



Please find below our submission to the following two NDIS consultation papers:

- 1) Consultation paper: planning policy for personalised budgets and plan flexibility**
- 2) Consultation paper: Access and Eligibility Policy for independent assessments**

**General feedback about independent assessments and the new planning and personalised budgets policy:**

It's encouraging to see NDIA acknowledge that the current planning and budgeting process has resulted in inconsistent outcomes for NDIS participants and that reforms are required to ensure equitable access to appropriately funding plans.

Autism Partnership support the principles and commitments of the proposed planning and personalised budgets policy outlined on page 10 of the consultation paper *planning policy for personalised budgets and plan flexibility*, which include:

- a) provide personalised budgets which balance individual circumstances and the sustainability of the NDIS
- b) recognise participants as experts in their own lives and maximises flexibility and participant control over their personalised plan budget
- c) maximise the opportunities for community participation with support from mainstream and community services, and/or funded supports
- d) recognise the participant's autonomy and independence in decision making processes that affect them, and support them to make decisions for themselves
- e) maximise the participant's opportunities for informed decision-making based on the best available evidence about supports and recognises the dignity of risk
- f) be as accessible as possible, holistic and strength-based, where participants can adapt their supports to their life circumstances and environment
- g) acknowledge and respect the role of families, carers and other significant persons in the individual's life where applicable
- h) be inclusive and have safeguards to ensure the individual's respect and dignity are upheld.

We strongly support the proposal to create personalised budgets based on individual needs, as well as giving participants greater choice and control over how their NDIS funds are used to implement their plan and pursue their goals. The proposals around more flexible budgets that will allow participants to move money around to support their different needs, is also a great step forward to providing more choice and



control. We look forward to learning more about the parameters around and what will be included in the fixed budgets. Further, we support the proposals to increase check-in's between the NDIA planner and the participant as clients often advise that they only hear from their Planner when an end plan review is due and there is little follow up during the year. People with a disability and their families/carers appreciate the opportunity to be heard.

In principle, we also support some of the changes proposed to make plan variations easier for participants, and we look forward to more information on this. Some variations to plans are simple, such as moving funding from one category to another, changing to self managed, or needing to purchase assistive technology but don't have a defined assistive technology budget. However previously, these minor changes have not been easy for participants to do and in some instances have been refused by the NDIA.

It is important to note however that we have a number of concerns and comments to make with regard to the introduction of independent assessments and the proposed planning policy for personalised budgets and plan flexibility. We want to ensure the new planning process and in particular, the independent assessments are conducted safely and do not jeopardise a person with a disability's access to the disability support they need. Our key concerns are outlined below.

### **1. Independent assessments limits the voice of professionals and service providers**

Overall, standardisation should not replace specialisation and expertise. The introduction of independent assessments is likely to take away the voice of those professionals who work with children and adults with a disability. Disabilities are not all the same, in fact they are vastly different and therefore there is a long list of professionals that provide support to people with different types of disabilities. It seems counterproductive, and likely dangerous, to suggest that an Independent Assessor from a particular field will know all the clinical needs of every disability. A professional who has diagnosed a person or already has a history of working with a person with a disability is likely to have already completed assessments and have information readily available to describe function capacity and provide clinical recommendations for services.

From the diagram outlined on page 9 in the consultation paper *planning policy for personalised budgets and plan flexibility*, independent assessment will now replace the recommendations made by professionals and experts in the field. There is no mention at all about getting advice from the experts who work with and may have a long history with the person. This is a very narrow and dangerous path.



Given that NDIS still requires providers to do progress reporting for NDIS participants and that professionals would, according to best practice, also then put forward recommendations for services for the next period, it seems that the independent assessments just duplicate assessments and information gathering already done by the professionals. The money would be better spent if given to participants to access the actual amount of services they need.

Consider the many types of disabilities listed in the access lists (that will soon be removed) and the vast and diverse range of professionals that work with any of these disabilities. It will be impossible for one individual assessor to have all the key traits and skills needed to understand all disabilities and assess functional capacity for various individuals. It will be critical that the panel of assessors include a range of experts and professionals that can cover off all disabilities. If the panel does not include a range of experts, or does not include an expert or professional that understands a particular person's disability, then we strongly suggest NDIA rely on the professionals in the field already working with the participant.

## **2. Drafting plans and budgets before a planning meeting**

While the principles and comments throughout the start of the consultation paper emphasis choice and control of the individual (and their family) and that people with a disability are the experts in knowing what is best for themselves, it is concerning that in the new process, a plan budget will be drafted prior to a planning meeting occurring with the participant, and the consultation paper states that a change to the draft budget will only be made in specific circumstances (see page 13 of *consultation paper: planning policy for personalised budgets and plan flexibility*). This seems to take away complete choice and control and any input whatsoever of the individual.

It is likely the new process to determine the budget before the planning meeting and will lead to duplication of processes and inefficiencies, as there is likely to be a high rate of requests for changes to draft plans. It would be more efficient and more inline with NDIS principles to include the participant in the budget planning process.

Further, the consultation paper suggests on page 14 that "*sharing the draft plan with the participant ahead of their planning meeting means the participant can start thinking about the supports that will best meet their disability-related support needs and help pursue their goals*". It is concerning that the NDIA is encouraging participants to find supports and services to suit a predetermined budget, rather than ensure participants receive an appropriately funded budget that will enable them to pursue the services they need to support their individual disability needs. This is a sharp deviation from the principles of the NDIS legislation.

## **3. Funding in plans released in intervals**



The proposal to release NDIS funding at intervals is presuming that NDIS plans will provide adequate funding from the outset. Experience with working with participants requiring intensive interventions, is that families are rarely funded adequately in their first plan and almost all families have to go through an s100 review to seek and justify the need for more intensive funding. An s100 review often takes 3-6 months to determine an outcome and in some instances participants also need to go through a lengthy ATT appeal process, which can take years. What is concerning is if a participant doesn't receive adequate funding from the outset, they will now run out of funding regularly throughout the year until the next interval is released. This will severely jeopardise their relationship with service providers and possibly jeopardize their ability to continue to receive ongoing services.

#### **4. Communicating results of Independent assessments and processes to make complaints and / or respond to Independent Assessments**

It is important that assessment results are effectively communicated to NDIS participants in various formats to suit the various needs and various capacities of people with a disability. For example:

- make full written report available
- offer easy read reports
- have the results verbally communicated
- Have translators available to translate results to different languages
- Give participants the option to meet and discuss the results.

We are supportive of planning decisions continuing to be reviewable decisions. However, it is currently suggested that NDIA will not fund another assessment if the participant disagrees with the results of the independent assessments. It will be imperative that a process is put in place allowing participants and prospective participants to contest or respond to information formulated through an independent assessment, if that information is factually incorrect or misleading. It will also be very important that a process is in place for participants and prospective participants to make a complaint about the process (for example if they have complaints about the conduct of the Assessor). These mechanisms will assist to protect individuals and ensure they still have a voice.

#### **5. Monitoring independent assessments and the new planning and personalised budget processes**



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It is imperative to monitor the quality of independent assessments and the new planning and personalised budget processes, to ensure reforms are meeting participant expectations and are conducted safely and do not jeopardise a person with a disability's access to the disability support they need. Suggestions for ways of monitoring include:

- Seek regular feedback from NDIS participants and their families/carers.
- Track outcomes to see if reforms are having a positive impact on participants accessing disability supports.
- Monitor changes to plan budget amounts. If there is an overall decrease in allocation of budgets, this is a clear indicator that the assessments and planning process are not benefiting participants.