ 2.5.1. Advocacy Skills: Including a training program for solicitor/advocacy
✓ 2.1.2. Developing consistent approaches to decision making in early assessment (SOP)	🕒 2.2.2. Co-design a participant survey to gather regular participant feedback (Feedback forum)	✓ 2.3.2. Survey and evaluation process of the IER (of pilot phase 1)	✓ 2.4.2. Transition aged matters from LSPs on hourly rate contracts (Clayton Utz, Ashurst, Sparke Helmore) to inhouse legal team, with the assistance of secondment arrangements.	✓ 2.5.2. Establish a legal framework for Advocacy
✓ 2.1.3. Early Assessment awareness training to AATCMB		✓ 2.3.3. IER Closure	✓ 2.4.3. Transition aged matters from existing LSPs (Hunt & Hunt, HWLE) to inhouse legal team with the assistance from practice build staff (Ally Group, Lawyerbank, Sparke Helmore)	✓ 2.5.3. Support to DSS towards supporting advocate training legal assistance funding and services.
✓ 2.1.4. EA awareness training to PED (ND/NARB)			✓ 2.4.4. Transition all matters from existing LSPs to new LSP arrangements (Maddocks, Sparkes, Mills, Moray).	
✓ 2.1.5. Resourcing requirement for 100% review of caseloads for Case Management.			✓ 2.4.5. Dashboard for Case Managers to identify matters over 12 months	
⚠️ 2.1.6. Develop Early assessment specific in-house legal advice support to review 100% of matters.			✓ 2.4.6. Lessons learnt – caseload elevation to inform future training needs/gaps and training modules.	



In Progress



On Hold



Not Started



At Risk



Completed

DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022 - 2025

Progress Report January 2025

Strategic Objective 3: Increased consistency and transparency in our decision making

3.1. Improve in-house Litigation oversight and governance.



3.1.1. Build an in-house Litigation oversight and governance:
- Agree on operation model/agree and manage AAT stakeholder arrangements/agree on AAT Governance arrangements (HOC/Federal Court)

3.2. Deliver a Model Litigant Framework to apply the highest standards of ethical behaviour.



3.2.1. Establish monthly MLO Series



3.2.2. Develop the Model Litigant Framework

3.3. Mechanisms to inform continues improvement in reviewable decisions.



3.3.1. Establish a comms. strategy with AAT and Internal Review



3.3.2. Create a register of all priority proposed legislative changes



3.3.3. (I). Assist the Agency to manage legal risks on attribution. Attribution Policy to be developed by the Agency's Policy area.



3.3.4. Advise on Davis : Advise Foster (Caleb/Bridget) High Court Decisions – Implications for Operational Guidelines and Rules.



3.3.5. Publish more information about AAT outcomes, including matters resolved without proceeding to hearing (ANAO recommendation: agree to publish on a yearly basis a thematic analysis of review data to improve transparency of review process).

3.4. Contemporary, fit-for-service systems to better meet the needs of the Division.



3.4.1. Develop fit-for-purpose business systems: PACE & LEX replacement scoping



Strategic Objective 4: A healthy workplace culture where staff can grow professionally

4.1. Succession planning for our staff.

-  4.1.1. Pilot of Broad Banding of APS4 – 6 legal roles.
-  4.1.2. Develop a pathway into the legal officer professional structure
-  4.1.3. Support future leaders for the Chief Counsel Division
-  4.1.4. Develop a legal and case management capability framework.
-  4.1.5. Review the practical legal training arrangements

4.2. Provide a safe and healthy work environment.

-  4.2.1. Develop a CCD work health and safety risk assessment.
-  4.2.2. Implementation of the Work Health and Safety Risk Assessment

4.3. Increase cultural capability to enable supportive work environment.

-  (will be incorporated into the LSS)



In Progress



On Hold



Not Started



At Risk



Completed

Chief Counsel Division
DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022 - 2025
Progress Report January 2025

Pending Actions Summary

Strategic Objective 1: A dispute resolution operating model that is simpler and fairer	Strategic Objective 2: Human-centered solutions to improve Participants' experience	Strategic Objective 3: Increased consistency and transparency in our decision making	Strategic Objective 4: A healthy workplace culture where staff can grow professionally
1.1.4. Phase 3: Trial Phase for CM-led case conferences Trial stage with a cohort of Case Managers leading case conferences in the AAT with internal legal support (dependency: recruitment & procurement)	2.1.6. Develop Early assessment specific in-house legal advice support to review 100% of matters.	3.4.1. Develop fit-for-purpose business systems: PACE & LEX replacement scoping	4.1.3. Support future leaders for the Chief Counsel Division
1.1.5. Phase 4: Trial Phase for CM-led conciliation Trial stage with a cohort of Case Managers leading conciliation in the AAT with internal legal support.	2.2.2. Co-design a participant survey to gather regular participant feedback (Feedback forum)		4.1.4. Develop a legal and case management capability framework.
1.1.6. Phase 5: Future state All Case Managers leading case conferences and/or conciliation in the AAT with internal legal support.			4.3. Increase cultural capability to enable supportive work environment.
1.2.4. Litigation guidelines and Standard Operating Procedures			
1.2.5. Standard Operating Procedures for IME			
1.3.6. IME Procurement (establish panel arrangement)			



In Progress



On Hold



Not Started



At Risk



Completed



DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 28 February 2025

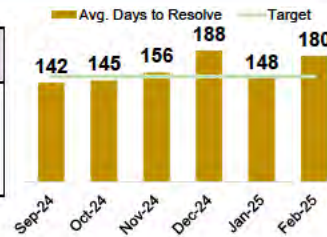
Report run date: 11 March 2025

A dispute resolution model that is simpler and fairer

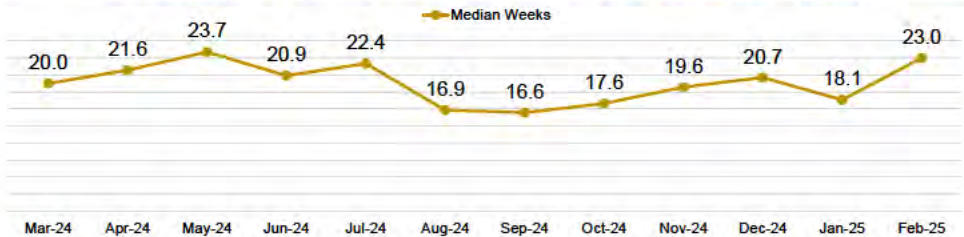
Planning Matters

Length of
ART
matters
reduced
(Days)

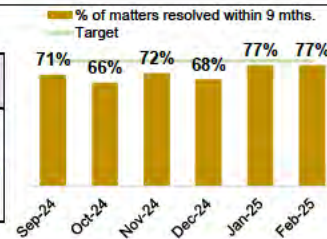
Target (Days)	Dec 2024	Jan 2025	Feb 2025	▲
150	188	148	180	33



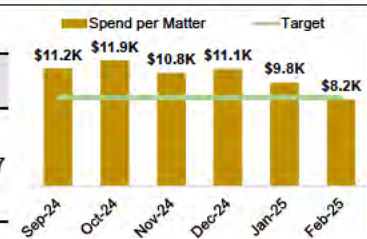
Median weeks to close for matters within 1 year (all matter types)

80% case
resolution
within 9
months

Target	Dec 2024	Jan 2025	Feb 2025	▲
80%	68%	77%	77%	0%

Reduction
in average
external
legal costs
per matter

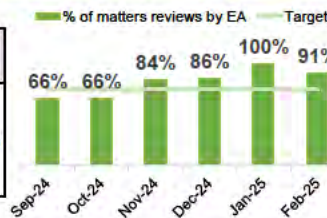
Target	Dec 2024	Jan 2025	Feb 2025	▲
\$ 8,400	\$ 11,125	\$ 9,810	\$ 8,184	-\$1,627



Human-centred solutions to improve Participants' experience

75% of
matters
reviewed by
Early
Assessment

Target	Dec 2024	Jan 2025	Feb 2025	▲
75%	86%	100%	91%	-9%

Improved
Census
Engagement

A healthy workplace culture where staff can grow professionally

Target	FY2022	FY2023	FY2024	▲
75%	68%	69%	74%	5%

Data Source: ART LEX Matter management System

Data Disclaimer: The ART matter data used in this dashboard is sourced from the ART LEX Matter Management System and is accurate as at the date of extraction on 7th March 2025. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and updates. Therefore, data referencing a specific date in this dashboard may change in a later data export.



DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 31 March 2025

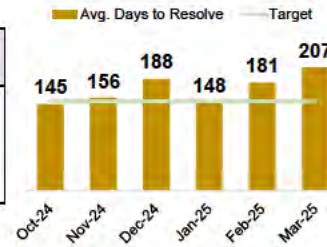
Report run date: 8 April 2025

A dispute resolution model that is simpler and fairer

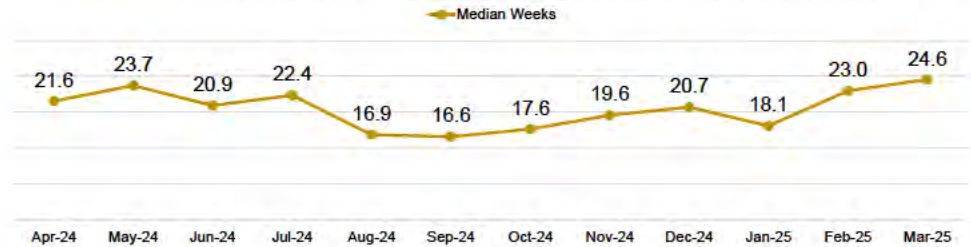
Planning Matters

Length of
ART
matters
reduced
(Days)

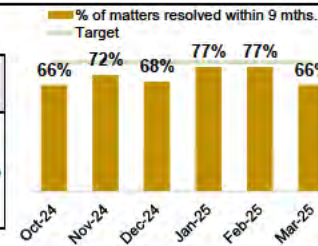
Target (Days)	Jan 2025	Feb 2025	Mar 2025	▲
150	148	181	207	↑ 26



Median weeks to close for matters within 1 year (all matter types)

80% case
resolution
within 9
months

Target	Jan 2025	Feb 2025	Mar 2025	▲
80%	77%	77%	66%	↓ -11%

Reduction
in average
external
legal costs
per matter

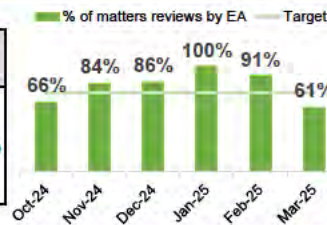
Target	Jan 2025	Feb 2025	Mar 2025	▲
\$ 8,400	\$ 10,307	\$ 9,869	\$ 10,800	↑ \$932



Human-centred solutions to improve Participants' experience

75% of
matters
reviewed by
Early
Assessment

Target	Jan 2025	Feb 2025	Mar 2025	▲
75%	100%	91%	61%	↓ -30%



A healthy workplace culture where staff can grow professionally

Improved
Census
Engagement

Target	FY2022	FY2023	FY2024	▲
75%	68%	69%	74%	↑ 5%

Data Source: ART LEX Matter management System

Data Disclaimer: The ART matter data used in this dashboard is sourced from the ART LEX Matter Management System and is accurate as at the date of extraction on 7th April 2025. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and updates. Therefore, data referencing a specific date in this dashboard may change in a later data export.

OFFICIAL: SENSITIVE

DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 31 March 2025

Data Sources: ART LEX Matter management System & APS Census Reports

Data Disclaimer: The ART matter data used in this dashboard is sourced from the ART LEX Matter Management System and is accurate as at the date of extraction on 7 April 2025. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and updates. Therefore, data referencing a specific date in this dashboard may change in a later data export.

This paper covers the following information:

1. DRIS Objective: A dispute resolution model that is simpler and fairer
 - a. KPI: Length of ART matters reduced
 - b. KPI: Median weeks to close for matters within 1 year (all matter types)
 - c. KPI: 80% case resolution within 9 months
 - d. KPI: Reduction in average external legal costs per matter
2. DRIS Objective: Human-centred solutions to improve Participants' experience
 - a. KPI: 75% of matters reviewed by Early Assessment
3. DRIS Objective: A healthy workplace culture where staff can grow professionally
 - a. KPI: Improved Census Engagement

DRIS Objective: A dispute resolution model that is simpler and fairer

KPI: Length of ART matters reduced

Target (Days): 150

Jan 25 – 148

Feb-25 – 181

Mar-25 – 207

KPI: Median weeks to close for matters within 1 year (all matter types)

Apr-24 - 21.6 weeks

May-24 - 23.7

Jun-24 - 20.9

Jul-24 - 22.4

Aug-24 - 16.9

Sep-24 - 16.6

Oct-24 - 17.6

Nov-24 - 19.6

Dec-24 - 20.7

Jan-25 – 18.1

Feb-25 – 23.0

Mar-25 – 24.6

KPI: 80% case resolution within 9 months

Target - 80%

OFFICIAL: SENSITIVE

Jan-25 – 77%
 Feb-25 – 77%
 Mar-25 – 66%

KPI: Reduction in average external legal costs per matter

Target - \$8,400
 Jan-25 - \$10,307
 Feb-25 - \$9,869
 Mar-25 - \$10,800

DRIS Objective: Human-centred solutions to improve Participants' experience

KPI: 75% of matters reviewed by Early Assessment

Target - 75%
 Jan-25 – 100%
 Feb-25 – 91%
 Mar-25 – 61%

DRIS Objective: A healthy workplace culture where staff can grow professionally

KPI: Improved Census Engagement

Target - 75%
 FY2022 - 68%
 FY2023 - 69%
 FY2024 – 74%



DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard - FY2025 Q3

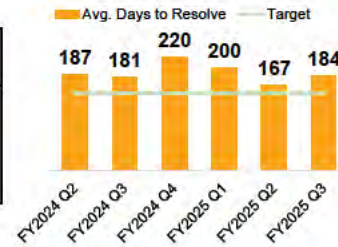
Report run date: 8 April 2025

A dispute resolution model that is simpler and fairer

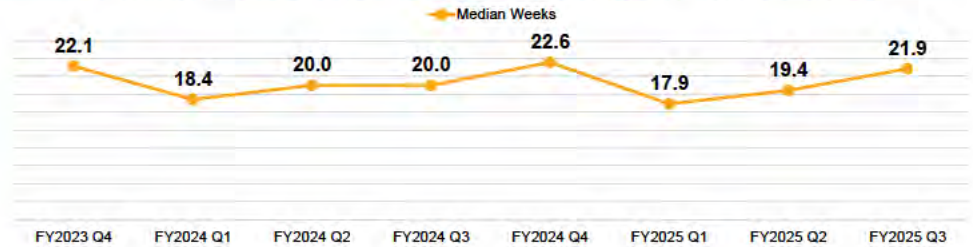
Planning Matters

Length of
ART
matters
reduced
(Days)

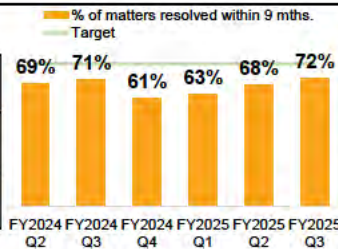
Target	FY2025 Q1	FY2025 Q2	FY2025 Q3	▲
150	200	167	184	↑ 18



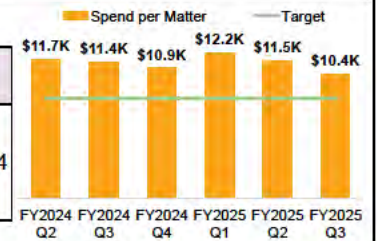
Median weeks to close for matters within 1 year (all matter types)

80% case
resolution
within 9
months

Target	FY2025 Q1	FY2025 Q2	FY2025 Q3	▲
80%	63%	68%	72%	↑ 4%

Reduction
in average
external
legal costs
per matter

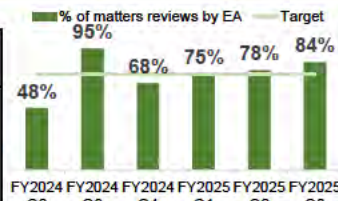
Target	FY2025 Q1	FY2025 Q2	FY2025 Q3	▲
\$ 8,400	\$ 12,238	\$ 11,528	\$ 10,364	↓ -\$1,164



Human-centred solutions to improve Participants' experience

75% of
matters
reviewed by
Early
Assessment

Target	FY2025 Q1	FY2025 Q2	FY2025 Q3	▲
75%	75%	78%	84%	↑ 6%

Improved
Census
Engagement

A healthy workplace culture where staff can grow professionally

Target	FY2022	FY2023	FY2024	▲
75%	68%	69%	74%	↑ 5%

Data Source: ART LEX Matter management System

Data Disclaimer: The ART matter data used in this dashboard is sourced from the ART LEX Matter Management System and is accurate as at the date of extraction on 7 April 2025. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and updates. Therefore, data referencing a specific date in this dashboard may change in a later data export.



DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 30 April 2025

Report run date: 8 May 2025

A dispute resolution model that is simpler and fairer

Planning Matters

Length of
ART
matters
reduced
(Days)

Target (Days)	Feb 2025	Mar 2025	Apr 2025	▲
150	181	206	209	↑ 3

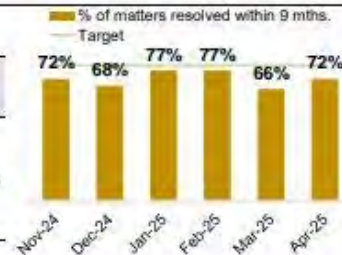


Median weeks to close for matters within 1 year (all matter types)



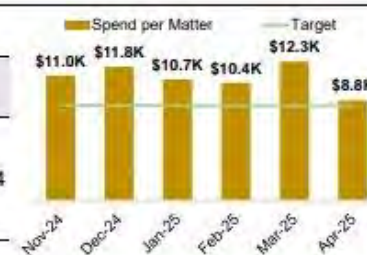
80% case
resolution
within 9
months

Target	Feb 2025	Mar 2025	Apr 2025	▲
80%	77%	66%	72%	↑ 6%



Reduction
in average
external
legal costs
per matter

Target	Feb 2025	Mar 2025	Apr 2025	▲
\$ 8,400	\$ 10,390	\$ 12,255	\$ 8,831	↓ -\$3,424



Human-centred solutions to improve Participants' experience

75% of
matters
reviewed by
Early
Assessment

Target	Feb 2025	Mar 2025	Apr 2025	▲
75%	91%	60%	100%	↑ 40%



A healthy workplace culture where staff can grow professionally

Improved
Census
Engagement

Target	FY2022	FY2023	FY2024	▲
75%	68%	69%	74%	↑ 5%

Data Source: ART LEX Matter management System

Data Disclaimer: The ART matter data used in this dashboard is sourced from the ART LEX Matter Management System and is accurate as at the date of extraction on 7th May 2025. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and updates. Therefore, data referencing a specific date in this dashboard may change in a later data export.



DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 31 May 2025

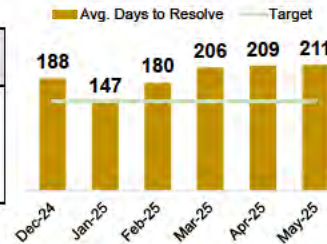
Report run date: 11 June 2025

A dispute resolution model that is simpler and fairer

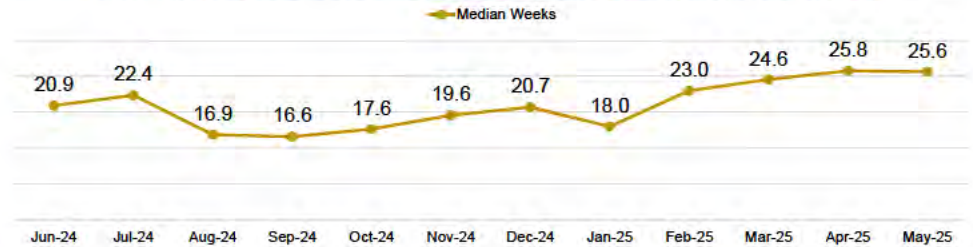
Planning Matters

Length of
ART
matters
reduced
(Days)

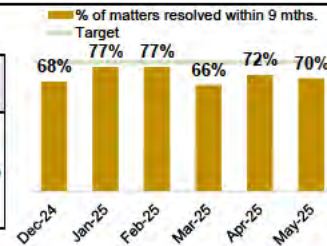
Target (Days)	Mar 2025	Apr 2025	May 2025	▲
150	206	209	211	↑ 2



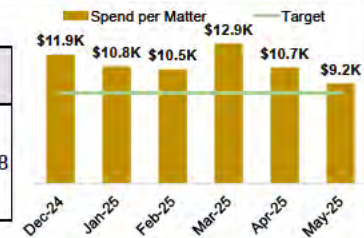
Median weeks to close for matters within 1 year (all matter types)

80% case
resolution
within 9
months

Target	Mar 2025	Apr 2025	May 2025	▲
80%	66%	72%	70%	↓ -2%

Reduction
in average
external
legal costs
per matter

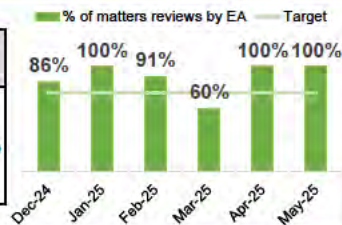
Target	Mar 2025	Apr 2025	May 2025	▲
\$ 8,400	\$ 12,932	\$ 10,701	\$ 9,222	↓ -\$1,478



Human-centred solutions to improve Participants' experience

75% of
matters
reviewed by
Early
Assessment

Target	Mar 2025	Apr 2025	May 2025	▲
75%	60%	100%	100%	→ 0%



A healthy workplace culture where staff can grow professionally

Improved
Census
Engagement

Target	FY2022	FY2023	FY2024	▲
75%	68%	69%	74%	↑ 5%

Data Source: ART LEX Matter management System

Data Disclaimer: The ART matter data used in this dashboard is sourced from the ART LEX Matter Management System and is accurate as at the date of extraction on 10th June 2025. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and updates. Therefore, data referencing a specific date in this dashboard may change in a later data export.

OFFICIAL

DISPUTE RESOLUTION IMPROVEMENT STRATEGY (DRIS) 2022-2025

Performance Dashboard as at 31 May 2025

Data Sources: ART LEX Matter management System & APS Census Reports

Data Disclaimer: The ART matter data used in this dashboard is sourced from the ART LEX Matter Management System and is accurate as at the date of extraction on 10 June 2025. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and updates. Therefore, data referencing a specific date in this dashboard may change in a later data export.

This paper covers the following information:

1. DRIS Objective: A dispute resolution model that is simpler and fairer
 - a. KPI: Length of ART matters reduced
 - b. KPI: Median weeks to close for matters within 1 year (all matter types)
 - c. KPI: 80% case resolution within 9 months
 - d. KPI: Reduction in average external legal costs per matter
2. DRIS Objective: Human-centred solutions to improve Participants' experience
 - a. KPI: 75% of matters reviewed by Early Assessment
3. DRIS Objective: A healthy workplace culture where staff can grow professionally
 - a. KPI: Improved Census Engagement

DRIS Objective: A dispute resolution model that is simpler and fairer

KPI: Length of ART matters reduced

Target (Days): 150

Mar-25 – 206

Apr-25 – 209

May-25 - 211

KPI: Median weeks to close for matters within 1 year (all matter types)

Jun-24 - 20.9 weeks

Jul-24 - 22.4

Aug-24 - 16.9

Sep-24 - 16.6

Oct-24 - 17.6

Nov-24 - 19.6

Dec-24 - 20.7

Jan-25 – 18.0

Feb-25 – 23.0

Mar-25 – 24.6

Apr-25 – 25.8

May-25 – 25.6

KPI: 80% case resolution within 9 months

Target - 80%

OFFICIAL

Mar-25 – 66%
 Apr-25 – 72%
 May-25 – 70%

KPI: Reduction in average external legal costs per matter

Target - \$8,400
 Mar-25 - \$12,932
 Apr-25 - \$10,701
 May-25 - \$9,222

DRIS Objective: Human-centred solutions to improve Participants' experience

KPI: 75% of matters reviewed by Early Assessment

Target - 75%
 Mar-25 – 60%
 Apr-25 – 100%
 May-25 – 100%

DRIS Objective: A healthy workplace culture where staff can grow professionally

KPI: Improved Census Engagement

Target - 75%
 FY2022 - 68%
 FY2023 - 69%
 FY2024 – 74%



Chief Counsel Division DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022 - 2025

Progress Report

[ndis.gov.au](https://www.ndis.gov.au) | May 2025



CHIEF COUNSEL DIVISION

DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Our vision:

To be a thriving division that is integral to the Agency and helps build trust in the NDIS

Strategic objective	1. A dispute resolution operating model that is simpler and fairer	2. Human-centred solutions to improve Participants' experience	3. Increased consistency and transparency in our decision making	4. A healthy workplace culture where staff can grow professionally
Initiatives	1.1. Enable a human-centred approach to alternative dispute resolution using internal capability. 1.2. Ensure strategic and consistent advice in decisions. 1.3. Implement a Legal Cost Reduction Strategy to significantly reduce and manage our external legal spend.	2.1. Establish an Early Assessment capability. 2.2. A Participant-centred approach to the appeals process and address power imbalance. 2.3. Implement an Independent Expert Review Trial. 2.4. Reduce the number of aged matters in the AAT. 2.5. Enhance AAT Advocacy capability.	3.1. Improve in-house Litigation oversight and governance. 3.2. Deliver Model Litigant Framework to apply the highest standards of ethical behaviour. 3.3. Establish mechanisms to inform continuous improvement in reviewable decisions. 3.4. Contemporary, fit-for-service systems to better meet the needs of the Division.	4.1. Establish succession planning for our staff. 4.2. Provide a safe and healthy work environment. 4.3. Increase cultural capability to enable a supportive work environment.
Measures of success	• Reduce time of planning matters in the AAT to 150 days from 242 days the previous year. • 80% case resolution within 9 months. • Reduced average external legal costs per matter to \$8,400.	• Improved participant satisfaction and their satisfaction with accessibility. • Increase the number of matters reviewed by Early Assessment to 75%.	• Learning from MLO investigations included in continuous improvements initiatives. • Model litigant culture and practice communicated to all staff through CC Model litigant series. • Quarterly reporting to ALOC with AAT thematic analysis and policy advice.	• A 10% increase in the APS Census participation from prior year. • Census Action Plans delivered annually. • WHS Plan delivered and reviewed quarterly. • Annual training plan implemented. • Training & support for staff impacted by compassion fatigue and vicarious trauma.

DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022 - 2025

Progress Report

Measures of Success Status Summary: Q3 FY24/25

A dispute resolution operating model that is simpler and fairer

- Standard Operating Procedures for IME Question bank.
- IME Procurement Process Established and Implemented.
- Litigation guidelines and Standard Operating Procedures completed. (Paused)

Human-centred solutions to improve Participants' experience

- Assessment of level of support required for EA legal specific in-house legal advice to support 100% of access and planning matters.
- Standard Operating Procedure to support activities 2.1.6 (above point) completed.
- Co-design a participant engagement & survey to gather regular participant feedback. (Paused)

Increased consistency and transparency in our decision making.

- Develop fit-for-purpose business systems: PACE & LEX replacement scoping.
- New OCO recommendations under mechanisms to inform continued improvement in reviewable decisions.

A healthy workplace culture where staff can grow professionally

- Support future leaders for the CCD: EL1 and EL2 leadership program.
- Develop a legal and case management capability framework.



ON TRACK

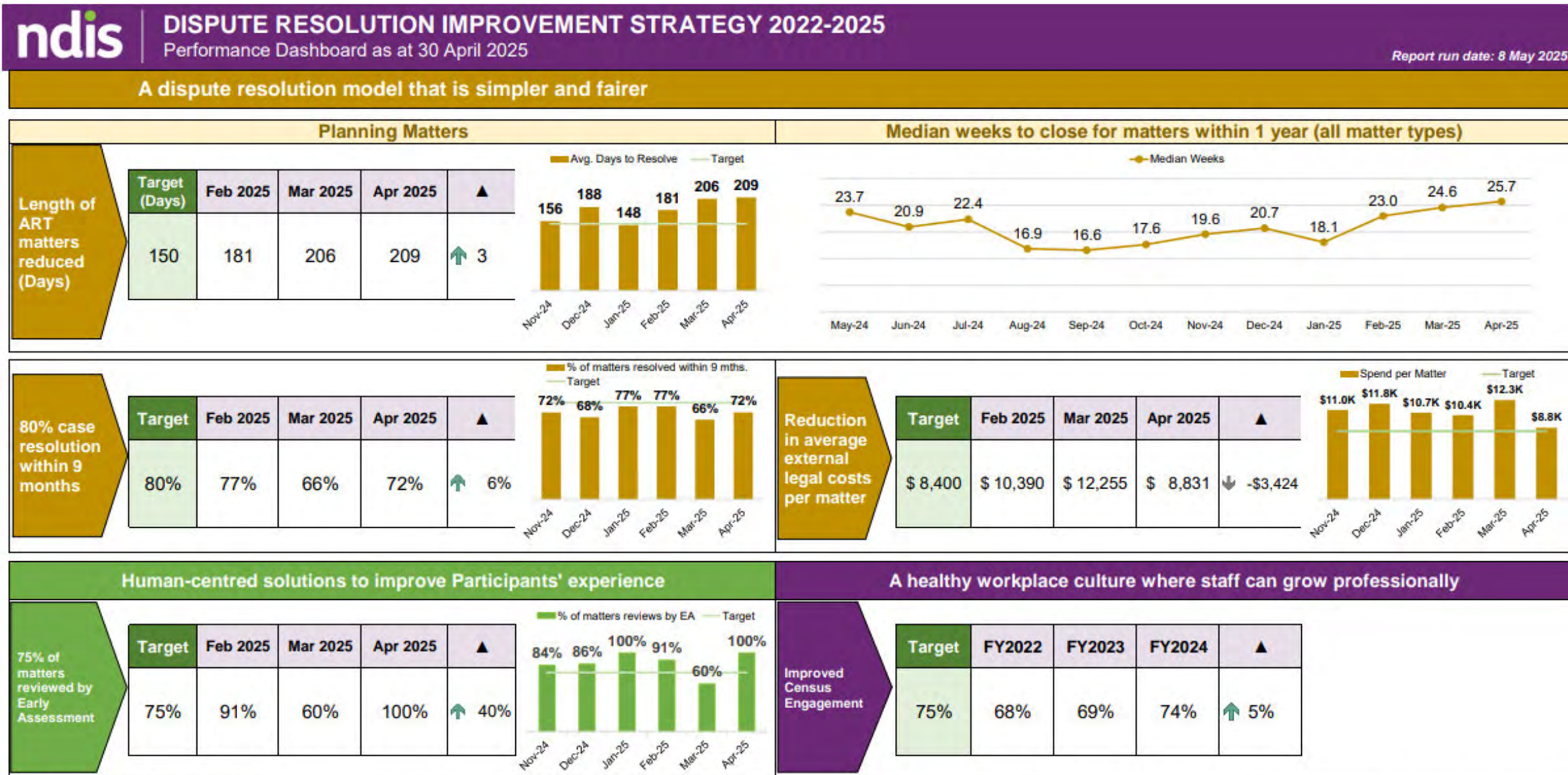


AT RISK



NOT YET ASSESSED

DRIS DASHBOARD MONTHLY VIEW



Data Source: ART LEX Matter management System

Data Disclaimer: The ART matter data used in this dashboard is sourced from the ART LEX Matter Management System and is accurate as at the date of extraction on 7th May 2025. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and updates. Therefore, data referencing a specific date in this dashboard may change in a later data export.

DRIS DASHBOARD QUARTERLY VIEW



DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard - FY2025 Q3

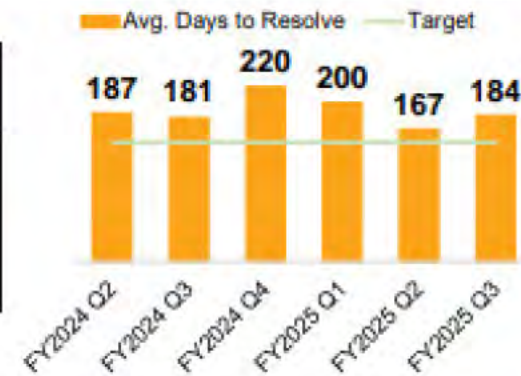
Report run date: 8 May 2025

A dispute resolution model that is simpler and fairer

Planning Matters

Length of
ART
matters
reduced
(Days)

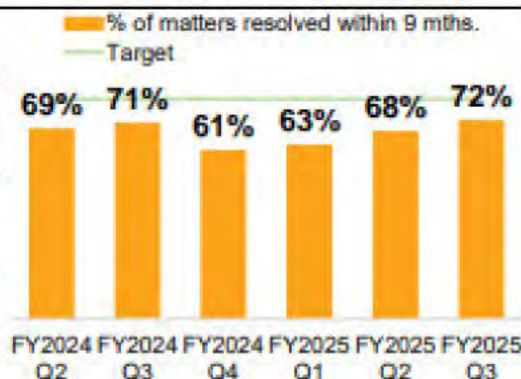
Target	FY2025 Q1	FY2025 Q2	FY2025 Q3	▲
150	200	167	184	↑ 18



Median weeks to close for matters within 1 year (all matter types)

80% case
resolution
within 9
months

Target	FY2025 Q1	FY2025 Q2	FY2025 Q3	▲
80%	63%	68%	72%	↑ 4%

Reduction
in average
external
legal costs
per matter

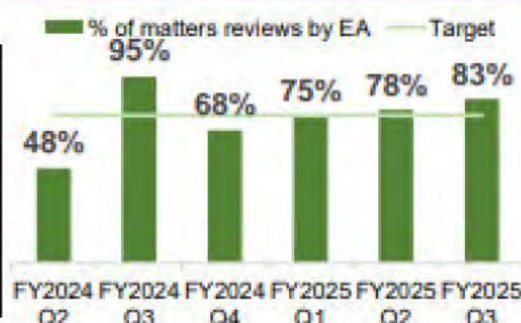
Target	FY2025 Q1	FY2025 Q2	FY2025 Q3	▲
\$ 8,400	\$ 12,334	\$ 11,753	\$ 11,224	↓ -\$529



Human-centred solutions to improve Participants' experience

75% of
matters
reviewed by
Early
Assessment

Target	FY2025 Q1	FY2025 Q2	FY2025 Q3	▲
75%	75%	78%	83%	↑ 6%

Improved
Census
Engagement

A healthy workplace culture where staff can grow professionally

Target	FY2022	FY2023	FY2024	▲
75%	68%	69%	74%	↑ 5%

Data Source: ART LEX Matter management System

Data Disclaimer: The ART matter data used in this dashboard is sourced from the ART LEX Matter Management System and is accurate as at the date of extraction on 7th May 2025. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and updates. Therefore, data referencing a specific date in this dashboard may change in a later data export.

DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022 - 2025

Progress Report May 2025

Strategic Objective 1: A dispute resolution operating model that is simpler and fairer

1.1. A human-centered approach to alternative dispute resolution using internal capability.

- ✓ 1.1.1. Develop induction training modules and competency framework for Case Managers
- ✓ 1.1.2. Phase 1: AATCMB: Case Manager (non-lawyer) participant contact DR&L: revise SOI ahead of CM changes
- ✓ 1.1.3. Phase 2: AATCMB: Case Manager (non-lawyer) participant contact
- ✓ 1.1.4. Phase 3: Trial Phase for CM-led case conferences
Trial stage with a cohort of Case Managers leading case conferences in the AAT with internal legal support (dependency: recruitment & procurement)
- ✓ 1.1.5. Phase 4: Trial Phase for CM-led conciliation Trial stage with a cohort of Case Managers leading conciliation in the AAT with internal legal support.
- ✓ 1.1.6. Phase 5: Future state
All Case Managers leading case conferences and/or conciliation in the AAT with internal legal support.

1.2. Strategic and consistent advice in decisions.

- ✓ 1.2.1. Build Knowledge bank
- ✓ 1.2.2. Build AAT Early Assessment Support Services.
- ✓ 1.2.3. Litigation guidelines and Standard Operating Procedures: to cover Evidence policy including a policy on the use of social media as evidence summons/partial agreement policies
- ⦿ 1.2.4. Litigation guidelines and Standard Operating Procedures
- ✓ 1.2.5. Standard Operating Procedures for IME
- ✓ 1.2.6. Develop a cross divisional Opinions database

1.3. Legal Cost Reduction Strategy to significantly reduce and manage our external legal spend.

- ✓ 1.3.1. Transition all AAT legal contracts from hourly rate contracts to bundle fee arrangements/ secondments
- ✓ 1.3.2. Commence a 12-month review of current 8 x bundle fee contract arrangements and introduce a range of quality assurance mechanisms
- ✓ 1.3.3. Create NDIA Legal Provider Framework
- ✓ 1.3.4. Update standing instructions for procurement processes.
- ✓ 1.3.5. Create new Procurement arrangements for NDIA external legal service providers with updated bundle agreements.
- ✓ 1.3.6. IME Procurement (establish panel arrangement)



In Progress



On Hold



Not Started
Page 98 of 122



At Risk



Completed

Strategic Objective 2: Human-centered solutions to improve Participants' experience

2.1 Establish an Early Assessment capability.	2.2. Human-centered approach to the appeals process and address power imbalance.	2.3. Implement an Independent Expert Review trial	2.4. Reduce the number of aged matters (over 12 months) in the AAT.	2.5. Enhance AAT advocacy capability.
✓ 2.1.1. Recruitment for Early Assessment teams	✓ 2.2.1. Human Centred design project on the AAT process - let by Strategy Branch	✓ 2.3.1. Transition of IER into BAU into AAT CM and DR&L branches	✓ 2.4.1. Review of aged matters - all matters in the AAT 12 months and longer	✓ 2.5.1. Advocacy Skills: Including a training program for solicitor/advocacy
✓ 2.1.2. Developing consistent approaches to decision making in early assessment (SOP)	⚙️ 2.2.2. Co-design a participant survey to gather regular participant feedback (Feedback forum)	✓ 2.3.2. Survey and evaluation process of the IER (of pilot phase 1)	✓ 2.4.2. Transition aged matters from LSPs on hourly rate contracts (Clayton Utz, Ashurst, Sparke Helmore) to inhouse legal team, with the assistance of secondment arrangements.	✓ 2.5.2. Establish a legal framework for Advocacy
✓ 2.1.3. Early Assessment awareness training to AATCMB		✓ 2.3.3. IER Closure	✓ 2.4.3. Transition aged matters from existing LSPs (Hunt & Hunt, HWLE) to inhouse legal team with the assistance from practice build staff (Ally Group, Lawyerbank, Sparke Helmore)	✓ 2.5.3. Support to DSS towards supporting advocate training legal assistance funding and services.
✓ 2.1.4. EA awareness training to PED (ND/NARB)			✓ 2.4.4. Transition all matters from existing LSPs to new LSP arrangements (Maddocks, Sparkes, Mills, Moray).	
✓ 2.1.5. Resourcing requirement for 100% review of caseloads for Case Management.			✓ 2.4.5. Dashboard for Case Managers to identify matters over 12 months	
✓ 2.1.6. Develop Early assessment specific in-house legal advice support to review 100% of matters.			✓ 2.4.6. Lessons learnt – caseload elevation to inform future training needs/gaps and training modules.	



In Progress



On Hold



Not Started



At Risk



Completed

DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022 - 2025

Progress Report May 2025

Strategic Objective 3: Increased consistency and transparency in our decision making

3.1. Improve in-house Litigation oversight and governance.

- 3.1.1. Build an in-house Litigation oversight and governance:
 - Agree on operation model/agree and manage AAT stakeholder arrangements/agree on AAT Governance arrangements (HOC/Federal Court)

3.2. Deliver a Model Litigant Framework to apply the highest standards of ethical behaviour.

- 3.2.1. Establish monthly MLO Series
- 3.2.2. Develop the Model Litigant Framework

3.3. Mechanisms to inform continues improvement in reviewable decisions.

- 3.3.1. Establish a comms. strategy with AAT and Internal Review
- 3.3.2. Create a register of all priority proposed legislative changes
- 3.3.3. (I). Assist the Agency to manage legal risks on attribution. Attribution Policy to be developed by the Agency's Policy area.
- 3.3.4. Advise on Davis : Advise Foster (Caleb/Bridget) High Court Decisions – Implications for Operational Guidelines and Rules.
- 3.3.5. Publish more information about AAT outcomes, including matters resolved without proceeding to hearing (ANAO recommendation: agree to publish on a yearly basis a thematic analysis of review data to improve transparency of review process).
- 3.3.6. Publish statement on NDIA website, including a statement in internal communications channels (Huddle and/or the CEO weekly newsletter) on the Agency's commitment to learnings from merits review. **(Additional OCO Recs)**

3.3 Additional OCO Recommendations continued

- 3.3.7 Update policies, processes and training to support legal and non-legal staff involved in ART matters, on matters referred to the Guidance and Appeals Panel (GAP).
- 3.3.8 Establish engagement with the Administrative Review Council, if and as necessary.
- 3.3.9 Develop qualitative Themes and Trends for Lessons Learned for quarterly reporting of ART final decisions.
- 3.3.10 Develop a quantitative Themes and Trends for Lessons Learned for quarterly reporting in ART final decisions. The report will include active caseloads, median time to finalisation, overturn rates, settlement/withdrawal rates.
- 3.3.11 Develop quality assurance and reporting functions of all CM ART applications to include thematic analysis of ART matters which resolve or are withdrawn, with a particular focus on causation, with reports to be incorporated into identified Agency-wide governance.
- 3.3.12 Develop reports on withdrawal and settlement in ART, with reports to be incorporated into identified Agency-wide governance.

3.4. Contemporary, fit-for-service systems to better meet the needs of the Division.

- 3.4.1. Develop fit-for-purpose business systems: PACE & LEX replacement scoping



In Progress



On Hold



Not Started
Page 98 of 122



At Risk



Completed

Strategic Objective 4: A healthy workplace culture where staff can grow professionally

4.1. Succession planning for our staff.

-  4.1.1. Pilot of Broad Banding of APS4 – 6 legal roles.
-  4.1.2. Develop a pathway into the legal officer professional structure
-  4.1.3. Support future leaders for the Chief Counsel Division
-  4.1.4. Develop a legal and case management capability framework.
-  4.1.5. Review the practical legal training arrangements

4.2. Provide a safe and healthy work environment.

-  4.2.1. Develop a CCD work health and safety risk assessment.
-  4.2.2. Implementation of the Work Health and Safety Risk Assessment

4.3. Increase cultural capability to enable supportive work environment.

-  (Incorporated into the LSS.)



In Progress



On Hold



Not Started



At Risk



Completed

DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022 - 2025

Progress Report May 2025

Pending Actions Summary

Strategic Objective 1: A dispute resolution operating model that is simpler and fairer



1.2.4. Litigation guidelines and Standard Operating Procedures. (Paused – additional legal resources required to complete)



1.2.5. Standard Operating Procedures for IME



1.3.6. IME Procurement (establish panel arrangement and implement)

Strategic Objective 2: Human-centered solutions to improve Participants' experience



2.1.6 (1) Assessment of level of support required for EA legal specific in-house legal advice to support 100% of access and planning matters.



2.1.6 (2) Standard Operating Procedure to support activities 2.1.6 completed.



2.2.2. Co-design a participant survey to gather regular participant feedback (Feedback forum). (Paused – TBC)

Strategic Objective 3: Increased consistency and transparency in our decision making



3.3.6 – 3.3.12 (Additional OCO Recommendations)



3.4.1. Develop fit-for-purpose business systems: PACE & LEX replacement scoping

Strategic Objective 4: A healthy workplace culture where staff can grow professionally



4.1.3. Support future leaders for the Chief Counsel Division



4.1.4. Develop a legal and case management capability framework.



4.3. Increase cultural capability to enable supportive work environment. (Being implemented through LSS).





DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard as at 30 June 2025

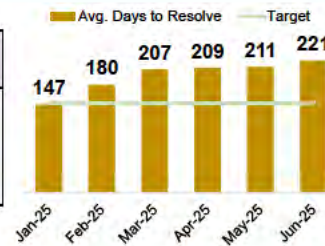
Report run date: 18 July 2025

A dispute resolution model that is simpler and fairer

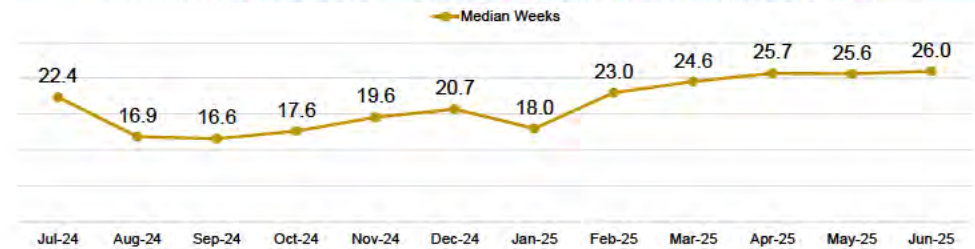
Planning Matters

Length of
ART
matters
reduced
(Days)

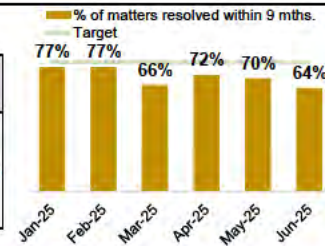
Target (Days)	Apr 2025	May 2025	Jun 2025	▲
150	209	211	221	↑ 11



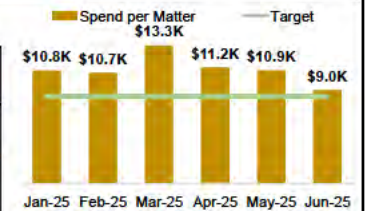
Median weeks to close for matters within 1 year (all matter types)

80% case
resolution
within 9
months

Target	Apr 2025	May 2025	Jun 2025	▲
80%	72%	70%	64%	↓ -6%

Reduction
in average
external
legal costs
per matter

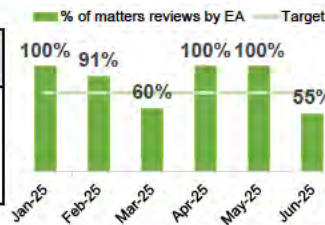
Target	Apr 2025	May 2025	Jun 2025	▲
\$ 8,400	\$ 11,164	\$ 10,879	\$ 8,982	↓ -\$1,897



Human-centred solutions to improve Participants' experience

75% of
matters
reviewed by
Early
Assessment

Target	Apr 2025	May 2025	Jun 2025	▲
75%	100%	100%	55%	↓ -45%



A healthy workplace culture where staff can grow professionally

Improved
Census
Engagement

Target	FY2022	FY2023	FY2024	▲
75%	68%	69%	74%	↑ 5%

Data Source: ART LEX Matter management System

Data Disclaimer: The ART matter data used in this dashboard is sourced from the ART LEX Matter Management System and is accurate as at the date of extraction on 7th July 2025. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and updates. Therefore, data referencing a specific date in this dashboard may change in a later data export.

OFFICIAL

DISPUTE RESOLUTION IMPROVEMENT STRATEGY (DRIS) 2022-2025

Performance Dashboard as at 30 June 2025

Data Sources: ART LEX Matter management System & APS Census Reports

Data Disclaimer: The ART matter data used in this dashboard is sourced from the ART LEX Matter Management System and is accurate as at the date of extraction on 7 July 2025. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and updates. Therefore, data referencing a specific date in this dashboard may change in a later data export.

This paper covers the following information:

1. DRIS Objective: A dispute resolution model that is simpler and fairer
 - a. KPI: Length of ART matters reduced
 - b. KPI: Median weeks to close for matters within 1 year (all matter types)
 - c. KPI: 80% case resolution within 9 months
 - d. KPI: Reduction in average external legal costs per matter
2. DRIS Objective: Human-centred solutions to improve Participants' experience
 - a. KPI: 75% of matters reviewed by Early Assessment
3. DRIS Objective: A healthy workplace culture where staff can grow professionally
 - a. KPI: Improved Census Engagement

DRIS Objective: A dispute resolution model that is simpler and fairer

KPI: Length of ART matters reduced

Target (Days): 150

Apr-25 – 209

May-25 – 211

Jun-25 – 221

KPI: Median weeks to close for matters within 1 year (all matter types)

Jul-24 - 22.4 week

Aug-24 - 16.9

Sep-24 - 16.6

Oct-24 - 17.6

Nov-24 - 19.6

Dec-24 - 20.7

Jan-25 – 18.0

Feb-25 – 23.0

Mar-25 – 24.6

Apr-25 – 25.7

May-25 – 25.6

Jun-25 – 26.0

KPI: 80% case resolution within 9 months

Target - 80%

OFFICIAL

Apr-25 – 72%
 May-25 – 70%
 Jun-25 – 64%

KPI: Reduction in average external legal costs per matter

Target - \$8,400
 Apr-25 - \$11,164
 May-25 - \$10,879
 Jun-25 - \$8,982

DRIS Objective: Human-centred solutions to improve Participants' experience

KPI: 75% of matters reviewed by Early Assessment

Target - 75%
 Apr-25 – 100%
 May-25 – 100%
 Jun-25 – 55%

DRIS Objective: A healthy workplace culture where staff can grow professionally

KPI: Improved Census Engagement

Target - 75%
 FY2022 – 68%
 FY2023 – 69%
 FY2024 – 74%



DISPUTE RESOLUTION IMPROVEMENT STRATEGY 2022-2025

Performance Dashboard - FY2025 Q4

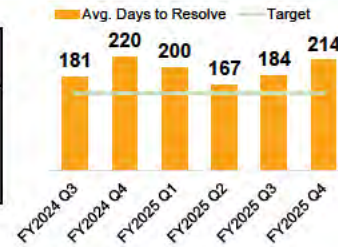
Report run date: 18 July 2025

A dispute resolution model that is simpler and fairer

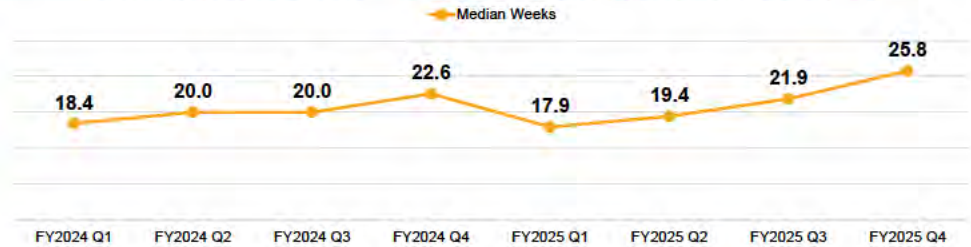
Planning Matters

Length of
ART
matters
reduced
(Days)

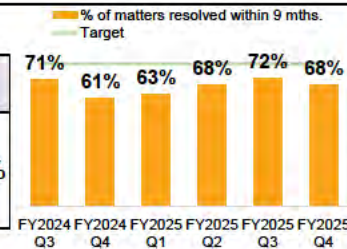
Target	FY2025 Q2	FY2025 Q3	FY2025 Q4	▲
150	167	184	214	↑ 30



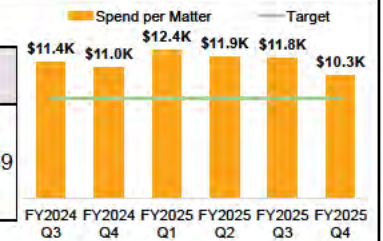
Median weeks to close for matters within 1 year (all matter types)

80% case
resolution
within 9
months

Target	FY2025 Q2	FY2025 Q3	FY2025 Q4	▲
80%	68%	72%	68%	↓ -4%

Reduction
in average
external
legal costs
per matter

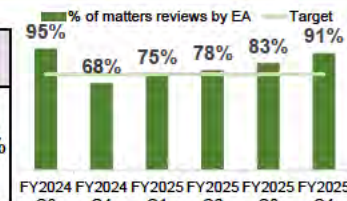
Target	FY2025 Q2	FY2025 Q3	FY2025 Q4	▲
\$ 8,400	\$ 11,909	\$ 11,753	\$ 10,284	↓ -\$1,469



Human-centred solutions to improve Participants' experience

75% of
matters
reviewed by
Early
Assessment

Target	FY2025 Q2	FY2025 Q3	FY2025 Q4	▲
75%	78%	83%	91%	↑ 8%



A healthy workplace culture where staff can grow professionally

Improved
Census
Engagement

Target	FY2022	FY2023	FY2024	▲
75%	68%	69%	74%	↑ 5%

Data Source: ART LEX Matter management System

Data Disclaimer: The ART matter data used in this dashboard is sourced from the ART LEX Matter Management System and is accurate as at the date of extraction on 7th July 2025. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and updates. Therefore, data referencing a specific date in this dashboard may change in a later data export.



Ministerial Submission for Noting

For: Minister for the National Disability Insurance Scheme

Critical date: N/A
Reason for urgency: N/A

Updates on the NDIA Dispute Resolution Improvement Strategy and ART Reform

Key Issues:

The National Disability Insurance Agency (NDIA or the Agency) is continuing to improve the experience of participants in Administrative Appeals Tribunal (AAT) through key initiatives under the Dispute Resolution Improvement Strategy (DRIS). These initiatives have reduced external legal expenditure for FY23/24. More recently the Agency is experiencing an increase in new AAT applications with work underway to understand the drivers of this increase and extent this is linked to scheme reform.

The NDIA is working closely with DSS and the AGD-led Administrative Review Taskforce to progress critical transition activities to align with the new Administrative Review Tribunal (ART) settings on 14 October 2024. The amendments to the new Tribunal processes are anticipated to have positive impacts for participants of the Scheme.

The NDIA is progressing six Federal Court appeal regarding the Tribunal's interpretation of the current National Disability Insurance Scheme (NDIS) legislation.

Recommendation(s):

That you:

- 1) **Note** the information outlined in this brief about the AAT, ART and the Federal Court appeals.

Decision:

Noted / Please discuss

Media Considerations: The Agency's AAT caseload and approach has previously been the subject of adverse media attention. Following considerable effort since 2022 to reduce the previous backlog and improve participant experience there is little media attention at present. The Agency is progressing activity to prevent another backlog and will brief you on any media activity. Talking points have been prepared should you get asked about the progress made in the AAT program (at Attachment A).

Signature

Bill Shorten

...../...../2024

Minister comments	
Cleared by: Matt Swainson, Acting DCEO, Governance, Risk and Legal Group s22(1)(a)(i) - irrelevant material s22(1)(a)(ii) - irrelevant material Signature: Date cleared: 2/10/2024	Contact: Daniel Flowers, Acting General Manager, Chief Counsel Division s22(1)(a)(i) - irrelevant material

Sensitivity: No

Financial Impacts: No. All initiatives in this submission are within current Agency resources.

Regulatory Implications: No

Consultation: The Department of Social Services has been consulted on this brief.

Attachments:

Attachment A: Talking Points

Attachment B: AAT Statistics as at 31 August 2024

Background:

AAT Updates

1. The NDIA has made significant improvements in reducing the backlog in the AAT through dispute resolution initiatives including early assessment, intensive case reviews and the Independent Expert Review (IER) trial. These initiatives have (at 31 August 2024):
 - Resolved 10,895 cases since 1 June 2022
 - Resolved 98% of the legacy AAT matters (active June 2022)
 - Resolved 97% of AAT matters without proceeding to a substantive hearing
 - Reduced the active caseload from 4,501 in May 2022 to 3,420
 - Reduced the median weeks to close matters from 35.2 weeks in January 2023 to 25.9 weeks in February 2024. In August 2024 the median weeks to close was 31.7 weeks.
 - Decreased disputation rate, from a peak of 1.52% of participants in FY2022 Q2 to a 3 year low of 0.42% in FY2024 Q3. This figure has since increased to 0.71% in FY2024 Q4.
 - Decreased new AAT matters from 1.11% of participants in 2021–22 to 0.59% in 2023–24.
2. The NDIA previously briefed you on medium and longer-term initiatives progressing through the NDIA's three-year DRIS to continue driving improvement to NDIS disputes and deliver on Government commitments.
3. Initiatives implemented under the DRIS have reduced external legal expenditure for FY23/24. External legal expenditure attributed to AAT work decreased by 20% to \$53.1 million from the previous financial year. The NDIA's total legal expenditure for FY23/24 decreased by 12% to \$71 million from \$80.8 million in the previous financial year.
4. The NDIA is expanding internal legal capability to manage more AAT cases in-house, through APS recruitment activities, including recruitment of legal officers with disability.
5. A new contract arrangement for AAT external Legal Service Providers (LSPs) commenced in February 2024. This has assisted with reduced external legal spend and the number of LSPs that are engaged for outsourced AAT work to 4 firms (Maddocks, Mills & Oakley, Moray Agnew and Sparke Helmore).
6. **s47E(d) - certain operations of agencies**
7. The NDIA must report its legal expenditure under the Legal Services Directions 2017. The NDIA's external legal expenditure for FY23/24 will be reported to the Office of the Legal Services Coordination (OLSC) in the Attorney-General's Department for publication in October 2025.
8. Further detailed datasets on AAT matters as at 31 August 2024 are at [Attachment B](#).

Recent increase in AAT matters

9. Since June 2024, the Agency has seen an increase in AAT applications compared to previous months. The increase is primarily across planning matters with access matters remaining steady across this period. This has increased the active case load to 3,420 as at 31 August 2024, and creates a potential projected increase to approximately 4,300 by end of year.
10. The NDIA is addressing this increase as a priority by ensuring that the drivers of this increase are analysed to understand and extent the increase is linked to the scheme reform and the increasing number of internal reviews (s100 planning review) in the Agency. It is anticipated that public discourse on significant legislative reform underway may be impacting participant behaviour and attributing to increased appeals in the AAT.

11. The NDIA is proactively responding to the current increase and mitigate the potential associated increase in external legal spend. The NDIA has commenced immediate activities to address case resolution rates including increasing focus on AAT matters that can be resolved quickly through Early Assessment teams, and cross-Agency teams reviewing existing caseloads.
12. The NDIA is continually reviewing matters that remain active in the AAT for over 12 months. As at 31 August 2024, the NDIA has 599 active AAT applications that are greater than 12 months old, which is 17% of all active applications. This is a reduction from a peak of 722 in April 2023.

Administrative Review Tribunal Reform

13. The NDIA is supporting improvements the current AAT process and the new Administrative Review Tribunal (ART) with new ART processes anticipated to have positive impacts for participants of the Scheme. Among the amendments, the *Administrative Reviews Tribunal Act 2024* expressly requires that the ART pursues the objective of providing administrative review that is accessible and responsive to the diverse needs of parties.
14. The NDIA is working closely with DSS and the AGD-led Administrative Review Taskforce to progress critical transition activities to align with the new ART settings for a commencement date of 14 October 2024. The NDIA will focus on accessibility and take a co-design approach to policy development to ensure the disability community perspectives are represented.

Federal Court Matters

15. The NDIA has initiated three of the active Federal Court appeals. These include:
 - a. an appeal (NDIA v Sutherland) challenging the Tribunal's view that the NDIS Operational Guidelines: Applying to the NDIS (Access Guidelines, 1 February 2024) are inconsistent with the *National Disability Insurance Scheme Act 2013* (NDIS Act). This is relevant to whether a prospective participant is likely to require support under the Scheme for their lifetime, or whether those support needs are most appropriately met by other systems, such as those provided by the states and territories.
 - b. an appeal of the AAT's decision to grant access to Ms Caitlin Jones under early intervention for psychosocial recovery services that are the responsibility for the health system or that are supports (currently unknown) that would meet the early intervention criteria.
 - c. a full Federal Court appeal relating to Mr Carle Warwick was made by the NDIA in relation to an AAT decision that relocation costs from one home to another were not 'day-to-day living costs' under paragraph 5.1(d) of the NDIS (*Supports for Participants*) Rules 2013.
16. An appeal regarding Ms Sandra Pallier challenged a decision of the AAT that dismissed a long-held Agency position as set out in the *National Disability Insurance Scheme (Becoming a Participant) Rules 2016*. However, following more recent advice from King's Counsel that the Agency did not have reasonable prospects in successfully defending its position, the NDIA has since withdrawn this appeal.
17. Most recently, a long-standing Federal Court appeal brought by Mr Sayed's appeal was decided in favour of the Agency. Mr Sayed's appeal was against an AAT decision that the Tribunal did not have jurisdiction to review his Plan. The Federal Court has agreed with the AAT's decision. Mr Sayed has already lodged an appeal against that decision to the Full Federal Court. Legal costs, which have been awarded in favour of the Agency, are stayed until a decision in that Full Federal Court appeal
18. In the appeals lodged by the NDIA, the NDIA does not seek costs and has introduced self-represented participants to potential advocates, including Ms Sutherland to Victorian Legal Aid (VLA).
19. The NDIA has been engaging with the DSS legal team on the appeals and whether any matters have been or can be better addressed by legislative reform.

Coversheet Summary

OFFICIAL: Sensitive | Legal Privilege

Ministerial Brief	
Office:	Minister for the National Disability Insurance Scheme
Subject:	PDR Subject
PDR:	MS24-000024
Critical date:	N/A
History:	MS23-000089
Consultation:	N/A
Contact officer:	Matt Swainson, Acting Deputy CEO Governance, Risk and Legal Group s22(1)(a)(ii) - irrelevant material
Comments:	

OFFICIAL: Sensitive | Legal Privilege

This document was released under the Freedom of Information Act 1982 by the National Disability Insurance Agency.



OFFICIAL: Sensitive | Legal Privilege

MS24-000024

Ministerial Submission for Noting

For: Minister for the National Disability Insurance
Scheme

Critical date: N/A
Reason for urgency: N/A

Updates on the NDIA Dispute Resolution Improvement Strategy and ART Reform

Key Issues:

The National Disability Insurance Agency (NDIA or the Agency) is continuing to improve the experience of participants in Administrative Appeals Tribunal (AAT) through key initiatives under the Dispute Resolution Improvement Strategy (DRIS). These initiatives have reduced external legal expenditure for FY23/24. More recently the Agency is experiencing an increase in new AAT applications with work underway to understand the drivers of this increase and extent this is linked to scheme reform.

The NDIA is working closely with DSS and the AGD-led Administrative Review Taskforce to progress critical transition activities to align with the new Administrative Review Tribunal (ART) settings on 14 October 2024. The amendments to the new Tribunal processes are anticipated to have positive impacts for participants of the Scheme.

The NDIA is progressing six Federal Court appeal regarding the Tribunal's interpretation of the current National Disability Insurance Scheme (NDIS) legislation.

Recommendation(s):

That you:

- 1) **Note** the information outlined in this brief about the AAT, ART and the Federal Court appeals.

Decision:

Noted / Please discuss

Media Considerations: The Agency's AAT caseload and approach has previously been the subject of adverse media attention. Following considerable effort since 2022 to reduce the previous backlog and improve participant experience there is little media attention at present. The Agency is progressing activity to prevent another backlog and will brief you on any media activity. Talking points have been prepared should you get asked about the progress made in the AAT program (at Attachment A).

Signature

Bill Shorten
4/11/2024

Bill Shorten

OFFICIAL: Sensitive | Legal Privilege



OFFICIAL: Sensitive | Legal Privilege

MS24-000024

Minister comments

Please continue to brief me on ARS
caseload & initiatives to reduce this.
Thanks
Bill

The caseload is increasing
too high I think.

Cleared by: Matt Swainson, Acting DCEO, Governance, Risk and
Legal Group

s22(1)(a)(ii) - irrelevant material

s22(1)(a)(ii) - irrelevant material

Signature:

Date cleared: 2/10/2024

Contact: Daniel Flowers, Acting
General Manager, Chief Counsel
Division

s22(1)(a)(ii) - irrelevant material

Sensitivity: No

Financial Impacts: No. All initiatives in this submission are within current Agency resources.

Regulatory Implications: No

Consultation: The Department of Social Services has been consulted on this brief.

Attachments:

Attachment A: Talking Points

Attachment B: AAT Statistics as at 31 August 2024

OFFICIAL: Sensitive | Legal Privilege

**Background:****AAT Updates**

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10. The NDIA is addressing this increase as a priority by ensuring that the drivers of this increase are analysed to understand and extent the increase is linked to the scheme reform and the increasing number of internal reviews (s100 planning review) in the Agency. It is anticipated that public discourse on significant legislative reform underway may be impacting participant behaviour and attributing to increased appeals in the AAT.



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19. The NDIA has been engaging with the DSS legal team on the appeals and whether any matters have been or can be better addressed by legislative reform.

MS24-000024 Attachment A: Talking Points on the AAT Program

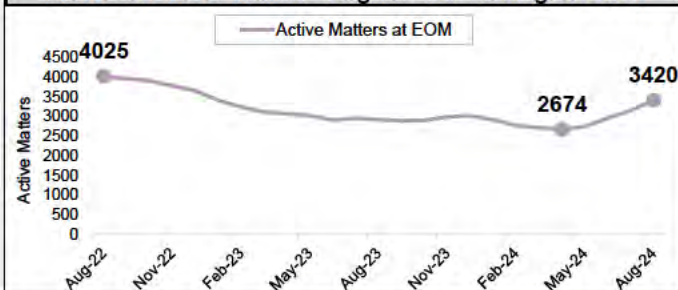
- The Government is committed to improving dispute resolution processes in the National Disability Insurance Scheme (NDIS) and has reduced the backlog of legacy cases before the Administrative Appeals Tribunal (AAT) by 98 per cent since 1 June 2022.
- This has been achieved through efforts by the NDIA to improve internal review decisions with a focus on early resolution of complaints and supported by the Independent Expert Review (IER) trial.
- These initiatives have (at 31 August 2024):
 - o Resolved 10,895 cases since 1 June 2022
 - o Resolved 98% of the legacy AAT matters (active June 2022)
 - o Resolved 97% of AAT matters without proceeding to a substantive hearing
 - o Reduced the active caseload from 4,501 cases at 27 May 2022 to 3,420
 - o Decreased disputation rate, from a peak of 1.52% of participants in FY2022 Q2 to a 3 year low of 0.42% in FY2024 Q3. This figure has since increased in FY2024 Q4 to 0.71%.
- Since June 2024, there has been an increase in new AAT cases. The increase is primarily for planning-related matters, with access matters remaining steady across this period. There are a number of factors that may be contributing to this, including a significant increase in the number of internal reviews within the NDIA. Public discourse on significant legislative reform underway may also be impacting participant behaviour and contributing increased appeals in the AAT.
- The Government is addressing this as a priority. The NDIA is committed to working with NDIS participants through a participant centred approach to alternate dispute resolution to AAT matters so that participants have earlier outcomes to reduce the need for matters to be considered by the AAT.
- The Government will continue looking for ways to improve NDIS dispute resolution processes and provide a better experience for participants.
- We have implemented a range of alternative dispute resolution initiatives to continue reducing the AAT caseload, improve transparency and find alternative, less costly ways to resolve disputes without the need to engage external legal services.
- This includes through:
 - o Building internal capability to reduce reliance on external legal representation. This ensures participants have direct engagement with a case manager and internal lawyer, with a focus on recruiting staff with disability to work in our AAT program.
 - o An intensive review of matters over 12 months old. As at 31 August 2024, the NDIA has 599 active AAT applications that are greater than 12 months old, which is 17% of all active applications. This is a reduction from a peak of 722 in April 2023.
 - o Increasing consistency and transparency in decision making through continuous improvement based on model litigant obligations and in-house litigation oversight and governance.
 - o Transition to a new, select panel for external legal service providers, under a new contract that ensures external legal services are disability focused and aligned with the Agency's human-centred dispute resolution approach. This has reduced the number of law firms from 11 firms to 4 ongoing legal service providers.
 - o Implemented the Agency's Legal Service Provider Framework and new Standing Instructions that provide a comprehensive approach to legal service provider management.

Administrative Review Tribunal Reform

- The Government worked closely with the with the Attorney-General's Department to ensure the new Administrative Reviews Tribunal (ART) it is fit for purpose for people with disability.
- The NDIA re-affirmed its support and improvements already made to the current AAT process and how it will support the new Administrative Review Tribunal (ART) into the Senate Standing Committee on Legal and Constitutional Affairs inquiry into Administrative Review Tribunal Bill 2023 and related bills.

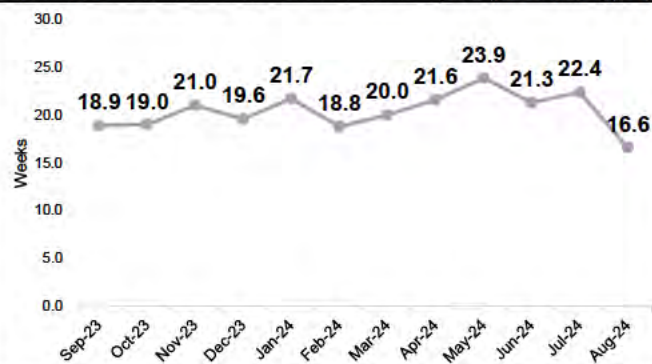
Active Matters

Active at End of Month - August 2022 to August 2024

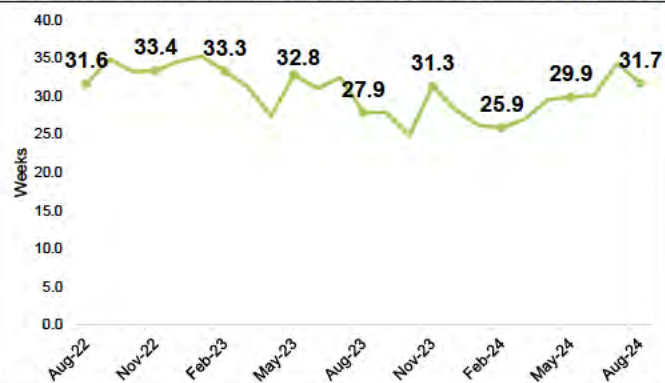


Timeframes

Median weeks to close for matters within 1 year (all matter types)



Median time taken (in weeks) to resolve/close matters by month



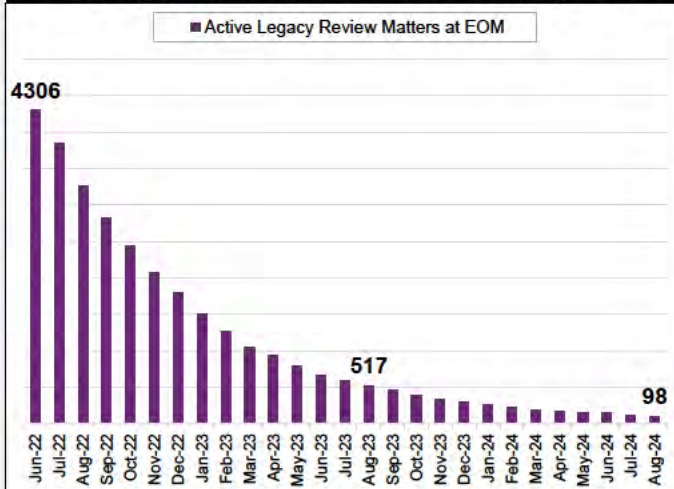
Legacy Review Matters

Total Legacy Review Matters (active as at 24 June 2022) 4,414

Total Resolved at month ending 31 August 2024 4,316 98% closed

Active 98

Active Legacy Review Matters - June 2022 to August 2024



Aged Matters*

*Matters older than 365 days

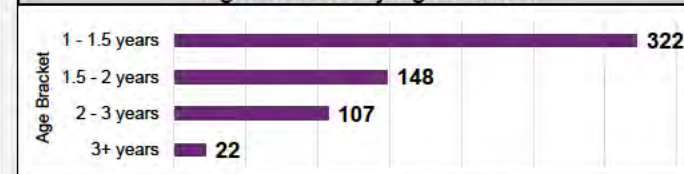
Planning	Access	Other	Total
369	210	20	599
62%	35%		

17% of the total active AAT Applications

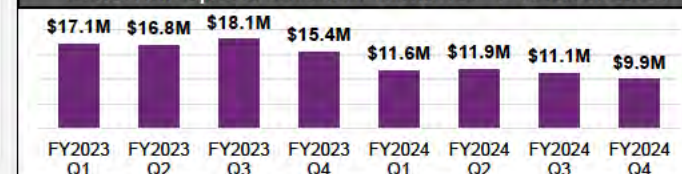
Substantive Hearings

Awaiting Substantive Decision	17	2.8%
Upcoming Substantive Hearing	65	10.9%

Aged Matters by Age Bracket



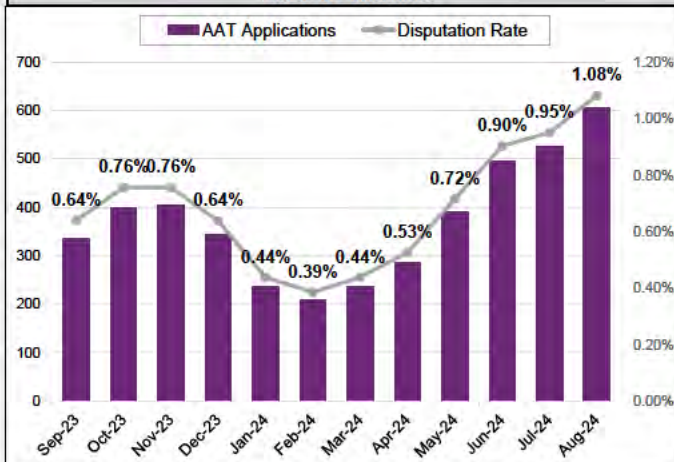
External Spend on AAT Matters - FY2023/2024



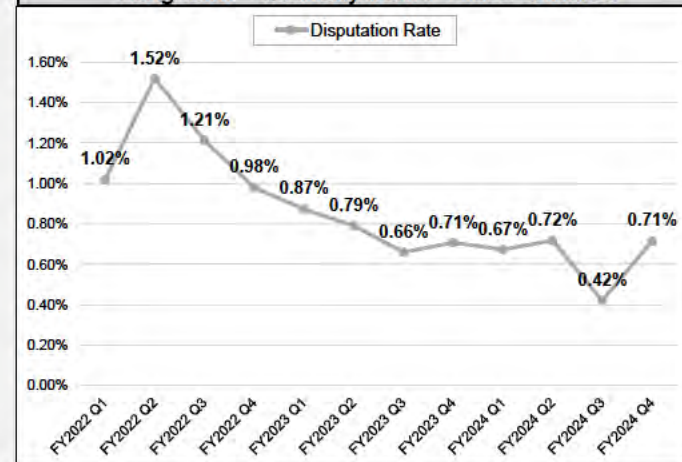
Disputation Rate*

*New AAT Applications / Active Participants

Last 12 Months



Long term - Quarterly from FY2022 onwards



Data Source: Scheme Actuary Validated AAT Data for August 2024

Data Disclaimer: The AAT matter data used in this analysis is sourced from the AAT LEX Matter Management System and is accurate as at the date of extraction on 5 September 2024. As this data is extracted from a live database it is subject to variation over time due to back-dated entries and retrospective updates. Therefore, data referencing a specific date in this analysis may change in a later data export.



**McAllister Ministerial Brief – Noting
(AGENCY INITIATED)**

MS25-000159

Date sent to MO: 30 September 2025

To: Minister McAllister

Cc: Minister Butler

Subject: Administrative Review Tribunal Caseload, Dispute Resolution Initiatives and Federal Court matters

Minister to note by and reason: N/A

Minister Comments:

Minister Signature **Date** / / 2025

Clearance Officer:	Matthew Swainson	Group: Legal, Reviews, Actuarial and Data	Ph: s22(1)(a)(ii) - irrelevant material
Contact Officer:	Daniel Flowers	Division: Reviews and Information Release	Ph: s22(1)(a)(ii) - irrelevant material

Brief summary:

Increased volumes of administrative decision making across the National Disability Insurance Agency (NDIA) over the last 12 months, has seen an increase in internal and external review applications.

This increase has seen the Administrative Reviews Tribunal (ART) case load grow from 3,415 on 31 August 2024 to 5,738 active matters as at 31 August 2025 (see Attachment A for further details). External legal spend in 2024–25 for ART related matters increased by 28% to \$68.1 million from \$53.1 million in 2023–24 due to a 76% increase in ART appeals. Increases in frontline decision making are forecasted to place sustained pressure on internal and external review volumes in 2025–26 and beyond.

The NDIA has invested in new approaches to dispute resolution which are focused on providing earlier, quicker, and fairer outcomes for all participants. To support this the NDIA has put in place additional staff and resources to assist with participant plan builds, including drawing on frontline staff when required and setting up specialised teams. Older cases are now being prioritised through regular reviews to make sure they are resolved as quickly as possible. The NDIA is also testing new early assessment models to resolve matters sooner. Staff capability has also been strengthened through improved training, skill specialisation, and targeted overtime for experienced case managers to progress matters and reduce backlogs.

As at 31 August 2025, there are 14 active Federal Court appeals and 14 active Guidance and Appeals Panel (GAP) matters. The Federal Court has recently delivered two NDIA-initiated appeal decisions under pre-reform law.

Key Issues:

1. Drivers of the increase in internal reviews and reviews through the ART include broader decision-making activity (access, first plans, reassessments) which is attributable to the recruitment of an additional 1,300 frontline staff over the past 12 months, leading to a significant increase in the volume of decisions made across the NDIA. This increased volume of decisions is resulting in a proportionate increase in participants and prospective participants seeking reviews.
2. The NDIA has seen a 169% increase in access decisions and a 238% increase in first plan approvals compared to the previous year. This has led to a corresponding increase in requests for administrative review of decisions, which has also resulted in an increase in the NDIA's legal expenditure for 2024–25.
3. In October 2024, the Australian Government released the lists of what National Disability Insurance Scheme (NDIS) participants can and cannot spend their funding on (section 10). Over time, this has supported the NDIA to work with participants to narrow the scope of supports under review. To date, the introduced legislation has had minimal impact on the number of planning matters for which a review is sought through the ART.
4. In addition, upcoming NDIS reforms including the introduction of a New Planning Framework will create new types of decisions that participants can review. The NDIA will closely monitor the timing and scale of these changes and will assess and report on their impacts on reviews in due course.
5. The Federal Court has delivered two recent NDIA-initiated appeal decisions:
 - In *Warwick*, the Full Federal Court found against the NDIA. While not fully endorsing the earlier Federal Court decision, the Full Federal Court largely maintained a narrow interpretation of 'day-to-day living costs' under the *NDIS (Supports for Participants) Rules 2013* (Support Rules). However, the effect of the *Warwick* decision is limited, given the decision applied the NDIS Act prior to 3 October 2024 legislative changes. The impact of this decision is limited to some extent, in that the Transitional Rules are now likely to exclude some of these supports, such as stamp duty.
 - In *Jones*, the Federal Court found in favour of the NDIA's appeal, overturning the ART's decision granting NDIS access. The Federal Court confirmed that decision makers must identify early intervention supports when applying section 25 of the NDIS Act.
6. The Federal Court decisions are being remitted to the ART to re-determine and remain ongoing.

Background:

- In June 2022, the NDIA developed the Dispute Resolution Improvement Strategy 2022–2025 (DRIS) to deliver on the key 2022 Government commitments to strengthen the NDIS review process. Specifically, clearing ART appeals backlog, introducing an expert review body, improving the dispute resolution process, and reviewing the "excessive" use of external lawyers.
- The NDIA has successfully delivered on these commitments including establishing an Early Assessment team, completing an Independent Expert Review (IER) trial, and establishing a model litigant framework.

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- The key initiatives implemented under the DRIS have resulted in the resolution of 99.8% of the legacy caseload active in June 2022 and reduced the number of active matters to 2,674 in April 2024.
- The NDIA is undertaking a range of initiatives to strengthen dispute resolution, address the increase in ART applications, manage case resolution rates and improve outcomes. This includes:
 - o expanding the early assessment teams
 - o building internal legal capability to manage more ART cases in-house without requiring external lawyers
 - o consolidating the number of external firms engaged for consistency and cost effectiveness
 - o updating ART standing Instructions to streamline engagement with external legal service providers.
- The NDIA has also strengthened engagement with the disability sector to further embed a participant-centred approach to dispute resolution. This ongoing engagement continues drive continuous improvement in decision making to better inform operational and policy improvements.
- As a result of the significant increase of matters, immediate activities are underway to address case resolution rates, with a focus on participant-centred resolution initiatives, including:
 - o prioritising new ART matters for quick resolution, as well as prioritising efforts towards final hearing or resolution of matters greater than 12 months old
 - o improving internal efficiencies and escalations with external legal service providers to drive better outcomes for participants
 - o expedited recruitment and alternative short-term surge resourcing to support the increase in applications, including seconding specialist staff from other areas of the NDIA to provide support.
- As at 31 August 2025, initiatives aimed at reducing ART Applications have:
 - o Resolved 16,166 cases since 1 June 2022
 - o Achieved a 99.8% reduction in legacy ART matters that were active in June 2022
 - o Resolved 96.2% of ART matters without proceeding to a substantive hearing in 2024–25.

Media considerations:

- The NDIA's ART caseload and approach has previously been the subject of adverse media attention. Following intensified effort since 2022 to reduce the previous backlog and improve participant experience, there has been less media attention. However, with the return of increased volumes, the risk of media attention is increasing. The NDIA has prepared talking points at Attachment B to enable proactive commentary where required.
- The recent Federal Court decisions have not attracted any media attention. The NDIA will continue to brief you on any media activity and will work with your Office to prepare a media release and talking points, to respond to issues if they arise.

Sensitivities: Nil

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Financial Impacts:

- Due to the success of the DRIS in 2023–24, the NDIA's total legal expenditure decreased by 12% to \$71 million from \$80.8 million in the previous financial year. This consists of external spend of \$59.7 million (84%) and \$11.3 million (16%) on internal legal spend.
- However, in 2024–25, the NDIA's total ART legal expenditure increased by 28% from \$53.1 million to \$68.1 million from the previous financial year. The significant increase in external legal costs for 2024–25 is attributable to an increased reliance on external legal support to manage the higher volume and complexity of ART matters beyond the NDIA's internal capacity.
- While the legal expenditure for 2024–25 has increased, the implementation of the DRIS has significantly improved the efficiency and cost-effectiveness of the NDIA's dispute resolution processes.

External Consultation:

- The NDIA is engaging with the Department of Health, Disability and Ageing (the Department) regarding the interpretation of the NDIS Act in the broader context of the ART program. The NDIA will consider, in consultation with the Department, any amendments to operational policy guidance to re-align policy following the decisions.

Regulatory Implications: Nil**Attachments:**

- A: ART Monthly Dashboard – August 2025
- B: ART media talking points

Attachment B – Talking Points

- The NDIA is committed to a participant centred approach ensuring fair and timely outcomes for participants.
- This includes working with NDIS participants and their representatives through a participant-centred and trauma-informed approach to alternative dispute resolution of Administrative Review Tribunal (ART) matters.
- The NDIA has seen an increase in volumes of administrative decision making over the last 12 months, which has seen an increase in internal and external review applications.
- This increase has seen the Administrative Reviews Tribunal (ART) case load grow from 3,415 on 31 August 2024 to 5,738 active matters as at 31 August 2025.
- The NDIA is addressing the increase and case resolution rates as a priority and immediate activities to address this are underway, with a focus on participant-centred resolution initiatives, including:
 - o prioritising Tribunal matters that can be resolved quickly by the Early Assessment teams
 - o intensive and regular case reviews aimed at progressing and resolving matters where possible to reduce the time that matters are held
 - o review of internal processes to improve efficiencies and drive better outcomes for participants, including a review of performance data to identify best practice and opportunities for continuous improvement
 - o commencement of work to identify different Tribunal matter pathways to improve timelines and participant experience including identifying matters that can be heard on the papers
 - o expedited recruitment, exploring alternative short-term surge resourcing options to support the increase in applications.

OVERVIEW

Active Matters

5,738

Last mth. ▲ 5.91%
12 mth. avg ▲ 17.09%

Matters Received

804

Last mth. ▲ 3.2%
12 mth. avg ▲ 21.33%

Matters Closed

484

Last mth. ▼ -12.5%
12 mth. avg ▲ 9.3%

Last 6 Months

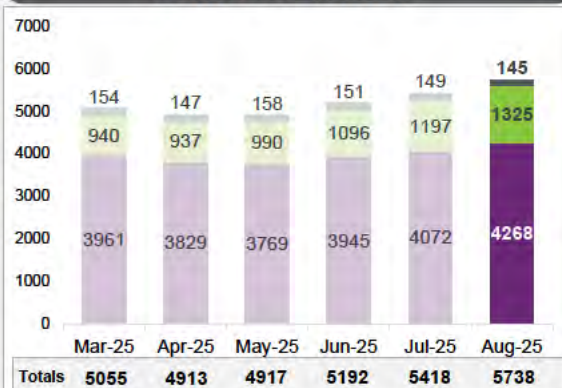
Legend:

Planning Matters

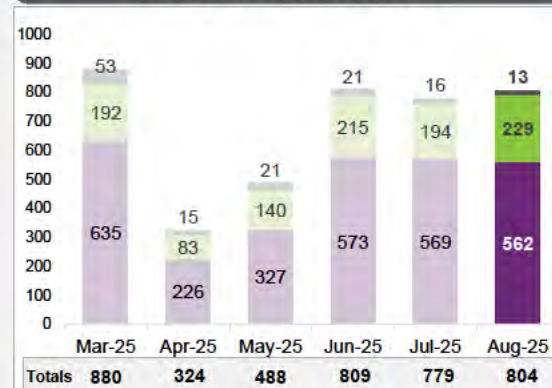
Access Matters

Other Matters

ACTIVE ART MATTERS

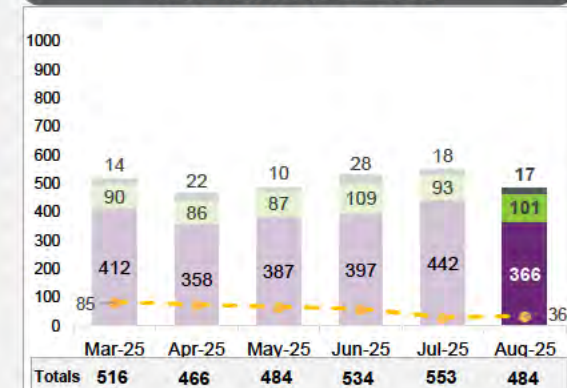


ART MATTERS RECEIVED



Matters closed through Early Assessment

ART MATTERS CLOSED

AGED MATTERS¹¹ Matters older than 365 days

Total

654

11% of the total active ART matters

Awaiting Substantive Decision 22 3.4%

Upcoming Substantive Hearing 69 10.6%

Aged Matters by Matter Type

Planning	Access	Other
499	140	15
76%	21%	

LEGACY REVIEW MATTERS (JUNE 2022)

Total Legacy Review Matters	4,415
Total Resolved	4,404 99.8%
Total Remaining (active)	11

AGE OF ACTIVE MATTERS



PROJECTED MATTERS TO HEARING

Next 3 Months

Sep

49

Oct

70

Nov

60



Currently 214 active matters have a Substantive Hearing scheduled

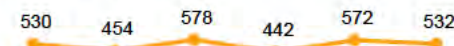
EARLY ASSESSMENT (EA) TEAM

AUGUST 2025

Reviews Completed	Offers Made	Offers Accepted
532	91	60

6 MONTH TRENDS

Reviews Completed



Offers Made

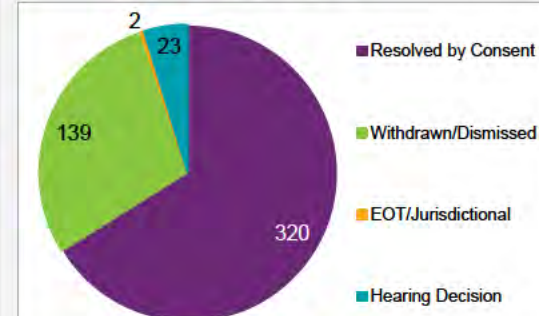


Offers Accepted



OUTCOME OF CLOSED MATTERS

LAST MONTH



FY2025

Outcome	#	%
Resolved by Consent	718	69.2%
Withdrawn/Dismissed	262	25.3%
EOT Decision/No Jurisdiction	8	0.8%
Hearing Decision - Affirmed	30	2.9%
Hearing Decision - Varied	5	0.5%
Hearing Decision - Set Aside	14	1.4%
TOTAL CLOSED	1,037	