**PEOPLE WITH DISABILITIES WA STATEMENT**

**CONCERNS RAISED WITH NDIS REFORM**

Recently leaked information around the proposed changes to the National Disability Scheme legislation have raised serious concerns for the disability sector.

In the last few months, several reforms to the NDIS have been proposed, including the introduction of Independent Assessments. PWdWA is deeply concerned about these proposed changes and the potential impact they will have on the lives of people with a disability. The NDIA have stated these reforms will address barriers and inequalities in the scheme. Based on our experience supporting people with a disability in WA to access and navigate the NDIS we do not believe the proposed changes will achieve this outcome. Instead, we believe they will limit choice and control, and compound the barriers already experienced by the people we support.

Last week a draft version of changes to the NDIS Act 2013 was made public. While the legislation is the not the final draft it does contain several proposed changes that are significantly troubling.

Changes include giving the NDIA the authority to ‘require’ a person to undergo an assessment as part of amendments needed for the introduction of mandatory Independent Assessments. There are already significant concerns being raised by people with a disability, their carers, advocates, academics, and professionals about the introduction of Independent Assessments.

A notable change proposed is the ability to prescribe what can be considered an ordinary living expense. There has been disagreement between participants and the NDIA on what constitutes an ordinary living expense for a person with a disability. Notably this includes access to Sex Therapy. Currently many of these disputes are settled through a review process with the AAT. By prescribing individual costs/supports as ordinary living expenses the NDIA will remove appeal rights. We have concerns that it could be used as a cost cutting mechanism.

The draft legislation also specifies that the NDIA will not fund supports which should be reasonably provided by other system and services even if those supports are not funded or available. PWdWA is concerned that this will result in potential support gaps which may impact on the health and wellbeing of people with a disability.

Another change which has been considered in this draft version of the legislation is the removal of ‘reasonable and necessary’ supports, which is a cornerstone of the NDIS. The fact that this has even been considered leads us to be deeply concerned about the future of the scheme. Minster Stuart has since advised that the term will not be removed from the Act, but there is no guarantee at this stage that how it is defined and the role it plays in planning will not change.

Lastly, we note that the draft legislation specifies that ‘relationship between people with disabilities and their families and carers needs to be recognised and respected’. PWdWA emphasises the need for choice and control of the person with a disability and for them to be at the centre of any decisions made.

We have already raised our concerns about the proposed reforms directly with the NDIA as part of their consultations. We will also be submitting a response to the inquiry into Independent Assessments by the Joint Standing Committee on the NDIS this week. These submissions can be found on our website.

As outlined in the Disability Sector Statement PWdWA call on the Government to:

1. Immediately cease the roll-out of compulsory assessments as currently planned.
2. Undertake a robust and transparent outcome evaluation of the current pilot of the new assessment process. This evaluation must be independent of the NDIA, led by experts and co-designed with people with disability, their families and the organisations that support them.
3. Undertake robust, independent and transparent trials of alternative approaches to improving consistency in access and planning – such as allowing a person's existing health professionals to complete assessments using the same tools.
4. Once the trials and evaluations are complete, engage in a meaningful co-design process with people with disability, their families and the organisations that support them to ensure a fair and consistent approach to both access to the scheme and planning and to ensure people with disability receive the support they need.