



**Submission in response to the NDIS Consultation paper: Planning
Policy for Personalised Budgets**

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INTRODUCTION

The Australian Community Support Organisation (ACSO) welcomes the opportunity afforded to us by the NDIS to submit a response towards the 2021 consultation on the Planning Policy for personalised budgets. ACSO has delivered disability support services for over 35 years and currently deliver a range of NDIS funded supports including outreach disability support, specialist forensic disability accommodation and support coordination. Additionally, ACSO is funded to deliver the Mental Health Access Project (MHAP), with funding from the state government of Victoria. This project supports eligible people with psychosocial disability to navigate entry pathways into the NDIS, targeting those who are most vulnerable within our communities and are otherwise not supported by relevant services. ACSO's suite of services target high risk, high need and complex cohorts including those defined as 'extreme complex cases', and primarily those who are engaged in, or at risk of engagement in the criminal justice system. In developing our response to the consultation questions, we have interviewed key staff from our Disability Services and Mental Health Access Project teams and consulted with an NDIS-registered member of our Lived Experience Advisory Panel (LEAP).

Planning Meetings

As noted in the NDIS consultation paper, the current process for building participant plans is inequitable, difficult to navigate, and confusing. While the proposed independent assessment process is intended to mitigate these concerns, the fact remains that a person's ability to advocate for themselves throughout the assessment and planning process will impact tremendously on the outcomes translated into their plan.

The nature of the specialist cohorts ACSO supports sees many participants who have experienced long-term family and social breakdown, leaving them with limited community supports. In addition, our forensic cohort experience high levels of cognitive impairment and most are unable to advocate effectively for themselves. Lengthy experiences of institutionalisation can also impact upon their ability to communicate, advocate and navigate complex systems. In previous submissions, ACSO has expressed concerns not only with the high degree of discretion and limited transparency currently occurring in the formulation of client plans but also the lack of consistent guidelines and frameworks available to planners to translate assessments into plans and budgets. Given it is proposed that plans and budgets will be drafted based on the outcome of the independent assessment alone, ACSO strongly advocates

consistency and transparency in how assessments are weighted and translated equitably and consistently into client plans.

ACSO holds decades of experience working with complex clients particularly in psychosocial disability, to set realistic and achievable goals. Due to the nature of our clients' conditions, in addition to their experiences with complex service delivery systems, clients can often take many months to trust people enough to openly discuss, let alone identify or arrive upon their stated goals. Participants should be supported by the NDIS to prepare for the planning meeting, with check-ins from planners and linkages with advocacy or support services where these are not already in place. Such services can assist with ensuring the appropriate pre-planning and understanding by the client of what will occur during the process can be canvassed.

Plan Budgets

In ACSO's experience to date of the NDIS, much of our extensive contact with planners and support coordinators has been targeted to ensure plan budgets are at the appropriate level for the complexity and challenges presented by our clients and their long histories of poor engagement with existing service systems. In our clients' and our own experience, this is a time consuming and onerous process, which places the burden on participants and their supports to ensure fairness in plan budgets. ACSO has previously submitted our detailed concerns around the inadequacy of the NDIS price points in not only meeting the complex needs of high risk and complex cohorts, but inadequately funding the risk that is held by organisations who support these cohorts (see ACSO's submission to the Independent Pricing Review, 2018 & 2020 Submission to NDIS SIL Pricing). Since transitioning from State funding to the NDIS model, ACSO has experienced a high degree of variability and inconsistency leading to inequality in the approaches to building and reviewing budgets by NDIA. With some additional safeguards and increased transparency and consistency, ACSO believes there is potential for the proposals around planning to mature the Scheme towards a more flexible and fair approach to budgeting but only if it is underpinned by the appropriate frameworks and comprehensive training for planners and support coordinators to ensure consistency and rationality of approach.

Whilst the NDIS framework has clear objectives with regards to meeting the individual support needs of people with a disability, there remains a gap with regards to meeting the complex behavioural (including offending behaviours), supervision and complex health needs that many of ACSO's current participants encounter daily. ACSO suggests that a multi-agency approach to directing services and policy for high risk and complex cohorts, primarily those engaged in or at

risk of engagement in the criminal justice system, is required. ACSO has developed a disability support model with a forensic lens that recommends a range of considered and staggered interventions to ensure the best chance of successful client reintegration. These 'step up' and 'step down' interventions require greater flexibility and responsiveness from the NDIS than is currently available, to adjust plan budgets in line with participants' current support needs, including immediate additional supports when a crisis occurs.

Plans also need to be implemented in a timely manner in response to the participant's needs. In our experience, it can take upwards of 12 months before a person is assessed as eligible and connected with services. This is a common experience across youth justice, the forensic disability system and the adult correctional system. As a provider of Specialist Forensic Disability Accommodation (SFDA) to complex and high risk clients, ACSO is not in a position to delay the transition of clients into our service, awaiting often lengthy plan discussions and finalisation. As a consequence, delays in finalising or reviewing plans often come at expense to the organisation, particularly as plans are not backdated to the time of service commencement.

Of greatest concern to ACSO under the current model, is the process by which plans are reviewed; often placing funds on hold while slow negotiations are made and depriving participants of important and necessary supports in the interim. Currently, excessive time is spent by ACSO and similar organisations communicating with support coordinators around understanding and securing agreement on how the plan applies in practice. Moving forward, planners and support coordinators should take a proactive approach in liaising with participants and providers to review plan budgets flexibly and responsively for their efficacy. Where variations are made to the plan, either through re-assessment or request, this should not interrupt the continuity of existing budgets or supports in place. It is our strong recommendation that contingency funds should be made available to support participants through crisis or emergency situations.

Underspent funds in participants' plans should be scrutinised to ensure they are not underutilised due to disadvantages or barriers experienced by the participant, such as lack of market providers, disruption to/withdrawal of service provision during the period, or inability of the participant to navigate their budget without the aid of a support coordinator. Where this is the case, appropriate supports should be arranged to ensure participants are able to spend funds as intended, and consideration should be given to rolling over these funds into future budgets. Reporting on plan progress should be considered for NDIS providers and any underspend should be discussed in plan reviews to ensure funding is re-issued where required. Currently, there appears to be a default to the removal of these unspent funds rather than

consideration of the reasons for their non-utilisation in a more nuanced manner. This leads to a compounding effect of reducing funding over time.

Positive Relationships and check-ins

ACSO have and will continue to strongly advocate for the value of a responsive and collaborative approach between planners, support coordinators and NDIS participants. Throughout all consultations involved in this submission, the importance of dignity, respect and empathy when dealing with the NDIS was highlighted. Too often ACSO's clients require external advocates and supports in place to navigate the complexities of the Scheme and ensure their rights to effective service provision are upheld. Planners and support coordinators should be comprehensively trained and upskilled in working with clients with intellectual and psychosocial disability, including those with diminished cognitive capacity and those who are challenging to engage. It is of the utmost importance that NDIS staff build rapport and trust with the forensic client group, and this can be facilitated by an approach which is mindful of their individual needs and not adversarial on plan and budget matters. NDIS staff should ensure that all decisions about a participant's access to the scheme and plan budget are communicated skilfully and directly by the NDIS, and that decisions about reductions in requested funding amounts are not left to providers to communicate, as this is likely to lead to conflict and distrust between participants and their support providers.

Support coordinators and planners should hold a strong knowledge of mainstream, community, informal and advocacy supports to ensure participants' holistic support needs are met through participant plans; avoiding a narrow view which siloes a person's disability needs from other related supports they require, often because of their disability.

In ACSO's experience, it is frequently difficult for our clients to build rapport with planners and support coordinators due to the high turnover of staff in this sector. We believe that adequate training and upskilling of staff in these roles will lead to higher retention of quality staff. We also recommend that check-ins should be implemented with a clearly defined purpose and outcomes and should be accompanied by strong frameworks which ensure they are conducted in the manner intended (and do not become a hollow and rushed exercise of 'ticking a box'). Similarly, changes to participants' plans which may be brought about because of check-ins should also be clearly and transparently defined and not lead to further delays in service access and provision.

CONCLUSION

ACSO is committed to the support and rehabilitation of people with disabilities who are engaged in the justice system or who are at risk of engagement, and those who present with complex needs and a high level of risk to self and community.

ACSO remain committed to ensuring choice and control for all clients in our service, though are frequently challenged by planning models which silo and fragment a persons' disability support needs into narrowly (and often poorly) understood budget categories. We are hopeful that inclusion of the recommendations noted in this paper assist in modification to the process of personalised budgets and facilitate a greater whole-of-person approach toward participant support, with responsive and flexible funding, and linkages with a range of required supports beyond NDIS funded providers.

ACSO strongly advocate for the introduction of greater transparency and consistent frameworks in the application of personalised budgets, particularly how these translate from the results of independent assessment. Further, we strongly recommend the upskilling and training of support coordinators and planners to ensure fair and equitable participant plans, as well as an appropriate level of skill to build effective relationships and provide support navigating and implementing plans among ACSO's complex client group.

ACSO is thankful to the NDIS for the opportunity to provide feedback to the proposed changes on planning and personalised budgets and remain open to further discussion on these matters.