# BCA Inform: Round Table on NDIA Independent Assessments and the Participant Charter - Summary Report

On Thursday, 5 November, 2020, BCA hosted an online forum to discuss the NDIA Independent Assessments and the Participant Charter.

Rikki Chaplin, Policy and Advocacy Team Leader hosted and facilitated the session which featured a presentation and question time with Dr Sam Bennett, General Manager of the Policy, Advice and Research Division of the National Disability Insurance Agency. Matt Matthew Wright, Sector Adviser within the Communications and Engagement Division of the National Disability Insurance Agency was also in attendance and offered comments.

The session proved to be quite popular, as over 50 were in attendance and though Dr Bennett kept his remarks brief to keep time for questions, there were more questions than we had time for, so some had their queries attended to post-session via email. The discussion was engaged, focussed and useful and Dr Bennett offered clear answers to attendees’ concerns.

## The Participant Charter

On August 28, 2020, Minister Stuart Robert announced that key elements of the imminent NDIS changes would include the Participant Charter and the Service Improvement Plan.

The Participant Charter is the framework that ensures person-centred practice is adhered to in all aspects of the work of the NDIA. There are five engagement principles underpinning the Participant Charter: 1) transparency, 2) responsiveness, 3) respect, 4) empowerment and 5) connection.

An example of the impact the Service Improvement Plan is the introduction of providing draft plans to participants as a standard practice.

The implementation of the Participant Service Guarantee is an example of the impact of the Charter. The Participant Service Guarantee provides timeframes for when the NDIA needs to respond regarding decisions about participants' access to the scheme and aspects of participants' individual plans, and timeframes for participants to provide information about their circumstances to the NDIA.

While the Participant Charter and Service Improvement Plan have not been legislated yet, the NDIA has committed to measuring its performance against these frameworks’ outcome measures nonetheless.

## Independent Assessments

The introduction of independent functional assessments was one of 29 recommendations proposed in the Tune review of the NDIS, all of which were accepted by the Federal Government.

Independent assessments aim to create consistency in the NDIA's decision-making processes for participants where it is acknowledged that there are great inconsistencies at present. For example, currently one person might get assistive technology approved, whereas another person with the same needs may have it denied to them. Consistency will be achieved by using standardised assessments made up of a number of assessment tools to gather the same information about each participant.

The move towards practices that ensure consistency in decision-making is an acknowledgement by the NDIA that the decisions being made about what people can access are currently variable, with no sense of objectivity.

It is recognised also that people who come from disadvantaged backgrounds do not do as well in advocating for their needs as do people who are well-educated and have the ability to pay for extra assessments. The independent functional assessments will be paid for by the NDIA in an attempt to eliminate these inequalities.

As is the case now, NDIS staff will still approve or deny plan requests based on the assessment. Just because it’s an independent assessment doesn’t mean everything will automatically be approved and BCA staff will be interested to see comparative figures around this.

### Assessors

A significant change with this framework is that the assessors are independent from the participant. The assessor will have never met the person they are assessing and will be using a standardised assessment tool to determine the level of support a person needs.

By selecting the assessors who will be available to conduct assessments, the NDIA aims to improve the quality of personnel who are conducting the assessments. The term "independent", refers not to the financial relationship between assessors and the NDIA. The NDIA are paying the assessors, rather the term refers to the fact that external assessors will be conducting the assessments, as opposed to staff of the NDIA, who are ultimately responsible for making decisions based on assessments. This does not mean however, that all requests will be approved by NDIA staff. The assessment will be conducted by a professional who has no prior knowledge of the participant they are assessing.

The fact that the assessments will be conducted by external assessors means that assessments cannot be made with a view to reaching a particular outcome, and NDIA staff cannot influence the outcome of the assessment, therefore making their decisions based on biased assessments.

The information from the assessments will be neutral, and assessors will undertake training conducted by the NDIA in order to gain awareness about the specific needs of people with particular disabilities.

### Assessments and Assessment Tools

Participants will be able to have a support person of their choosing present at the assessment, contrary to information that has been spread through social media. Participants can choose from a panel of assessors which will be approved by the NDIA.

Assessments will vary in the length of time taken to complete them, and they could be done over more than one meeting. It is estimated that the average length of time an assessment will take is 3.5 to 4 hours.

There will be a shift towards the idea that participants will be guided as to how they can best use their plans to achieve their goals, rather than there being a negotiation over what supports will be included in a plan.

Categories within plans, such as “core”, “capacity building” and “capital”, will eventually be removed, in order to make the implementation of plans less rigid.

Reviews will occur at key life stages, rather than as regular occurrences.

The tools which will be used to conduct the assessments are standardised, age specific, and recognised internationally as being appropriate for such assessments.

This will not apply to children under seven years old as yet.

The tools are designed to take the focus away from specific diagnoses or disabilities. This is because the NDIS is intended to support people with significantly reduced functional capacity, rather than being based on specific disabilities. Hence, the assessments will concentrate on functional capacity.

The definition of functional capacity is aligned with the World Health Organisation's international classification of functioning. For many participants, there is currently no functional assessment completed for them. The introduction of independent functional assessments will address this issue. A person's broader circumstances will be taken into account by the assessment, and the impact of multiple factors on a participant's level of function.

Assessments for specific orientation and mobility requirements or assistive technology, for example, will still take place in addition to the independent functional assessment.

It is acknowledged that there is concern that the introduction of independent functional assessments is simply a way of cost cutting by the Federal government, rather than being of any benefit to participants. The NDIA's response to this concern is that the Federal government has committed to fully funding the NDIS scheme, and that NDIS budget forward estimates are increasing rather than decreasing. There is also a need to make the NDIS sustainable by ensuring that the budget available is used wisely.

The advocacy sector is being consulted regarding how independent functional assessments will be implemented and a pilot for participants has recommenced after having being put on hold in March 2020 due to Covid-19. Participants have been offered a trial assessment which will not affect their current plans or future plan reviews.

For more information on independent assessments, please visit: <https://www.ndis.gov.au/participants/independent-assessments/independent-assessment-q-and>

For more information on the Independent Assessment Toolkit, please visit: <https://www.ndis.gov.au/participants/independent-assessments/independent-assessment-toolkit>

For a detailed description of the tools that will be used to complete assessments, please visit: <https://www.ndis.gov.au/participants/independent-assessments/independent-assessment-toolkit/assessment-tools-toolkit>