

Ph 1800 033 660 | E bca@bca.org.au | W [bca.org.au](http://www.bca.org.au/) | ABN 90 006 985 226

**Response to the NDIS Quality and Safeguarding Framework Issues Paper**

Lodged via: <https://www.ndisreview.gov.au/have-your-say/ndis-quality-and-safeguarding-framework>

Author: Corey Crawford, National Policy Officer

corey.crawford@bca.org.au

7th June 2023

**Contents**

[Response to the NDIS Quality and Safeguarding Framework Issues Paper 1](#_Toc137041938)

[Contents 2](#_Toc137041939)

[1. Introduction 2](#_Toc137041940)

[1.1 About Blind Citizens Australia (BCA) 2](#_Toc137041941)

[1.2 About people who are blind or vision impaired 3](#_Toc137041942)

[2. Submission Context 3](#_Toc137041943)

[3. Blind Citizens Australia’s Submission 5](#_Toc137041944)

[3.1 Accessible materials for people who are blind or vision impaired 5](#_Toc137041945)

[3.2 Improved quality control for support workers 6](#_Toc137041946)

[3.3 Greater transparency for NDIS service fees and a new clawback mechanism 7](#_Toc137041947)

[4. Recommendations 8](#_Toc137041948)

**1. Introduction**

**1.1 About Blind Citizens Australia (BCA)**

Blind Citizens Australia (BCA) is the peak national representative organisation of and for the over 500,000 people in Australia who are blind or vision impaired. For nearly 50 years, BCA has built a strong reputation for empowering Australians who are blind or vision impaired to lead full and active lives and to make meaningful contributions to our communities. BCA provides peer support and individual advocacy to people who are blind or vision impaired across Australia.

Through our campaign work, we address systemic barriers by promoting the full and equal participation in society of people who are blind or vision impaired. Through our policy work, we provide advice to community and governments on issues of importance to people who are blind or vision impaired. As a disability-led organisation, our work is directly informed by lived experience. All directors are full members of BCA and the majority of our volunteers and staff are blind or vision impaired. They are of diverse backgrounds and identities.

**1.2 About people who are blind or vision impaired**

There are currently more than 500,000 people who are blind or vision impaired in Australia with estimates that this will rise to 564,000 by 2030. According to Vision Initiative, around 80 per cent of vision loss in Australia is caused by conditions that become more common as people age.[[1]](#endnote-2)

Australians who are blind or vision impaired can live rich and active lives and make meaningful contributions to their communities: working, volunteering, raising families and engaging in sports and other recreational activities. The extent to which people can actively and independently participate in community life does, however, rely on facilities, services and systems that are available to the public being designed in a way that makes them inclusive of the needs of all citizens – including those who are blind or vision impaired.

**2. Submission Context**

BCA welcomes the opportunity to make a submission in response to the NDIS Quality and Safeguarding Framework Issues Paper.

BCA’s submission is based on existing legislation and frameworks:

* National Disability Insurance Scheme Act 2013 (Cth) (NDIS Act)
* NDIS Quality and Safeguarding Framework (the Framework)
* Australia’s Disability Strategy 2021–2031 (the Strategy)
* United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)

Australia’s formal commitment to the UNCRPD and the development of the Strategy have driven greater engagement by people with disability in determining how they live and are supported. The National Disability Insurance Scheme (NDIS) is the most significant example of this altered approach.

Having commenced its rollout in 2013, the NDIS can provide life-changing supports for people with disability, including people who are blind or vision impaired, and aged up to 65. Approximately two per cent of NDIS participants are blind or vision impaired.[[2]](#endnote-3)

The NDIS Quality and Safeguarding Framework was put in place in 2016. The Framework was created to ensure national consistency and replace previous state and territory quality and safeguarding arrangements.

The Framework is linked to the NDIS Act and the UNCRPD, using a human rights-based approach that puts participants at the centre, and promotes choice and control. The Framework outlines what needs to be done to make NDIS supports safe and of good quality.

The review of the Framework, as part of the broader Independent Review of the NDIS, aims to identify what has worked well and what needs to be improved to ensure the Framework remains fit for purpose and reflects the lived experiences of people with disability.

There is an urgent need for a review of the NDIS. Speaking for many exasperated NDIS participants, one BCA member said, ‘Whenever you communicate with the National Disability Insurance Agency (NDIA), you feel like you’re up for a fight.’

BCA’s response to the five sets of questions put forward in the Issues Paper identifies three key needs:

1. Improved accessibility of NDIS materials for people who are blind or vision impaired.
2. Improved quality control for NDIS support workers.
3. Greater transparency for NDIS service fees and a new mechanism for the NDIS Commission to claw back excessive fees.

BCA’s response is based on extensive consultations with members and other people who are blind or vision impaired, and our ongoing advocacy work in the disability sector.

**3. Blind Citizens Australia’s Submission**

**3.1 Accessible materials for people who are blind or vision impaired**There is a clear and consistent message when people who are blind or vision impaired speak about the NDIS: the ongoing and deeply frustrating lack of accessible documents.

The NDIA, the independent statutory agency whose role it is to implement the NDIS, continues to produce documents, such as information in tables, which cannot be read by people who use screen readers. A screen reader is a form of assistive technology that renders text and image content as speech or braille output.

The Administrative Appeals Tribunal (AAT) and other government bodies associated with the NDIS also routinely produce documents that cannot be read by screen readers.[[3]](#endnote-4) Screen reader inaccessibility disempowers people who are blind or vision impaired – it makes them heavily reliant on their advocate, if they have one, or some other trusted person to disclose all the information contained in such documents.

Whilst generally supportive of the Framework, one BCA member expressed his disappointment in the NDIS Quality and Safeguards Commission, also known as the NDIS Commission, for not making its content accessible to screen reader users. This member went so far as to offer his services free of charge to improve the accessibility of NDIS Commission documents but received no response.

Another BCA member lamented that they were now onto their fourth NDIS plan but still unable to access it with their JAWS screen reading software. Such difficulties are only compounded when the participant is from a culturally and linguistically diverse background.

Another BCA member, who has worked as an NDIS employee, spoke of the inaccessibility of NDIS plans and service agreements and the general difficulties in trying to sign documents and access services as a screen reader user. To improve accessibility, this member said some of the additional funding set aside for the NDIS Commission in the 2023–24 Federal Budget should be used to expand the number of information technology (IT) specialists employed at the Commission.

BCA believes the NDIS Commission should employ accessibility compliance officers to ensure the materials it creates and distributes can be read by people who use screen readers.

**Recommendation:**

1. Produce materials that can be read by people who use screen readers, and employ IT specialists and accessibility compliance officers to ensure this is the case.

**3.2 Improved quality control for support workers**

People who are blind or vision impaired have emphasised the need for improved quality control when it comes to support workers. BCA members have significant concerns that support workers do not require qualifications or a proven awareness of disability, especially as it relates to the complexities of blindness and vision impairment.

Insufficient support worker safeguards undermine participant confidence in the NDIS. As one BCA member put it: ‘I feel there is no quality control on support workers. I feel it has become such a rorted system.’

BCA members have also identified the need for the UNCRPD to be more than just a high-minded document. The UNCRPD must be applied by support workers in their daily work.

In order to work as a support worker, a person should have a first aid certificate, a police check and be able to prove that they have read the UNCRPD. This would help NDIS participants have confidence in their support workers and help support workers ‘be better at listening’ to the person they are supporting, as one BCA member put it.

**Recommendation:**

1. Introduce a compulsory online training module to ensure all NDIS support workers have read the UNCRPD.

**3.3 Greater transparency for NDIS service fees and a new clawback mechanism**

As articulated by a BCA member, participants feel the NDIS Commission ‘has no teeth.’ Much of this dissatisfaction is owed to the NDIS Commission’s inability to prevent NDIS providers from charging grossly inflated fees.

One BCA member has said they no longer inform allied health providers that they are an NDIS participant, lest they be charged twice the standard fee or more for the same service. Other BCA members have seen allied health providers immediately double or triple their prices when an NDIS plan was disclosed.

As one BCA member declared, ‘The fees are so blown out it’s just greedy… That’s why the NDIS is attracting some unscrupulous people.’ Another BCA member said the fee structure ‘is unsustainable the way it is.’

Yet another BCA member added, ‘We’re not cash cows. We’re people with a genuine [medical] requirement and we’re being taken advantage of. Dollar signs just light up in [the providers’] eyes.’

BCA appreciates that many NDIS providers struggle to make a profit, and that lower fees could jeopardise their financial viability. The feedback that BCA has received, however, speaks to participants’ growing desire for providers, especially those in the allied health sector, to justify their exorbitant fees.

As such, BCA recommends the updated NDIS Quality and Safeguarding Framework include a clawback mechanism that requires NDIS providers, especially those in the allied health sector, to justify their fees.

NDIS participants could lodge a complaint to the NDIS Commission when they feel they have been needlessly overcharged. With a team of staff dedicated to operating the clawback mechanism, the NDIS Commission would investigate and respond to participants’ complaints about service pricing.

The clawback mechanism would have the power to recoup taxpayers’ money from providers that have shamelessly used the NDIS to pad their profits. It would also act as a general deterrent to unscrupulous people who seek to exploit people with disability.

**Recommendation:**

1. Create a clawback mechanism that requires NDIS providers, especially those in the allied health sector, to justify their fees when participants complain of being overcharged.

**4. Recommendations**

In order to strengthen the NDIS Quality and Safeguarding Framework and increase participants’ confidence in the NDIS, BCA strongly recommends that the NDIS Commission:

1. Produce materials that can be read by people who use screen readers, and employ IT specialists and accessibility compliance officers to ensure this is the case.
2. Introduce a compulsory online training module to ensure all NDIS support workers have read the UNCRPD.
3. Create a clawback mechanism that requires NDIS providers, especially those in the allied health sector, to justify their fees when participants complain of being overcharged.
1. Vision 2020 Australia, “Eye Health in Australia,” accessed 31 January 2023,
<http://www.visioninitiative.org.au/common-eye-conditions/eye-health-in-australia> [↑](#endnote-ref-2)
2. Vision 2020 Australia, “Access and Eligibility Policy with Independent Assessments: Submission to the National Disability Insurance Scheme,” February 2021, <https://www.ndis.gov.au/media/4803/download>
 [↑](#endnote-ref-3)
3. Blind Citizens Australia, “Response to the Administrative Review Reform Issues Paper,” 1 May 2023, <https://www.bca.org.au/wp-content/uploads/2023/05/Response-to-the-Adminstrative-Review-Reform-Issues-Paper.docx> [↑](#endnote-ref-4)