

Schedule G:
Bilateral Agreement for NDIS Trial between the
Commonwealth and Western Australia

BILATERAL SCHEDULE G - Western Australia

PART 1 — PARTIES TO THIS AGREEMENT

Parties to this Agreement

1. This Agreement is between the Commonwealth of Australia (the Commonwealth) and the State Government of Western Australia (WA).

PART 2 — ROLE AND PURPOSE

Role and purpose of this Agreement

2. This Agreement will allow for a National Disability Insurance Scheme (NDIS) trial site in WA. It builds on the Agreement between the Commonwealth and the Western Australian Governments for disability reform in Western Australia signed on 5 August 2013.
3. That Agreement provided for a two year trial of two service delivery models via:
 - a. the National Partnership Agreement on Trial of *My Way* Sites (the NP), which will test the *My Way* model to be implemented by the WA Disability Services Commission (DSC) under State legislation with additional Commonwealth Government funding from 1 July 2014. The *My Way* sites will cover the Lower South West DSC region from July 2014 and the Cockburn/Kwinana DSC region from July 2015, with preparations already underway.
 - b. this Schedule to the Intergovernmental Agreement for the National Disability Insurance Scheme (NDIS) Launch (the IGA NDIS), which will test the NDIS model to be implemented in the Perth Hills area by the National Disability Insurance Agency (the NDIA) under national governance arrangements set out in the *National Disability Insurance (NDIS) Act 2013* (the NDIS Act 2013).
4. The trial arrangements will allow for the assessment and comparison of the merits of the different approaches to disability services and help determine and inform the national roll-out of disability reform.
5. This Agreement covers arrangements for the NDIS trial site in WA. It outlines how the NDIS is expected to operate in the trial site, including the respective roles and responsibilities of the Commonwealth and the WA Governments. It also covers the establishment of a Joint Steering Committee to oversee the progress and evaluation of both the NDIS and *My Way* sites.
6. Further arrangements for the *My Way* trial sites will be formalised in a separate National Partnership agreement between the Commonwealth and WA.
7. The Agreement operates alongside the NDIS Act 2013 and the IGA NDIS. WA has entered into this Agreement to permit the effective implementation of the NDIS trial in the Perth Hills area. Consistent with paragraph 129 of the IGA NDIS, this Agreement may be amended at any time by agreement in writing by the Parties.

Trial Site Aims

8. In addition to the objectives of the NDIS trial outlined in the IGA NDIS and the NDIS Act 2013, the Perth Hills region trial site will have the following further specific aims:
 - a. to test one of two different approaches to the delivery of disability services, both of which aim to ensure eligible participants are able to access reasonable and necessary individualised services and supports (refer the NP);
 - b. to contribute to an independent comparative evaluation of the services and outcomes in the *My Way* sites referred to in the NP and the NDIS trial referred to in this Agreement;
 - c. share lessons from the trial to help determine and inform the national roll-out of disability reform; and
 - d. preserve and enhance the investments that WA has made in its disability sector.

PART 3 – NATIONAL DISABILITY INSURANCE SCHEME – TRIAL

Features of the Western Australian trial site

9. The NDIS trial site will operate in the Perth Hills region, covering the Local Government Areas (LGAs) of Kalamunda, Mundaring and Swan.
10. Approximately 4,300 people are expected to benefit from the trial of NDIS in the Perth Hills region, as set out in Appendix A.
11. Participants in the trial site will receive ongoing support until transition to a full scheme commences or an agreement is made covering ongoing support to trial participants.
12. The Commonwealth will ensure that there is adequate capacity in the NDIA to allow for crisis responses and unplanned assessments.

Areas of agreement for trial

13. The trial of the NDIS in WA will commence on 1 July 2014 and will cover a two year period to end on 30 June 2016.
14. Both parties agree that the process for phasing in participants of the NDIS trial will be undertaken within the agreed roll-out arrangements (Appendix B). The NDIA, WA and the Commonwealth will work collaboratively to develop participant flow arrangements by March 2014 that are consistent with agreed funding arrangements.
15. The final approved intake will be monitored on a quarterly basis and the NDIA will take all reasonable action to ensure that the approved intake aligns with the allocated NDIS funding (cash and in-kind). The capacity of the NDIA to manage the roll-out will be taken into consideration when determining the final roll-out arrangements.
16. This Agreement should be read in conjunction with a number of the Annexes of the IGA NDIS, being:
 - a. Annex C: Portability Arrangements;

- b. Annex D: Principles to Determine the Responsibilities of the NDIS and Other Service Systems;
 - c. Annex E: Continuity of Support; and
 - d. Annex F: Integrated NDIS Performance Reporting Framework.
17. WA agrees that Annex C: Portability Arrangements of the IGA NDIS will apply in the Perth Hills site during trial.
18. People who enter the NDIS trial under the age of 65 years will have the choice of continuing to receive supports through the NDIS or transitioning to the aged care system once they turn 65 years. This reflects the principle of choice and control and ensures people have continuity of care as they age.
19. Both parties agree that, for the trial period, the Commonwealth will cover the costs of participants who turn 65 years after entering the scheme at a younger age, on the basis that the WA Government has agreed to commence negotiations to implement changes to the roles and responsibilities of the Western Australian and Commonwealth Governments, consistent with the roles and responsibilities of other State Governments as set out in Schedule F of the National Health Reform Agreement 2011, amended to reflect any changes required by the introduction of the NDIS.
20. The existing WA quality assurance system for service providers will apply in the NDIS trial site. WA will identify details of the existing participant support programs in the Perth Hills trial site and provide this information to the NDIA for the purposes of registering providers under the NDIS. Working arrangements between WA and the NDIA to ensure appropriate management and monitoring against these quality assurance frameworks will be developed.

Local Area Coordination

21. Local Area Coordinators (LACs) will have an active role in the community to positively influence community attitudes to inclusion and work to address some of the systemic barriers to participation. They will also work to address barriers on behalf of individuals and support people with disability to build capacity to access other support systems and increase independence. LACs are expected to assist people with disability in the community by, for example:
- a. Providing general information about the scheme, the types of supports available through the NDIA, and other supports available in the broader community at relevant community based activities;
 - b. Providing information to other stakeholders who are likely to play a key role in the lives of people with disability;
 - c. Linking people with disability to providers of supports so that less complex needs are met efficiently;
 - d. Helping to build the independence of people with disability through building their capacity and their informal networks of support;

- e. Identifying, and working with community organisations to build their capacity to understand and respond to needs and to become more inclusive and meet the needs of people with disability;
 - f. Providing information about making an access request, the information to provide and what to expect in working with the NDIA;
 - g. Assisting people to access the NDIA, for example by helping a prospective participant complete the My Access Checker and making appointments with the NDIA on their behalf where requested; and
 - h. Participating in planning discussions where they have an existing relationship with the participant.
22. Local area coordination functions operating in the Perth Hills trial site will use NDIS systems, processes and training and be identifiable as NDIS when working within the Perth Hills trial sites.

Human Resourcing

23. The Commonwealth agrees that the first offer of employment for the NDIA should be to appropriately skilled WA Government disability staff.
24. Both Parties are committed to providing opportunities for staff members from the DSC to be seconded to the NDIA, subject to merit-based recruitment. WA is committed to making its best endeavours to ensure appropriate staff are available to undertake the LAC roles.
25. Before commencement of the trial, the Parties agree to develop a comprehensive agreement to govern the secondment, contracting or assignment of WA officers and transfer of any functions to the NDIA.

Consultation

26. The Parties and the NDIA will establish a Local Advisory Group to advise on the NDIS trial, consistent with the Terms of Reference at Appendix D.
27. Both Parties commit to open and transparent information sharing about all aspects of the operations in the NDIS site at Perth Hills to ensure continuity of support, financial accountability and effective interactions with supports and services outside the NDIS, subject to privacy and other requirements. This will include sharing data to enable ongoing actuarial assessment of the NDIS trial and comparison with the equivalent assessment of WA's *My Way* sites.
- a. Both parties agree that the actuarial assessment of financial sustainability in the NDIS trial site in the Perth Hills will be conducted in accordance with Part 6A, sections 180A to 180F (inclusive) of the NDIS Act 2013.
28. The Perth Hills trial site will be used to collect qualitative and quantitative data and information relevant to the WA trial and this, taken together with the outcomes from the other trial sites, will be shared with all governments and the organisation contracted to

independently evaluate the other NDIS trials, to facilitate national data collection and consolidation that will contribute to the analysis of costs, liabilities, service interventions, service delivery models and implementation strategies.

29. Data collection and management will take account of interests of people with disability and relevant legislation. The data management approach including data collection, storage and transfer will be agreed between the Commonwealth, NDIA and WA and reflected in a Memorandum of Understanding (MoU) by early April 2014. The NDIA will be required to operate in accordance with the data management approach in the MoU.

Interactions with existing legislation

30. This Agreement is to be considered in conjunction with existing Western Australian legislation. WA will endeavour to provide the NDIA with any relevant updates to the list over the course of the NDIS trial, as and when it becomes necessary because of changes to Western Australian legislation and/or the NDIS legislative framework. The purpose of this non-definitive list is to assist the NDIA to be aware of, and comply with, Western Australian law. It does not affect the statutory rights and obligations of the Parties or the NDIA. This could include the following Western Australian legislation:

- a. Carers Recognition Act 2004;
- b. Children and Community Services Act 2004;
- c. Commissioner for Children and Young People Act 2006;
- d. Disability Services Act 1993;
- e. Equal Opportunity Act 1984;
- f. Guardianship and Administration Act 1990;
- g. Health Act 1911;
- h. Health and Disability Services (Complaints) Act 1995;
- i. Hospitals and Health Services Act 1927;
- j. Mental Health Act 1996;
- k. Motor Vehicle (Third Party Insurance) Act 1943;
- l. Parliamentary Commissioner Act 1971;
- m. School Education Act 1999;
- n. Volunteers and Food and Other Donors (Protection from Liability) Act 2002;
- o. Workers' Compensation and Injury Management Act 1981;
- p. Civil Liability Act 2002;
- q. Public Trustee Act 1941; and
- r. Pay-roll Tax Assessment Act 2002 (s.41C).

Financial contributions

31. Both Parties agree to contribute to the NDIS trial in Perth Hills in accordance with Appendix A.
32. WA and Commonwealth contributions to NDIS package costs for the trial site will be held in a separate account by the NDIA.
33. The parties recognise that to give effect to choice and control of individuals within the trial site, in-kind contributions should transition to cash contributions to the greatest extent possible and as quickly as possible.
34. Consistent with the IGA NDIS, the Commonwealth will meet 100 per cent of any costs associated with higher population numbers or higher per person NDIS funded supports costs and 100 per cent of the NDIA's cash flow risk during the trial.

Overspends and underspends

35. If, at the end of the funding period, costs are less than the anticipated funding commitments set out in this schedule and WA's actual contribution is a different proportion of actual cost, compared to WA's proportion of expected costs, an additional adjustment will be made that will be either:
 - a. a payment from WA to the Commonwealth if the actual contribution was a smaller share of actual cost than the jurisdiction's share of expected costs; or
 - b. a payment from the Commonwealth to WA if the actual contribution was a larger share of actual cost than the jurisdiction's share of expected costs.
36. Arrangements for overspends and underspends in all other circumstances are outlined in the IGA NDIS.
37. If at the end of two years there is a net underspend, WA's share of this underspend will be refunded to WA, or taken into account in determining WA's contribution in the following year, depending on any agreed arrangements for the transition to full scheme.

Joint Steering Committee

38. Both Parties agreed to the establishment of a Joint Steering Committee to oversee the progress and evaluation of the NDIS trial site in Perth Hills, and the *My Way* sites in the Lower South West and Cockburn/Kwinana DSC regions.
39. The first meeting will be held in March 2014.
40. Terms of Reference for the Joint Steering Committee are at Appendix C of this Agreement.

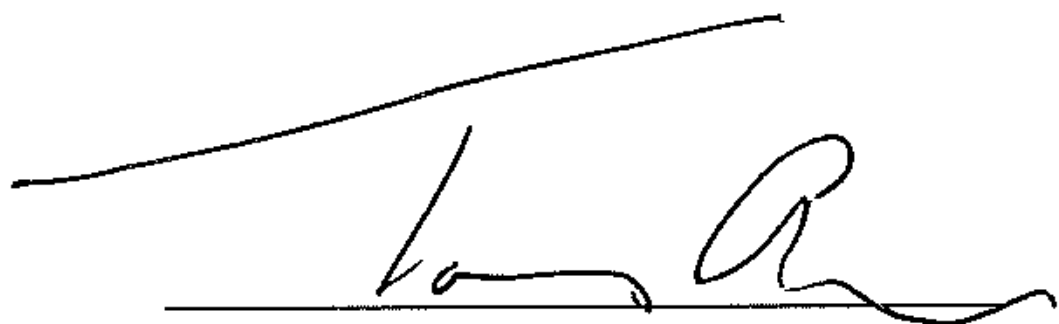
Evaluation

41. An independent comparative evaluation of the services and outcomes in the WA NDIS site and the *My Way* sites will be undertaken throughout the period of the trial.
42. The terms of reference of the evaluation will be agreed by the Joint Steering Committee and the Commonwealth and State Disability Ministers by March 2014.
43. The evaluation will be overseen by the Joint Steering Committee, consistent with the terms of reference agreed by Ministers, for comparing the operation of the sites.

44. The evaluation will inform decisions about any extension of this Agreement. A comprehensive interim report will be provided six months prior to the expiry of this Agreement.
45. WA will procure the evaluation, with costs of the evaluation shared equally between the Commonwealth and WA Governments as outlined at Appendix A.
46. The data collected as a part of the evaluation in the Perth Hills trial site will be shared with the organisation contracted to independently evaluate the other NDIS trials, to inform the independent evaluation of the NDIS as outlined in the NDIS IGA.
47. The results of the evaluation will feed into any future disability reform in WA, and the legislated review of the operation of the NDIS across Australia that is set out in the NDIS Act 2013.

The Parties have confirmed their commitment to this Agreement as follows:

*Signed for and on behalf of the
Commonwealth of Australia by*

A handwritten signature in black ink, appearing to read 'Tony Abbott', written over a horizontal line.

The Honourable Tony Abbott MP
Prime Minister of the Commonwealth of Australia

31 March 2014

*Signed for and on behalf of
Western Australia by*

A handwritten signature in black ink, appearing to read 'Colin Barnett', written over a horizontal line.

The Honourable Colin Barnett MLA
Premier of Western Australia

31 March 2014

APPENDIX A - FUNDING ARRANGEMENTS FOR TRIAL

1. The Commonwealth and WA agree that the estimated participant population covered by the Perth Hills¹ NDIS trial for under 65s is as shown in Table 1.

Table 1	Year 2014-15	Year 2015-16
Estimated current consumer population	676	1,743
Estimated new consumer population	966	2,507
Estimated total consumers	1,642	4,250

2. Both Parties agree that the process for phasing in participants of the NDIS trial will be undertaken within the agreed roll-out arrangements (Appendix B). Appendix B sets out the planned intake of the expected number of participants over the trial. The NDIA, WA and the Commonwealth will work collaboratively to develop participant flow arrangements by March 2014 that are consistent with the agreed funding arrangements. The planned intake in Appendix B will be monitored on a quarterly basis to ensure that it aligns with the allocated NDIS funding (cash and in-kind) for that quarter. The capacity of the NDIA to manage the roll-out will be taken into consideration when determining the final roll-out arrangements.
3. This estimate is based on the following assumptions:
 - a. Productivity Commission estimates of eligible Tier 3 national population.
4. The estimated total cost of NDIS funded supports to the agreed participant profile in Table 1 is shown in Table 2 (under 65s cost shown only). Cost estimates are based on current DSC consumer transition from *My Way* and assumes a full year phasing effect of approximately 41 per cent² of new and first year participants.

Table 2	Year 2014-15	Year 2015-16
Estimated total cost of National Disability Insurance Agency funded supports	\$24.9 million	\$104.5 million

Commonwealth contribution

¹ Perth Hills is comprised of the LGAs of Kalamunda, Mundaring and Swan.

² Estimates reflect the roll-out of the *My Way* trial and estimated current consumers within the trial sites.

5. The Commonwealth will provide a financial contribution equivalent to 40 per cent of package costs to support trial participants during the trial. The Commonwealth's funding for NDIS funded supports is shown in Table 3 (under 65s cost shown only).

Table 3	Year 2014-15	Year 2015-16
Commonwealth's contribution to Tier 3 Package support	\$10.1 million	\$42.4 million

6. The Commonwealth's share of funding for individual support packages will be provided in cash and through direct provision of services. The split of funding between cash and in-kind services will be agreed by March 2014, as an additional appendix to this Agreement.
7. The Commonwealth programs which are expected to be drawn on in providing direct services include:
- a. Australian Disability Enterprises;
 - b. Autism Specific Early Learning and Care Centres;
 - c. Better Start for Children with Disability Initiative;
 - d. Continence Aids Payment Scheme;
 - e. Support for Day to Day Living in the Community: A Structured Activity Program;
 - f. Disability Employment Services - Work Based Personal Assistance;
 - g. Helping Children with Autism;
 - h. Hearing Services Program;
 - i. Improved Support for people with younger onset dementia;
 - j. Targeted Community Care - Mental Health Respite: Carer Support and Personal Helpers and Mentors component;
 - k. National Auslan Interpreter Booking and Payment Service;
 - l. After School Hours Care for Teenagers with Disability;
 - m. Partners in Recovery: Coordinated Support and Flexible Funding for people with severe and persistent mental illness and complex needs;
 - n. Respite Support for Carers of Young People with Severe or Profound Disability;
 - o. Young Carers Respite and Information Services; and
 - p. Mobility Allowance.

8. The Commonwealth will pay for all NDIS-related administration and system support costs associated with the trial.
9. The Commonwealth will be responsible for meeting all scheme costs for participants who turn 65 and choose to remain in the scheme.

Western Australian contribution

10. WA will provide a financial contribution equivalent to 60 per cent of package costs to support trial participants during the trial. WA's share of the cost of NDIS funded supports is shown in Table 4.

Table 4	Year 2014-15	Year 2015-16
WA's funding for NDIS funded supports	\$14.8 million	\$62.1 million

11. The WA share of funding for NDIS funded supports will be provided in cash and through direct provision of services, which will be offset against WA's contribution to package cost. The WA programs which are expected to be drawn on in providing direct services include:
 - a. Early Childhood Intervention;
 - b. Adult Therapy;
 - c. Behaviour Support Services;
 - d. Therapy Services;
 - e. Behaviour/Specialist Intervention;
 - f. Counselling;
 - g. Regional/Community Support Teams;
 - h. Holiday Programs;
 - i. Community Access;
 - j. Respite (Centre-based, homes and flexible);
 - k. Community Aids Equipment Program;
 - l. Individualised Community Living;
 - m. Personal Care Support;
 - n. Taxi User Subsidy Scheme;

- o. Home and Community Care (<65);
- p. Support Aids and Equipment;
- q. Home Modifications;
- r. Children who are dependent on Technology and Cared for by their families at Home (CATCH) Program;
- s. Attendant Care in Schools;
- t. Schools Plus;
- u. School Bus Services;
- v. Out of Home Care Placements for Children with Disabilities;
- w. Additional Placement Support Costs;
- x. Provision of Specialised Vehicles;
- y. Intensive Family Support;
- z. Intellectual Disability Diversion Program;
- aa. Legal and Social Awareness (LASA);
- bb. Sex Offending Intellectual Disabilities (SOID);
- cc. Transitional Accommodation Support Services for the Intellectually Disabled;
and
- dd. Ventilator Dependent Quadriplegic Program.

12. Both parties agree that there will be further work that needs to occur in order to finalise the balance of cash and in-kind contributions. This will be completed by March 2014, and be included as an additional appendix to this Agreement.

Arrangements for Intergovernmental Payments

13. The Parties agree that intergovernmental payments currently provided by the Commonwealth to WA for the purpose of providing disability services to individuals should be repaid to the NDIA on behalf of the Commonwealth commensurate with the expected participant numbers in the NDIS trial as a proportion of the total expected NDIS participant numbers in WA.
14. Intergovernmental payments include the Commonwealth contribution to the WA Home and Community Care Program (HACC) and payments made through the National Disability Specific Purpose Payment (NSPP).

15. WA agrees to pay the NDIA on behalf of the Commonwealth, in-kind or cash services to the equivalent value of the amounts set out in Table 5, in installments during the financial year, at the same time as the contributions to NDIS funded supports, as outlined in paragraphs 32 – 39 of the IGA NDIS.

Table 5	Year 2014-15	Year 2015-16
Total Repayments by WA	\$2.7 million	\$11.2 million

16. It is acknowledged that part of the in-kind contribution identified in paragraph 15 will be funded from the NSPP and HACC. The proportion of in-kind contribution which should be counted as a Commonwealth contribution, because it is funded through the NSPP and HACC, will be agreed between the Commonwealth and WA once the mix of in-kind and cash has been finalised.

APPENDIX B – PLANNED INTAKE OF PARTICIPANTS

1. On the basis of the agreed funding and the population assumptions, it has been agreed that the proposed participant flow will be as per Table 1 in Appendix A above.
2. It is expected that participants will be phased into the NDIS on a quarterly basis, with a four month ramp up, as set out in Tables 1 and 2.

Table 1	Jul to Sep 2014	Oct to Dec 2014	Jan to Mar 2015	Apr to Jun 2015	Total
Estimated current DSC consumer population	125	307	357	313	1102
Estimated new consumers and current consumers of other service systems	40	150	150	200	540
Total	165	457	507	513	1642

Table 2	Jul to Sep 2015	Oct to Dec 2015	Jan to Mar 2016	Apr to Jun 2016	Total
Estimated current DSC consumer population	91	275	275	0	641
Estimated new consumers and existing consumers of other service systems	139	459	541	828	1967
Total	230	734	816	828	2608

3. In determining the participant flow, the NDIA will need to ensure that there is adequate capacity in funding and resource allocation to allow for crisis and unplanned assessments.
4. It is further agreed that in determining the participant flow, details of how current consumers within programs will be transitioned into the trial will be agreed by March 2014 and attached to this Agreement as a separate appendix.
 - a. WA will work with the Commonwealth and the NDIA to ensure that agreed phasing of participants will be managed to minimise the risk of scheme costs exceeding the total funding for the trial period.
5. These strategies will then be considered in the context of the impact of these flows on:

- a. providers involved and impact on the overall sustainability of the supports provided where this support is required by other individuals;
 - b. the provider transition strategy required to meet the conversion from in-kind to cash contributions;
 - c. the nature of current funding arrangements with providers;
 - d. the availability of cash and in-kind funds and the needs of the individuals for supports that can or cannot be met by the existing in-kind arrangements;
and
 - e. individual capacity and readiness.
6. The strategy will be incorporated into detailed joint communication materials from the Commonwealth and WA from March 2014 onwards.

APPENDIX C – JOINT STEERING COMMITTEE ON DISABILITY REFORM IN WESTERN AUSTRALIA - TERMS OF REFERENCE

The Joint Steering Committee on Disability Reform in Western Australia (the Committee) will oversee the progress and evaluation of disability reform in Western Australia.

The Committee's focus will be on trial sites in the Perth Hills, Lower South West, and Cockburn/Kwinana areas. These sites will test two different approaches to the delivery of disability services. The lessons learned from these trials will inform the national roll-out of disability reform.

The Committee will be responsible for:

1. sharing data information about progress and issues across each of the trial sites;
2. providing information on issues of relevance or possible interest to other jurisdictions at the Disability Policy Group,/Senior Officers Working Group meetings;
3. providing advice to both Governments on issues emerging in any of the trial sites;
4. overseeing the development of a communications strategy;
5. resolving issues as they emerge, including issues relating to the provision of in-kind services, interfaces with mainstream services and continuity of support;
6. oversight of the comparative evaluation of the two trial models, including providing advice to both Ministers on the terms of reference and reviewing interim reports;
7. providing advice to both Governments on the financial performance of the trial sites; and
8. providing information to both Governments on the degree of consistency in:
 - a. the approach to eligibility;
 - b. the provision of reasonable and necessary supports; and
 - c. the outcomes achieved across each of the trial sites.

Reporting

The Committee will report to the Western Australian Minister for Disability Services and the Commonwealth Assistant Minister for Social Services.

Reports to Ministers will be provided quarterly, as well as in response to requests for information or emerging or urgent issues.

Review Date

The Committee will operate until 30 August 2016. The need for any extension of the Committee will be considered and decided jointly by the Western Australian and Commonwealth Governments in May 2016.

Meetings

The first meeting of the Committee will be held in March 2014. Subsequent meetings will be held bi-monthly until mid-2014. Meetings will then be held quarterly.

Meetings will be held either in Western Australia, or via telepresence.

Secretariat support will be provided by the WA Disability Services Commission.

Membership

- Deputy Director General, WA Department of the Premier and Cabinet (co-chair)
- Deputy Secretary, Department of the Prime Minister and Cabinet (co-chair)
- Director General, WA Disability Services Commission
- Deputy Secretary, Department of Social Services
- WA Mental Health Commissioner
- CEO NDIA (the CEO can alternatively delegate to the State Manager)
- Community representative from Perth Hills Local Advisory Group
- Representative from the WA NDIS *My Way* Reference Group

The representatives from the Local Advisory Group and WA NDIS *My Way* Reference Group will consult with their respective groups about issues considered by the Committee.

APPENDIX D – NDIS PERTH HILLS LOCAL ADVISORY GROUP – TERMS OF REFERENCE

Chair

The Local Advisory Group will be co-chaired by the National Disability Insurance Agency WA Manager (or the NDIA WA Director of Engagement) and another member elected at the first meeting, who should be a non-government representative.

Membership

The Local Advisory Group will comprise:

- The National Disability Insurance Agency (NDIA) WA Manager or the NDIA WA Director of Engagement;
- The WA Disability Services Commission appointed representative;
- A NDIA Board member from WA; and
- At least nine representatives, at a minimum:
 - two consumers (Disability and Mental Health)
 - one carer and/or family member
 - one Mental Health service provider
 - one Disability service provider
 - one consumer representative organisation
 - one service provider peak organisation
 - one local government representative
 - one mainstream service system provider, such as justice, education and/or health.

Representatives will be agreed by the NDIA, the WA Disability Services Commission and the WA Mental Health Commission.

Term and Meetings

The Local Advisory Group will be convened as soon as practicable in 2014. These Terms of Reference will be endorsed by the Local Advisory Group at its first meeting.

The Local Advisory Group will meet monthly until the WA trial site commences from 1 July 2014. The Local Advisory Group will continue to meet on an as-needs basis after the commencement of the trial site.

The Local Advisory Group and its Terms of Reference will be reviewed by the NDIA, the WA Disability Services Commission and the WA Mental Health Commission in May – June 2015.

Objectives

The Local Advisory Group will be responsible for providing advice on the implementation of the National Disability Insurance Scheme in the WA Perth Hills trial site.

The Local Advisory Group will provide advice to the Joint Steering Committee and the NDIA Board.

Scope

The scope of the Local Advisory Group is to provide advice, in particular:

- Provide feedback on preparation for the commencement of the trial site, including participant and provider expectations;
- Share local knowledge of service provision and the experience of people with disability;
- Advise on localised communication requirements to match objectives of the trial site; and
- Make connections between NDIS objectives and local requirements.

The Local Advisory Group will not be a decision-making forum. It will be a mechanism where members, the NDIA and the WA Disability Services Commission are able to discuss and seek resolution at a local level.

Operations and Resources

Meetings will be held face-to-face. The WA NDIA Office will provide secretariat support.

Reporting

Actions, outcomes and advice will be recorded and distributed to all members prior to being provided to the Joint Steering Committee and the NDIA Board.

APPENDIX E WESTERN AUSTRALIA BALANCE OF CASH AND IN-KIND CONTRIBUTIONS

1. This appendix sets out and updates the balance of cash and in-kind contributions and the existing programs that are expected to be drawn on in providing direct services or be transitioned into cash contributions, as agreed in paragraph 42 of the IGA.
2. The total financial contribution of the Commonwealth and Western Australia is set out in Tables 2, 3 and 4 in Appendix A of this Schedule. In addition to the Commonwealth's total contribution to funded supports for participants under 65 set out in Table 3 in Appendix A, the Commonwealth provides a financial contribution to support participants aged 65 and over during the trial. The Commonwealth's funding for NDIS funded supports is shown in Table 1 below.

Table 1: Commonwealth's contribution to funded supports for participants 65 and over

	2014-15	2015-16
Commonwealth's contribution to Tier 3 package support	\$0.71 million	\$3.60 million

Commonwealth cash and in-kind contributions

3. The approach to the transition of existing Commonwealth disability programs is outlined below:
 - a. transition of existing Commonwealth programs into cash contribution in trial sites will occur either in part or in full at trial commencement; or as participants enter the NDIS; or as contracts expire over the trial period; and
 - b. some programs will continue in-kind in trial sites for the duration of the trial period, due to the national focus of those programs.
4. All existing disability service arrangements listed below will be transitioned from in-kind contribution to cash contributions to the Agency in trial sites in accordance with the approaches outlined in 3a.
5. Based on these approaches, the following Commonwealth disability services/programs, as set out in Table 2, are expected to transition (either in part or in full) into cash contributions in trial sites only at commencement or as participants enter the NDIS.

Table 2: Commonwealth disability services/programs transitioning into cash contributions at commencement or as participants enter the NDIS trial

	2014-15	2015-16
Better Start for Children with Disability	\$0.09 million	TBC
Disability Employment Services: Work Based Personal Assistance	..	TBC
Helping Children With Autism	\$0.18 million	TBC
Mobility Allowance	\$0.14 million	TBC
Outside School Hours Care for Teenagers with Disability	\$0.06 million	TBC
Respite Support for Carers of Young People with Severe or Profound Disability	\$0.07 million	TBC
Total in-kind contribution	–	TBC
Total cash contribution	\$0.54 million	TBC

‘..’ represents an amount of less than \$5,000.

6. The following Commonwealth disability services/programs, as set out in Table 3, will remain as in-kind subject to transition strategies, developed by the Commonwealth in consultation with the Agency.

Table 3: Commonwealth disability services/programs remaining in-kind

	2014-15	2015-16
Continence Aids Program	\$0.05 million	TBC
Disability Employment Assistance: Australian Disability Enterprises	\$0.44 million	TBC
Hearing Services Programme	\$0.08 million	TBC
Improved Support for Younger People with Early Onset Dementia	\$0.01 million	TBC
National Auslan Booking Services	\$0.03 million	TBC
Partners in Recovery: Coordinated Support and Flexible Funding for People with Severe and Persistent Mental Illness	\$0.05 million	TBC
Targeted Community Care: Mental Health Respite Carer Support	\$0.05 million	TBC
Targeted Community Care: Personal Helpers and Mentors	\$0.34 million	TBC
Young People in Aged Care	\$0.62 million	TBC
Total in-kind contribution	\$1.67 million	TBC
Total cash contribution	–	TBC

'..' represents an amount of less than \$5,000.

7. The Commonwealth share of funding for NDIS funded supports (updated from Table 3 in Appendix A of this Schedule and inclusive of Table 1 in this Appendix) that is estimated to be provided in cash and through direct provision of services is shown in Table 4.

Table 4: Total Commonwealth contribution to NDIS funded supports

	2014-15	2015-16	Total
Commonwealth cash contribution to the NDIS	\$6.4 million	TBC	TBC
Commonwealth in-kind contribution to the NDIS	\$1.7 million	TBC	TBC
Repayment of Commonwealth grants	\$2.7 million	TBC	TBC
Total Commonwealth funding for NDIS funded supports (including over 65s)	\$10.8 million	TBC	TBC

Commonwealth cash and in-kind contributions to the NDIS set out in Table 4 above includes contributions for participants ageing over 65 in the scheme as set out in Table 1 of this Appendix. Table 3 in Appendix A of the bilateral agreement refers to under 65s costs only. Repayment of Commonwealth grants includes funding transferred from the Western Australia to the Commonwealth from the National Disability Specific Purpose Payments (NSPP) and for Home and Community Care (HACC) services.

8. The balance of Commonwealth cash and in-kind contribution for 2015-16 will be agreed between Western Australia and the Commonwealth at a future date with the expectation that agreement will be reached no later than 31 March 2015.

Western Australia cash and in-kind contributions

9. The approach to transitioning the Western Australia's existing disability programs is outlined below:
- transition of existing Western Australian programs into cash contribution in trial sites will occur in either part or in full at trial commencement; or as participants enter the NDIS; or as contracts expire over the trial period; and
 - some programs will continue in-kind in trial sites for the duration of the trial period.
10. Western Australian disability programs provided as cash contributions include but are not limited to the programs and services listed in Table 5. The table below shows the Western Australian cash contribution from these programs and other sources not included in Tables 6 or 7, including new funding and repayment of Commonwealth grants (including a repayment for those who turn 65 in the scheme).

Table 5: Western Australian disability services/programs provided as cash contributions

	2014-15	2015-16
Individual Grant Payments	\$0.78 million	\$2.49 million
Group Homes	\$4.35 million	\$31.08 million
Shared Care Arrangement	\$0.29 million	\$0.92 million
Attendant Care/Personal Care	\$0.01 million	\$0.03 million
In-Home Accommodation Support	\$2.85 million	\$9.03 million
Community Living	\$0.05 million	\$0.14 million
Alternative Therapy Placement	\$0.05 million	\$0.17 million
Post School Options	\$0.95 million	\$3.01 million
Adult Alternatives to Employment	\$1.25 million	\$3.95 million
Intensive Family Support	\$0.52 million	\$1.63 million
Local Area Coordinators	\$0.42 million	\$1.72 million
Less Commonwealth contribution from Commonwealth grants	\$1.89 million	\$9.82 million
Total Western Australian in-kind contribution	–	–
Total Western Australian cash contribution	\$9.63 million	\$44.35 million

Amounts may not reconcile to totals due to rounding.

11. Based on the above approaches, the following Western Australian disability services/programs are expected to transition (either in part or in full) into cash contributions in 2015-16. The table below includes repayment of Commonwealth grants.

Table 6: Western Australian disability services/programs transitioning into cash contributions in 2015-16

	2014-15	2015-16
Home and Community Care	\$0.75 million	\$3.19million
Taxi User Subsidy Scheme (Department of Transport)	\$0.10 million	\$0.41 million
Out of Home Care Placements for Children with Disabilities (Department of Child Protection)	\$0.11 million	\$0.43 million
Provision of Specialised Vehicles	..	\$0.01 million
Additional Placement Support Costs	..	\$0.01 million
Intensive Family Support (Child Protection and Family Support share)	..	..
Family Support Aids and Equipment	..	..
Home Modifications	..	..
Less Commonwealth contribution from Commonwealth grants	–	–
Total Western Australian in-kind contribution	\$0.96 million	–
Total Western Australian cash contribution	–	\$4.05 million

‘..’ represents an amount of less than \$5,000.

10. The Western Australian disability services/programs, set out in Table 7, will remain as in-kind subject to the transition strategies, developed by Western Australia in consultation with the Agency. This includes repayment of Commonwealth grants (including a repayment for those who turn 65 in the scheme).

Table 7: Western Australian disability services/programs remaining in-kind

	2014-15	2015-16
Early Childhood Intervention	\$0.58 million	\$1.87 million
Adult Therapy	\$0.19 million	\$0.61 million
Behaviour Support Services	\$0.21 million	\$0.68 million
Therapy Services	\$0.81 million	\$2.57 million
Behaviour/Specialist Interventions	\$0.03 million	\$0.10 million
Counselling	\$0.01 million	\$0.03 million
Regional/Community Support Teams	\$0.08 million	\$0.25 million
Holiday Programs	\$0.12 million	\$0.38 million
Respite (Centre-based, homes, flexible and brokerage)	\$0.53 million	\$1.69 million
Community Aids Equipment Program	\$0.29 million	\$0.92 million
Non-Specified Disability Services Commission Programs	\$0.33 million	\$1.06 million
Personal Care Support (Hostel)	\$0.26 million	\$1.05 million
Individualised Community Living	\$0.03 million	\$0.10 million
Intellectual Disability Diversion Program	\$0.01 million	\$0.02 million
Legal and Social Awareness	..	..
Sex Offending Intellectual Disabilities	..	..
Transitional Accommodation Support Services for Intellectually Disabled	..	\$0.01 million
School Bus Services	\$ 0.30 million	\$1.23 million
Children who Are dependent on Technology and Cared for at Home (CATCH program)	\$0.14 million	\$0.14 million
Schools Plus	\$0.42 million	\$1.65 million

	2014-15	2015-16
Ventilator Dependent Quadriplegic Program	\$0.67 million	\$0.69 million
Less Commonwealth contribution from Commonwealth grants	\$0.78 million	\$1.38 million
Total Western Australian in-kind contribution	\$4.22 million	\$13.67 million
Total Western Australian cash contribution	–	–

'.. ' represents an amount of less than \$5,000. Amounts may not reconcile to totals due to rounding.

12. The Western Australian share of funding for NDIS funded supports that is estimated to be provided in cash and through direct provision of services is shown in Table 8, together with repayments of Commonwealth grants in cash and in-kind (including a repayment for those who turn 65 in the scheme).

Table 8: Total Western Australian contribution to the NDIS

	2014-15	2015-16	Total
Western Australian cash contribution to the NDIS	\$9.63 million	\$48.40 million	\$58.03 million
Western Australian in-kind contribution to the NDIS	\$5.18 million	\$13.67 million	\$18.85 million
Total Western Australian contribution	\$14.80 million	\$62.08 million	\$76.88 million
Plus Western Australian repayments of Commonwealth grants in cash	\$1.89 million	\$9.82 million	\$11.71 million
Plus Western Australian repayments of Commonwealth grants in through in-kind services	\$0.78 million	\$1.38 million	\$2.16 million
Total Western Australian contribution including repayments of Commonwealth grants	\$17.47 million	\$73.29 million	\$90.76 million

Western Australian cash contribution listed above comprises existing program funding only. The State's total financial contribution is set out in the Bilateral Agreement between the Commonwealth and Western Australia for the NDIS trial.

13. While the total contribution will not change, as per clause 29 of the IGA, it is recognised that the estimated mix and balance of in-kind and cash contribution may vary due to actual implementation factors. This appendix should therefore be reviewed at least every six months from the commencement of the trial. Consistent with paragraph 129 of the IGA, this appendix may be amended to reflect the outcomes of these reviews. In addition, this appendix may be updated at any time on an ongoing basis with agreement between Western Australia and the Commonwealth, who are required to provide at least one month's notice to the Agency of any such change.

Appendix F – Western Australia Planned Intake of Participants

1. This appendix updates Appendix B of the Bilateral Agreement signed on 31 March 2014 and sets out the agreed quarterly intake of participants. This quarterly schedule has been designed to facilitate an orderly intake of participants to the National Disability Insurance Scheme (NDIS) in Perth Hills.
2. It seeks to ensure a seamless and easily communicated approach based on the following considerations:
 - a. the early and accelerated intake of people who are currently accessing Western Australia's Local Area Coordination (LAC) program and have commenced the planning process;
 - b. ensuring the appropriate balance of people with disability who have varying needs of support; and
 - c. the initially moderate intake of new consumers and current consumers of other service systems.
3. The planned yearly intake of participants is set out below:
 - a. for 2014-15, a total of 1,642; and
 - b. for 2015-16, a total of 2,608.
4. Within this approach, the following criteria have been applied in determining the timeframes for facilitation of planning under the NDIS within the Perth Hills trial site in 2014-15 so that:
 - a. participants will be transitioned in order of their Local Government Authority (LGA) and postcode, as set out in Tables 1, 2 and 3. Where postcodes cross LGA boundaries, participants must reside in both the relevant postcode and the relevant LGA;
 - b. existing participants currently accessing the LAC program will be prioritised for transition from 1 July 2014, with the majority transitioning by 31 March 2015, taking account of the above considerations;
 - c. existing participants currently accessing Western Australia's Disability Services Commission (DSC) funded or provided supports and services will be concurrently transitioned into the Agency from 31 March 2015 through 30 June 2016, taking account of the above considerations. The concurrent transition of the DSC's programs will ensure that people with high support needs currently accessing non-government and the DSC's accommodation services will be balanced by people with lower support needs currently receiving intermittent supports and services such as equipment and respite; and

- d. the intake of new participants , as identified in 2 (c) above, will be aligned with the LGAs and identified postcodes listed in Tables 1, 2 and 3 and, where appropriate, the intake schedule for those currently accessing the LAC program.

Table 1: 2014-15 Intake of Current DSC Participants Accessing LAC Support

	First Quarter 2014-15	Second Quarter 2014- 15	Third Quarter 2014-15	Fourth Quarter 2014-15
Swan LGA*	Residents of 6056 postcode	Residents of 6054, 6055, 6056, 6062, 6063, 6066, 6067, and 6069 postcodes	Residents of 6069, 6083, and 6084 postcodes	—
Kalamunda LGA*	—	—	Residents of 6057, 6058, 6076, and 6107 postcodes	—
Mundaring LGA*	—	—	Residents of 6074 postcode	Residents of 6070, 6071, 6072, 6073, 6081, 6082, 6556, and 6558 postcodes
Total estimated current DSC participants accessing LAC support	126	307	357	62

*For the purpose of this agreement, resident is to be interpreted as per the *National Disability Insurance Scheme Act 2013 (Section 23)* and the *National Disability Insurance Scheme (Becoming a Participant) Rules 2013*.

Table 2: 2014-15 Intake of Current DSC Participants Not Currently Accessing LAC Support

	First Quarter 2014-15	Second Quarter 2014-15	Third Quarter 2014-15	Fourth Quarter 2014-15
Swan LGA*	—	—	—	Residents of 6063, 6066, 6067, 6068, and 6069 postcodes
Kalamunda LGA*	—	—	—	—
Mundaring LGA*	—	—	—	—
Total estimated current DSC participants not accessing LAC support	0	0	0	297

*For the purpose of this agreement, resident is to be interpreted as per the *National Disability Insurance Scheme Act 2013 (Section 23)* and the *National Disability Insurance Scheme (Becoming a Participant) Rules 2013*.

Table 3: 2015-16 Intake of Current DSC Participants Not Currently Accessing LAC Support

	First Quarter 2015-16	Second Quarter 2015-16	Third Quarter 2015-16	Fourth Quarter 2015- 16
Swan LGA*	Residents of 6055 and 6083 postcodes	Residents of 6054, 6056, 6062, and 6084 postcodes	—	—
Kalamunda LGA*	—	—	Residents of 6057, 6058 and 6076 postcodes	—
Mundaring LGA*	—	—	Residents of 6070, 6071, 6072, 6073, 6074 6081, 6082, 6556, and 6558 postcodes	—
Total estimated current DSC participants not accessing LAC support	95	296	387	0

*For the purpose of this agreement, resident is to be interpreted as per the *National Disability Insurance Scheme Act 2013 (Section 23)* and the *National Disability Insurance Scheme (Becoming a Participant) Rules 2013*.

5. Within this approach, the Parties agree that the National Disability Insurance Agency (the Agency) may also apply other administrative criteria to ensure participants' access to the scheme is consistent with the Agency's capacity. The Agency will facilitate access to the scheme for individuals not currently accessing disability

programs, but who are eligible for the NDIS in line with the phasing timetable to ensure equity of access.

6. It is agreed that the Agency may choose to include eligible people from other LGAs and/or postcodes based on presenting need and other factors as identified by the Agency within the agreed quarterly intake schedule as set out in Tables 4 and 5.

Table 4

	First Quarter 2014-15	Second Quarter 2014-15	Third Quarter 2014-15	Fourth Quarter 2014-15	Total by category
Estimated current DSC consumer population	126	307	357	359	1149
Estimated new consumers and current consumers of other service systems	39	150	150	154	493
Total by quarter	165	457	507	513	1642

Table 5

	First Quarter 2015-16	Second Quarter 2015-16	Third Quarter 2015-16	Fourth Quarter 2015-16	Total by category
Estimated current DSC consumer population	95	296	387	0	778
Estimated new consumers and existing consumers of other service systems	135	438	429	828	1830
Total by quarter	230	734	816	828	2608

7. The above estimated participant intake flow is based on:
 - a. the known number of people who are currently receiving existing disability services;
 - b. the known number of people who are on waiting lists for existing disability services;
 - c. the need to work with the provider sector in the move from block or case-based funded contracts to individualised funding; and

d. Agency capacity.

8. Individuals who are currently receiving Commonwealth funded disability programs and/or Western Australian disability programs, and are not currently accessing the DSC funded or provided programs, are included in Tables 4 and 5 as 'estimated new consumers and current consumers of other service systems'.
9. Individuals with psychosocial disability who are not currently accessing the DSC funded or provided disability programs are included in Tables 4 and 5 as 'estimated new consumers and current consumers of other service systems'.