10 April 2024

This is a summary of the Participant Reference Group's (PRG) recent meeting. The PRG consists of 23 participant and carer representatives across Australia. The PRG is a key platform to ensure the participant voice is heard and understood by the National Disability Insurance Agency (NDIA). Feedback from meetings is used to inform strategy, policy development, system and service delivery development and review, to support continuous improvement.

Chairperson's welcome

Debbie Irvine, Director, Participant First welcomed members to the third meeting for 2024.

Donna Purcell, NDIA Branch Manager, Office of the Participant Advocate, introduced Corri McKenzie, NDIA Deputy CEO, Service Design and Improvement, to talk about the National Disability Insurance Scheme (NDIS or Scheme) proposed legislation.

Proposed NDIS legislation introduced to Parliament

The Minister for the NDIS, the Hon. Bill Shorten MP, introduced NDIS legislation to parliament on Wednesday 27 March.

The purpose of the legislation is two-fold:

- Introduce legislation that creates the scaffolding needed to progress key NDIS Review recommendations.
- Clarify the intention of existing legislation to improve the delivery of the Scheme now.

The proposed legislation aims to make the Scheme stronger and supports people with disability in a fair and dignified way. It also works to ensure the Scheme is there for Australians to rely on in the future.

There are no immediate changes today. The proposed legislation will now be considered by Parliament.

The PRG met with Rebecca Falkingham, NDIA CEO, on the 27 March 2024 to hear about the proposed changes. Today's meeting was for PRG members to talk to NDIA Strategic Leadership staff about the concerns they, and their communities have.

Some of the main concerns the group discussed were:

- Members expressed concern that people with a disability were not involved in the drafting of this amendment bill.

- Concerns it is procedurally unfair and the link to funding is problematic.
- What powers within the NDIS Quality and Safeguards Commission will be delegated.
- The move away from the term disability to the use of impairments.
- How will the NDIA make sure the rules are co-designed, and people with disability are genuinely involved and the government does not rely to heavily on filtered information from providers.
- There is fear and confusion about the eligibility reassessment process and assessments of support needs being a renaming of the functional assessment process that was not supported by people with a disability.
- Confusion around the use of a support needs assessment tool and how that will translate to funding in people's individual budget
- What transitional arrangements will be in place before an appropriate assessment tool is developed.
- Would have been good to see the requirement to co-design in the legislation.

Next steps.

The proposed legislation, and public submissions, are currently being considered by the Community Affairs Legislation Committee. Public submissions to this Committee are open until 17 May 2024. Nothing can happen between now and when the Committee shares its report which is due in the middle of the year.

Some PRG members may make a submission to the Community Affairs Legislation Committee as individuals with a disability.

PRG to have an out of session meeting with the NDIA Co-design Branch on the work they have been doing so far on the agencies approach to Co-Design. This meeting will take place on 29th April 2024.

Final comments and close

PRG members were thanked for taking part in the meeting and committed to sending out date savers for an unscheduled meeting with the Co-Design Branch.

Next meeting

Wednesday, 8 May 2024

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