

13 April 2021

Senator Linda Reynolds CSC  
Minister for National Disability Insurance Scheme, Minister for Government Services  
PO Box 6022  
House of Representatives  
Parliament House  
Canberra ACT 2600

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Dear Senator Reynolds

Queenslanders with Disability Network (QDN) would like to congratulate you on your appointment as Minister for National Disability Insurance Scheme and Minister for Government Services. QDN is an organisation of, for, and with people with disability. The organisation's motto is "nothing about us without us". QDN operates a state-wide network of over 2,000 members with disability and supporters who provide information, feedback and views from a consumer perspective to inform systemic disability policy and disability advocacy.

QDN acknowledges the work and commitment by the Commonwealth over the past seven years to implementing the National Disability Insurance Scheme (NDIS). The NDIS has delivered much needed access to essential supports for almost 90,000 Queenslanders with disability, and over 400,000 Australia wide. For almost 45,000 Queenslanders with disability, it has delivered critical access to services and support for the very FIRST time as new participants.

Whilst Queenslanders with disability acknowledge the positive impacts of the NDIS, they also acknowledge that there is a need for change to improve the processes and outcomes for people with disability as end users of the scheme. Fundamental to this change process in the authentic consultation and meaningful engagement of people with disability, their families, providers and the broader sector.

Member feedback to QDN reflects a high degree of confusion, anxiety and cynicism around the current proposed reforms to the NDIS. The reforms include the introduction of mandatory independent assessments, changes to the planning process, right to appeal and release of funds for people self-managing. QDN members have identified the lack of meaningful engagement with people with disability, families and providers in the development of the proposed reforms.

Alongside this, QDN notes that there is also a lack of evaluation and publicly available data to demonstrate the efficacy of the proposed changes to deliver improved outcomes, plans and processes for people with disability.

QDN members have provided feedback that they do not see that the proposed changes will deliver the intended fairer outcomes. Feedback from members, including people who have participated in the trail have said it is challenging, less fair and moves away from the fundamental elements of the scheme – to deliver an individualised planning process that gives people with disability access to the reasonable and necessary supports they need based, upon the foundations of choice and control.

Good planning is based upon quality information. QDN members believe that the development and review of NDIS plans need to be informed by quality data and quality clinical evidence, including professionals who have an ongoing relationship with the person, involving the person with disability. The *National Disability Insurance Scheme Act 2013 (Cth)* also outlines the commitment to delivering a scheme that enables people with disability to exercise choice and control in the planning and funding of their supports under section 3(1) (e).

Compulsory assessments conducted by an unknown private contractor with no experience or knowledge of a particular disability, asking pre-defined questions that do not enable answers for context or complexity and do not take into consideration information from existing allied health professionals, with no right of appeal; will not deliver quality plans that are reflective of individual needs and goals.

QDN members have identified that a 'one-size fits all' does not work for the diverse needs of people with disability across specific disability cohorts, ages, gender, cultural background, including specific geographic and demographic impacts and intersectionality with other service systems that increase a person's marginalisation and vulnerability. Particularly, QDN sees the one-size fits all approach will deliver a range of impacts and challenges for people with disability including:

- Aboriginal and Torres Strait Islander people
- People from Culturally and Linguistically Diverse backgrounds
- People who live in rural, remote and regional areas
- People leaving the criminal justice system
- People experiencing homelessness
- People with psychosocial disability
- Children in the child safety system, and parents with disability interacting with child safety system.

The Productivity Commission Disability and Care Report in 2011 outlined that "assessments would concentrate on the reasonable and necessary supports people require. People would be asked what they had received under the old system, what their goals are and what they need. Information about a person's relevant medical conditions and specialist assessments

would be made available to the assessor.”<sup>1</sup>

QDN sees that the proposed changes will fundamentally change the individualised nature of the NDIS. QDN acknowledges the need for systemic reforms that improve the consistency and effectiveness of the access, planning, and review process.

It is important that any reform of the NDIS is driven by, and responds to, the perspectives of people with disability, their families, carers, and providers. In doing so, the NDIS will deliver on the intention and foundations of the NDIS to deliver choice and control to people with disability and access to reasonable and necessary supports people need “to live their ‘best’, everyday life”.

QDN does not support legislation that implements mandatory independent assessments and removes individual rights and moves away from the fundamental principles of the scheme.

QDN calls on the Commonwealth Government to:

- suspend the implementation of proposed reforms;
- undertake consultation and engagement with people with disability, families, providers and the broader disability sector to further develop and co-design these reforms to deliver on consistent outcomes for people with disability to enable them to access essential reasonable and necessary supports in their lives so they can socially and economically participate in Australian community;
- suspend the rollout of the compulsory assessments for existing and new participants as planned;
- review the Government’s reform agenda to access to funded assessments as optional for new participants entering the scheme without the financial means to pay for assessments themselves;
- undertake further evaluations, trials and consultation with people with disability, families, providers and the broader sector with regards to the implementation of independent assessments for existing NDIS participants to determine if, when and where these are needed and how they can be effective;
- review the planned changes to withdraw funding from existing NDIS participants who do not agree to an independent assessment;
- ensure access to safeguards for people with disability to right of review or appeal of the outcome of an independent assessment to ensure upholding consumer rights and fair process;
- continue to discharge funding to participants self-managing on an annual basis;
- ensure that the planning process and planning meeting focuses on participant goals, that if an independent assessment is undertaken, participants are provided with a full copy of their assessment before the meeting, that clinical professional reports are included and considered, and the reasonable and necessary supports that relate to the participant goals are able to be discussed;

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<sup>1</sup> Australian Government, Productivity Commission, Disability and Care Report, Productivity Commission Inquiry Report Overview and Recommendations, No. 54, 31 July 2011

- ensure that state and territory governments continue to have role in decision-making as a partner and investor in the NDIS and ensure shared responsibilities and governance.

QDN looks forward to continuing to work with the Commonwealth Government, the National Disability Insurance Agency and State Governments to deliver a world quality national scheme for all Australians.

Yours sincerely



Des Ryan  
Chairperson- Board of Directors  
Queenslanders with Disability Network



Paige Armstrong  
Chief Executive Officer  
Queenslanders with Disability Network

Cc: Hon Mr Craig Crawford, MP. Minister for Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships. Queensland Government.

Cc: Hon Ms Annastacia Palaszczuk MP, Premier of Queensland and Minister for Trade.