

National Disability Insurance Agency (NDIA) submission

Joint Standing Committee inquiry into the Capability
and Culture of the NDIA

December 2022

ndis

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1. Executive summary

The National Disability Insurance Agency (NDIA) is the Government's independent statutory agency responsible for delivering the National Disability Insurance Scheme (NDIS) – a major social and economic reform for Australians with disability. It replaces the previous block funding approach that was typified by inconsistency of funding across jurisdictional boundaries, differential levels of support and varying outcomes for Australians with disability.

Aligning to the 2011 Productivity Commission Report into Disability Care and Support, the design of the NDIS is unique in that each individual participant receives a tailored plan based on their support needs and goals. Participants have choice and control over the type of support they need, how these are delivered and how their plan is managed. As their needs and circumstances change, so does their NDIS plan.

Since the introduction of the NDIS in 2013, the Scheme has surged from operating across trial sites to a truly national Scheme helping more than 550,000 Australians with disability, including more than 310,000 participants receiving disability supports for the first time. This growth has been unprecedented and has required continuous adjustment to the Agency's operating and workforce model to accommodate the expansion.

In line with the *NDIS Act 2013*, the NDIA makes decisions about whether someone is eligible to become an NDIS participant and if so, how much funding they will receive. The fundamental objectives and principles of the scheme are simple and universally supported. However in practice, making decisions about a person's entitlements to NDIS supports is complex, with decisions about access to the scheme and reasonable and necessary supports made on a case by case basis.

To help deliver the NDIS, the NDIA works with local community-based organisations called partners, which deliver the Agency's Early Childhood approach for those aged under 7, and Local Area Coordination for those aged 7 and older. Partner organisations support people with disability to connect with mainstream and community supports and help participants develop and implement their NDIS plan. The NDIA has invested significantly in its partner capability.

As a Commonwealth entity, the Scheme has been the focus of a number of reviews and inquiries, including by the Commonwealth Ombudsman.

Irrespective of when these occurred, the NDIA has aimed to incorporate any key recommendations that improved Agency operations or the participant experience. Some key improvements pertinent to this inquiry include:

- an updated participant pathway (2017)
- interaction with the newly established NDIS Quality and Safeguards Commission (2017)
- the first NDIA Enterprise Agreement (2017–20)
- the Participant Service Charter (2020)
- updated NDIA Enterprise Agreement (2020– 23)
- the Participant Service Guarantee (2021)
- NDIS legislation updates (2022).

As part of the Australian Public Service (APS), the NDIA participates in the APS Employee Census, which measures staff sentiment and engagement. The APS Census can be completed by all NDIA APS employees and labour hire staff. While expanded on later in this submission, the Agency has continued to exceed various benchmarks achieved by other APS agencies.

The NDIA has also embarked upon implementation of a new engagement framework that guides co-design with participants and their representative organisations. Significant effort has been invested to establish co-design practices across the Agency to deliver strategic projects.

It has been a significant and complex task to establish and deliver a world leading NDIS—one all Australians can be proud of. The NDIA continues to work towards improving the quality of life for people with disability, who will always remain at the centre of everything we do.

2. History and operations of the NDIA and NDIS

2.1 Disability in Australia

From 1970, the rise of the early disability rights movement began. During the 1980s, Australia amongst other countries, started to put in place policies and legislation to address issues of disability discrimination. This reached a key milestone when Australia introduced the *Disability Discrimination Act 1992*, followed by the signing of the *United Nations Convention on the Rights of Persons with Disabilities* in 2008.

2.2 'Grass roots' campaigning

Since the introduction of Medicare in the 1970s, the need for a similar system to support people with disability continued to gain momentum. In 2008, the then Government held the 2020 Summit to raise ideas and identify new policy proposals. There were a number of disability groups who campaigned to have a support scheme considered at this forum. The voices of the disability community were heard and the then Government referred the idea of a long-term disability care and support scheme to the Productivity Commission for review.

Following this, the disability reform movement strengthened and campaigning by disability groups continued to grow, with views increasingly supported by governments at all levels. Many of those who campaigned for the introduction of a disability care and support scheme moved to employment with the NDIA, further strengthening the voice of people with disability across our workforce.

2.3 2011 Productivity Commission Report - Disability Care and Support

In 2010, the Commonwealth asked the Productivity Commission to carry out a public inquiry into developing a disability care and support scheme. Their report identified the existing disability support system was “*underfunded, unfair, fragmented, and inefficient*” and recommended the establishment of a new national scheme to provide support to all Australians with disability, including those who acquired a disability.

Support for such a scheme at the time was strengthened when another independent analysis, *Disability expectations – investing in a better life and a stronger Australia*, was undertaken by PricewaterhouseCoopers (PwC). Their 2011 report identified that without disability reform, the cost of disability support would be 2-3 times the cost of a NDIS.

The Productivity Commission recommended the scheme be administered by a new independent Commonwealth statutory authority, with a corporate model of governance, overseen by a board.

2.4 Establishment of the NDIS and NDIA

In 2011, the then Council of Australian Governments agreed to the need to reform disability services through a national Scheme. At a meeting of the Select Council on Disability Reform in October 2011, it was agreed to lay the foundations for the NDIS by mid-2013 – a year earlier than the timeline set out by the Productivity Commission. The key statutory functions of the NDIA as outlined in the NDIS Act, are wide-ranging and include:

- Delivering the NDIS to support the independence, and social and economic participation, of people with disability and enable people with disability to exercise choice and control in the pursuit of their goals and the planning and delivery of their supports

- Building community awareness of disabilities and the social contributors to disabilities
- Managing, advising and reporting on the financial sustainability of the NDIS
- Collecting, analysing and exchanging data about disabilities and the supports for people with disability
- Developing and enhancing the disability sector
- Undertaking research relating to disabilities, the supports for people with disability and the social contributors to disabilities.

2.5 Rollout of the NDIS

In March 2013, the NDIS legislation was passed and the *NDIS Act 2013* was created along with the NDIS and the NDIA. The trial of the NDIS started on 1 July 2013 with sites across:

- Tasmania for eligible young people aged 15-24
- South Australia for eligible children aged under 14 (on 1 July 2015)
- Barwon area of Victoria for eligible people 0-65
- Hunter area in New South Wales for eligible people up to age 65.

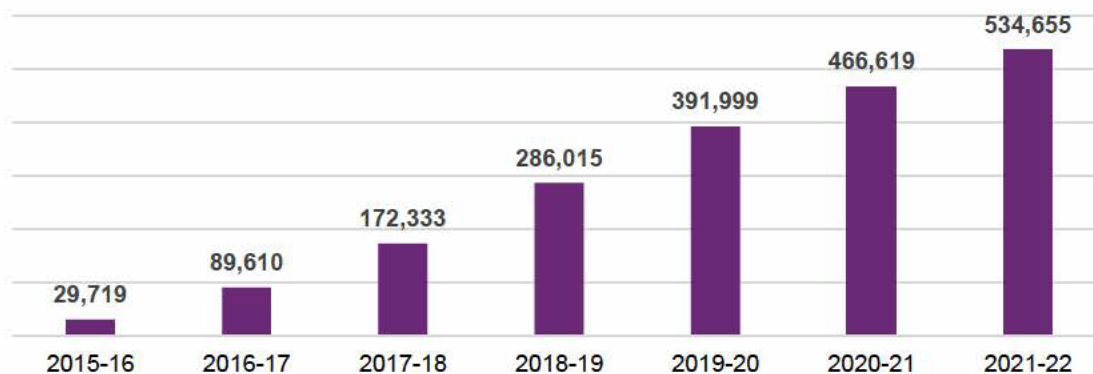
This important trial stage enabled the NDIA to develop and refine learnings and recommendations around systems, planning processes, quality, continuity of support, market readiness and workforce capacity. These were critical to inform the national rollout of the NDIS.

After the trial phase, the national rollout of the NDIS followed in line with bilateral agreements between each state and territory, and the Commonwealth. Each state and territory agreed an individual jurisdictional approach and time period for the rollout of the NDIS. For example, the NSW bilateral agreement outlined that between 2016 and 2018 an estimated 130,000 people would enter the Scheme. Whereas Victoria's rollout was implemented over a 3 year period based on 105,000 people entering the NDIS by the end of 2019.

Completion of the national rollout occurred on 1 July 2020¹. Since then, the number of participants grew substantially. Recently the growth rate of participants has stabilised, but continues to increase.

¹ Source: [National Disability Insurance Scheme \(mhc.wa.gov.au\)](https://www.mhc.wa.gov.au)

Figure 1: Active participants



2.6 Delivering the NDIS

The NDIA is the statutory government agency responsible for delivering the NDIS.

The NDIA's operating model includes direct employment of a service delivery workforce, as well as employment of a smaller cohort of staff who provide support for the corporate functions of the Agency.

In addition, the Agency also works with 26 community-based organisations to deliver the NDIS. These organisations are referred to as Partners in the Community.

2.7 Partners in the Community

There are two types of Partners in the Community:

- Early Childhood partners, which deliver the early childhood approach to 86,978 children. There are 13 Early Childhood partners.
- Local Area Coordinators, which promote community inclusion and supports people with disability, as well as helping 300,994 participants understand and implement their NDIS plan. There are 8 Local Area Coordinators.
- An additional 5 Partners in the Community provide both Early Childhood and Local Area Coordination functions.

Close to 70% of all NDIS participants are supported through Partners in the Community, which play a critical role in helping the NDIA to deliver the NDIS.

The Partners in the Community program is delivered across 72 metropolitan and regional service areas nationally. The NDIA also works with Remote Community Connectors, which support remote and very remote communities.

Partners in the Community can provide support to help those who are not NDIS participants make connections with the right supports and services to meet their needs, as well as helping them to apply for the NDIS. Organisations are selected through a competitive tender process. Current contractual agreements have been extended until 30 June 2025 to ensure the ongoing delivery of Early Childhood and Local Area Coordination services while the future design of the Partners in the Community program is considered through the [NDIS Review](#).

2.8 Early Childhood approach

Our Early Childhood partners have teams of professionals with experience and clinical expertise in working with young children with developmental delay or disability, and their families. We engage Early Childhood partners for their specialised skills in early childhood intervention to deliver the early childhood approach.

An Early Childhood partner will support families and children younger than 7 through:

- Providing timely information and referral to other mainstream supports and services
- Delivering early intervention activities and supports that are supported through evidence
- Promoting confidence that recommendations and support provided to families are well informed and evidenced by appropriately qualified and experienced staff
- Provisioning of a respectful and supporting experience for the child and their family, focused on improving capacity
- A clear understanding of their roles and responsibilities within the NDIS Act, in the context of early intervention.

2.9 Local Area Coordination

For most people aged 7 years and older, a Local Area Coordinator will be their main point of contact for the NDIS. Local Area Coordinators help people with disability to connect with supports, activities in their community and other government services to meet their needs. They also help participants to understand the NDIS and to develop and use their NDIS funded supports in their plan.

In line with the objectives and principles of the *NDIS Act 2013*, Local Area Coordinators:

- Build the capacity of people with disability, including those who are not participants
- Increase social and economic participation, building independence and reducing reliance on external support
- Facilitate greater community inclusion for people with disability.

2.10 NDIA

In line with the NDIS legislation, only certain access and planning decisions can be made by a delegate of the NDIA CEO. Delegates must be an APS employee. This key difference is expanded on later in this submission.

The NDIA has continued to operate through a combination of using APS, labour hire and a contractor workforce to support more than 500,000 NDIS participants.

2.11 Structure of the NDIA

As noted by the Productivity Commission in its 2017 review of NDIS costs, the NDIA continues to reflect the original structure and recommendations of the 2011 report, with two differences:

- Local Area Coordinators

The original 2011 report envisaged that Local Area Coordinators would ‘generally be employed by the NDIA’, with only some employed under contract. However during the trial phase of the NDIS, the NDIA tested different models of Local Area Coordinators, including those directly employed as NDIA staff, a combined planner/ Local Area Coordinator model (plan support coordinators), and externally contracted Local Area Coordinators.

Following the conclusion of the trial, the NDIA continues to engage Local Area Coordinators and Early Childhood partners through contracts that are awarded through a competitive process managed by the Department of Social Services.

There were two key reasons behind the continued implementation of an outsourced partner model. First, the Agency had limited capacity to employ the number of staff required, due to the average staffing level (ASL) cap. Second, it was recognised there was merit in having a structure that employed local people, working in local communities, who already had a deep understanding of their community, culture, knowledge of existing supports and provider market.

- Inspector-General

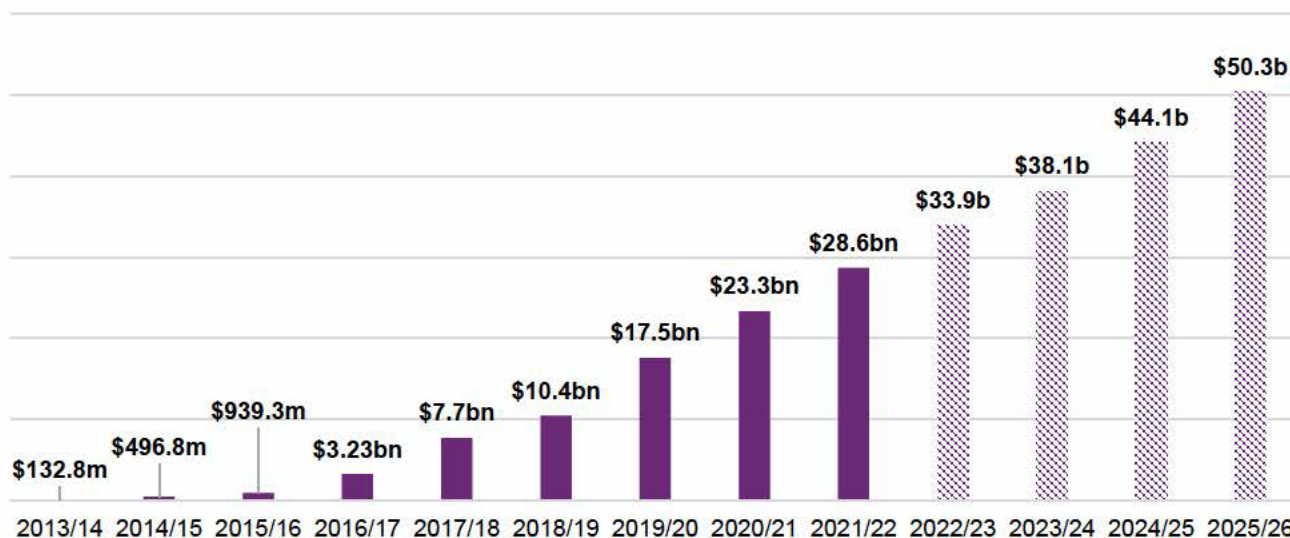
The Productivity Commission recommended the Government establish an Inspector-General as an independent statutory position. It was envisaged this role would hear complaints about the NDIS/NDIA, review contested NDIA decisions on merit and oversee quality assurance of providers.

2.12 Scheme expenses

The Productivity Commission’s most recent report estimates the cost of the NDIS to be \$30.6 billion for 2024-25, increasing to \$41 billion in 2029-30. The most recent estimate is that the NDIS will cost \$50.3 billion in 2025-26 and more than \$70 billion in 2029-30.

The rationale for this increase has been attributed to two key drivers – the increasing average cost of participant plans and an increase in the number of Australians eligible for the NDIS.

Figure 2: Cost of NDIS funded supports



Note: Forward estimates over 2022-26, as outlined in the 2022-23 Budget Paper.

2.12.1 NDIA operating expenses

In line with the growth and size of the Scheme, Agency operating expenses have increased from \$906 million in 2017-18 to \$1.58 billion in 2021-22. However as a percentage of participants' costs, operating expenses have decreased from 16.7% in 2017-18 to 5.5% in 2021-22.

In the 2017 Productivity Commission report on NDIS costs, it suggested a range of 7-10% as an appropriate amount for NDIA operating expenses, while noting that an operating budget set too tightly 'could hinder [the NDIA's] ability to implement upfront investments, such as in LACs and planners, which could in turn have a significant effect on package costs and Scheme sustainability.'

As outlined in the 2022-23 Budget Paper, NDIA operating expenses will increase to \$1.57b in 2022-23 and \$1.83b in 2023-24. This reduces to \$1.5b in 2024-25.

Figure 3: Operating expenses as a percentage of participants' costs

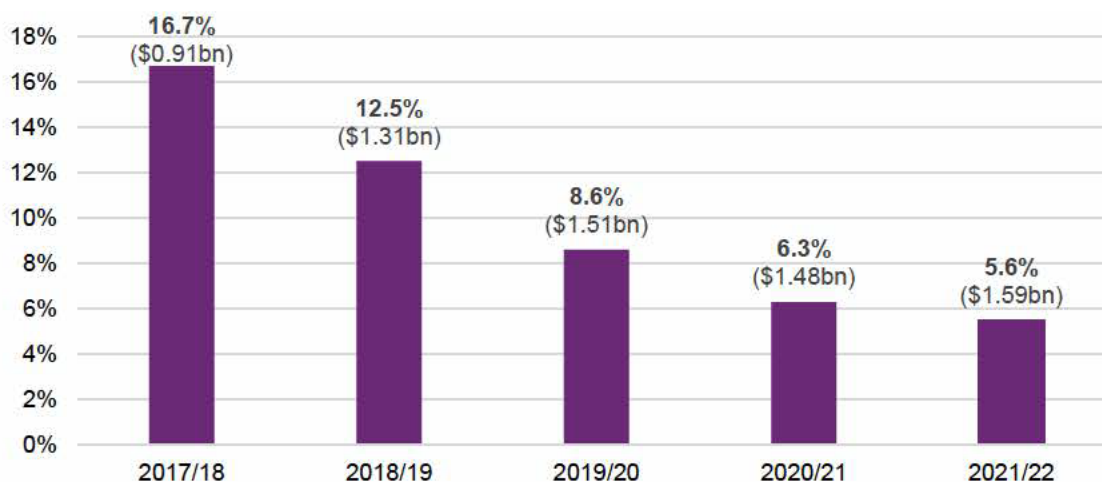


Figure 4: Operating expenses per participant²

Financial year	Participants	Cost per participant
2017-18	172,333	\$6,919
2018-19	286,015	\$5,717
2019-20	391,999	\$4,455
2020-21	466,619	\$3,450
2021-22	534,655	\$3,168

² Average number of participants is taking a simple average of the two periods (opening and closing) on active participants. Cost per participant uses these average participant numbers, divided by total operating expenses.

3. Capability

3.1 Governance

The NDIA is governed by a Board, which has a statutory responsibility for setting the strategic direction of the NDIA. The board is also responsible for developing and maintaining relationships with stakeholders including the Minister for the NDIS and the Independent Advisory Council. The Board reports to the Disability Reform Ministers' Meeting (Commonwealth, state and territory disability ministers), as set out in the *NDIS Act 2013*; *Public Governance, Performance and Accountability Act 2013* (PGPA Act), and intergovernmental agreements.

3.1.1 Independent Advisory Council

As outlined in the NDIS Act, the Independent Advisory Council has a statutory requirement to provide formal advice to the NDIA Board about the way the NDIA performs its functions. The Independent Advisory Council meets monthly and comprises members who have experience and knowledge about different areas of disability.

In addition, the Independent Advisory Council has four reference groups that help inform any formal advice provided to the Board. Reference groups have extensive experience and networks in the disability community and include:

- Children, young people and families
- Equity and inclusion
- Home and living
- Intellectual disability.

The Independent Advisory Council also provides informal advice to NDIA business areas and external stakeholders, based on current issues impacting the disability community.

3.1.2 Strategic direction

The NDIA Board is required to set the 5 year strategic direction of the Agency, supported by advice from the Independent Advisory Council and updated annually. Implementation of the strategic direction of the NDIA and its internal and partner workforce continues to be underpinned by a set of overarching internal and external documents including:

- NDIA Corporate Plan 2022-26
- NDIA People Strategy
- NDIA Inclusion and Diversity Framework
- NDIA's Commitment to Employees with Disability
- NDIA Disability Inclusion Plan 2022-2025
- Australia's Disability Strategy 2021-2031
- Australian Public Service Disability Employment Strategy 2020-25

- National Disability Insurance Agency Access and Inclusion Index Evaluation and Benchmark Report (Australian Network on Disability) 2021.

Each of these strategies are regularly reviewed to ensure the current approach of the NDIA continues to support the long-term strategic direction and successful delivery of the NDIS.

3.2 Co-design

In line with the recent NDIS legislation updates, the NDIA has refocused on the key role people with disability have in delivering the NDIS. One of the ways this is being achieved is through implementing a co-design principle, which is reinforced in the legislation. To deliver on this commitment, the NDIA has worked extensively to establish a new Co-design and Engagement Branch within the Agency. This branch works across the Agency and with external stakeholders to deliver a best practice co-design approach for strategic projects.

Some of these projects include:

- Information gathering for access and planning
- Home and living
- Support for decision making (by participants)
- Participant safety
- Culturally and linguistically diverse strategy refresh
- First nations strategy refresh.

To further support this approach, a co-design advisory group has also been established to provide strategic advice to the NDIA on the implementation of co-design and other engagement processes with the disability community and staff. The NDIA's approach to co-design aims to build trusted relationships between the NDIA, NDIS participants and the disability sector by driving consensus around critical issues associated with implementing the NDIS.

3.3 NDIA (APS) Recruitment

The NDIA has introduced a range of strategies designed to attract suitable talent to the right APS position. Some of these include:

- RecruitAbility

The RecruitAbility program encourages the employment of people with disability within the APS. This program aims to improve disability awareness during the recruitment selection process. Those who elect to take part can request reasonable adjustments to participate in interviews, any assessments and to perform their duties.

- Affirmative measures (disability)

Using affirmative measures allows APS agencies, including the NDIA, to advertise specific roles only to people with disability. Since 2017, there have been 101 roles advertised through this approach.

- Disability Confident Recruiter

The NDIA is accredited as a 'Disability Confident Recruiter' by the Australian Network on Disability. This endorsement is given where an organisation can demonstrate that its recruiters and procurement processes are free from barriers to people with disability. It also requires an organisation to actively promote the inclusion of people with disability during recruitment, as well as in other aspects of workforce support across an organisation.

3.4 Pre-employment

During the recruitment process, the NDIA will determine if a candidate has been subject to any misconduct investigation by a previous employer, or whether their employment has been terminated. Based on their response, the NDIA will determine their suitability for employment.

The NDIA also performs a number of pre-employment checks including a national police history check, a NDIS Worker Screening Check and a working with children check. The outcomes from these checks provide valuable insights into a candidate's previous work and applicable personal circumstances, which the NDIA reviews to determine suitability for the role and risk to participants.

3.4.1 Frontline staff

Most NDIA staff employed in a service delivery role, such as front of house, planning and National Contact Centre, are employed in a general position. While some staff do have a tertiary qualification or clinical background relevant to a role, they are not a requirement.

The NDIA uses the APS Work Level Standards to determine suitability based on an individual's skills, capability and empathy. Examples of these skills include:

- Stakeholder management
- Strong customer service skills that would support a participant centred approach
- Ability to read and interpret data and other information
- Ability to work with limited guidance on tasks
- Ensuring quality output with competing priorities
- Resolving issues and complaints as they arise
- Demonstrates understanding of disability either through lived experience, or working with people with disability (e.g., previous allied health professional background)
- Experience in a fast paced and/or complex work environment.

Since the establishment of the NDIA, one of the key drivers in sourcing suitable talent was that the individual was required to have a contemporary attitude to disability. This was determined through their application and interviews, where the individual was able to demonstrate awareness and empathy of the challenges that people with disability experience. As a result, the majority of NDIA staff are either a person with disability or know someone close to them who has disability.

This has allowed the NDIA to leverage the 'real life' experience of staff to have an empathetic approach with participants throughout the NDIS pathway – access, planning, review. Examples of this approach include:

- Access decision

When a person makes an application to join the NDIS, it is reviewed by an Access assessor. The assessor will contact the applicant (by their preferred method) if they require additional information and/or to explain their access decision. This approach helps minimise confusion and possible anxiety, and helps applicants understand how the NDIA has arrived at its decision.

- Planning conversation

Prior to a planning conversation, participants are reminded they can bring a support person with them – such as a family member, carer, support worker or a friend. Participants also have a planning conversation at a time and place that is suitable for them.

- Plan review

During the 2019 Tune Review, participants said they wanted longer plans and fewer reviews. In 2021, the NDIA made 24 month plans or longer the norm for participants with stable support needs. During this time, a check-in will take place with their planner, partner or support coordinator to discuss if their plan continues to meet their needs. A participant check-in is focused on having a genuine conversation about the participant's goals, funded supports and wellbeing. If a participant has a change of circumstances, they can request a plan review at any time.

3.5 Employment suitability

Depending on the key responsibilities of a professional role, the NDIA may mandate specific qualifications and experience, which are made clear during the recruitment stage. An example of these roles include:

- Technical Advisors

The NDIA has a team of Technical Advisors within the Technical Advisory Branch who provide advice to all NDIA and partner staff across service delivery, in regard to reasonable and necessary decision making. This team are subject matter experts who have a strong clinical or disability background in one or more of the following areas:

- Psychosocial disability
- Complex behavioural support/modification programs
- Chronic health and complex medical conditions
- Complex speech and communication impairment
- Home modifications
- Assistive technology
- Prosthetics and orthotics
- Audiology.

- Strategic Advisors

The NDIA have a team of Strategic Advisors who provide high-level policy and technical advice on specialist areas and strategies. These Advisors are subject matter experts and respected in their fields. Advisors have extensive experience attained from a combination of private, public and not for profit leadership roles. Some advisors have also been appointed a Member of the Order of Australia (AM) or Medal of the Order of Australia (OAM), for their contributions to people with disability.

- Actuary

The Scheme Actuary provides information and advice on Scheme monitoring, financial sustainability and risk. All staff in an actuarial role have tertiary qualifications in Actuarial Studies or Mathematics/Statistics and are progressing towards an Associate and/or Fellowship with the Institute of Actuaries (professional body for actuaries). Within the Scheme Actuary, the NDIA has a data and analytics function that provides data modelling, business intelligence, quality assurance and programming functions. All staff within this space are employed based on their skills, experience and abilities required in their role.

- Fraud and investigations

All staff in an investigative role have a Negative Vetting Level 1 security clearance. They also have at a minimum, a Certificate IV in Government (Investigation). Those in a forensic accounting role also have a tertiary qualification in accounting. In October 2022, the Minister for the NDIS announced the establishment of the Fraud Fusion Taskforce. This Taskforce will further strengthen fraud detection and better safeguard the Agency and Scheme from organised crime and other fraudulent activity.

- Legal

The Legal Services team provides the NDIA with in-house legal advice, support and services. This also includes the Administrative Appeals Tribunal (AAT) function. A Legal officer is required to have a law degree, current practicing certificate and be eligible to be admitted as a legal practitioner. The NDIA increasingly employs legal officers with training in mediation and conciliation and is bolstering its early resolution team which is comprised of case managers who are empowered to resolve matters quickly, fairly and easily.

3.6 Probation

NDIA staff employed under the *Public Service Act 1999* must successfully complete a 6 month probation period to enable the Agency to ensure newly engaged employees are suitable for continued employment. The employee's probation and performance plan is aligned to individual goals, values and behaviours. Both the employee and their manager meet regularly to discuss progress against their probation and performance plan, with a formal probation report submitted at the conclusion of the probation period.

3.6.1 Performance planning

The NDIA has an annual performance cycle where both NDIA and labour hire staff have an Annual Performance Plan, which outlines individual goals, values and behaviour, and capability development

goals. This ensures alignment of individual employee goals and behaviours with the Agency's strategic objectives and goals.

A performance plan is designed to support staff development, as well as manage and monitor performance against any task and behaviour related goals. Each individual meets with their manager regularly (at least monthly) to discuss progress against their plan, with informal check-ins and formal reviews (including record of progress, opportunities for development and recognition of strong performance), taking place at quarterly intervals.

3.6.2 Leadership

The NDIA promotes ongoing leadership and management skills development for all NDIA leadership positions. Through the 'Just Brilliant' series, the NDIA embeds a consistent approach to leadership and management practices across all levels. This approach is supported by the NDIA capability framework and the APS work level standards.

The Just Brilliant series includes:

- Foundations of Leadership (NDIA graduate program).
- Learning to Lead (for APS6 and higher)
- Leadership Excellence (EL1 and 2)
- Senior Executive Service (SES) strategic leadership program
 - Focused on leading trust at speed, executing team strategy and goals, leading change, coaching for performance, leadership resilience, and high performance.
- SES Masterclasses
 - Focused on leading change, effective coaching and communication, and inclusive and connected leadership

Since 2019, 543 APS staff with people leadership responsibilities have completed one of these programs (excluding the NDIA graduate program).

In July 2022, the NDIA introduced the 'leader essentials - community of practice', designed to improve how leadership development sessions are delivered across the NDIA. This will help to identify and address current leadership gaps, through a peer-based approach.

3.7 NDIA workforce

In line with the NDIS legislation, certain access and planning decisions can only be made by a delegate of the NDIA CEO. Delegates must be an APS employee.

As the Scheme has matured, the size of the workforce has grown to support the increasing number of NDIS participants. It has therefore been necessary to prioritise the placement of APS employees in key access and planning roles³.

On average each month, these delegates make around 50,000 often complex decisions across 28 categories. Of these, around 1,800 of these decisions are subject to an internal review, with around 400 proceeding to an external review by the Administrative Appeals Tribunal (AAT). While around 240 decisions have been overturned through formal external review, this represents 0.25% of all delegate decisions. The NDIA continues to make improvements to the dispute resolution process, and is committed to resolving disputes early.

The NDIA is comprised of an integrated workforce, whereby the Agency's APS workforce is complemented by partner and labour hire staff. As of 30 June 2022, the NDIA workforce included:

- 4,873 full time equivalent (FTE) APS employees (of which 74 were SES, inclusive of the CEO)
- 1,893 contractors (1,789 labour hire, 90 consultants and 14 system access only contractors)
- 5,633 outsourced staff (4,813 partners, 808 National Contact Centre staff and 12 in other roles)
- 11 SES labour hire workers.

Figure 5: NDIA workforce overview

Financial year	Actual ASL	ASL cap	Labour hire contractors and secondees	Partners	National Contact Centre staff ⁴
2013 - 14	496	-	40	-	-
2014 - 15	714	-	104	-	-
2015 - 16	1,063	1,220	387	-	-
2016 - 17	1,872	1,749	497	-	-
2017 - 18	2,498	2,460	1,799	-	-
2018 - 19	2,988	3,138	2,278	5,288	415
2019 - 20	3,779	3,780	1,742	4,917	495
2020 - 21	3,982	3,989	1,555	4,699	784
2021 - 22	4,458	4,500	1,893	4,813	803

³ As of 30 June 2022, 2,343 APS and 247 labour hire staff worked as a NDIA planner, Local Area Coordinator or Participant Support Officer.

⁴ National Contact Centre operates on an outsourced model.

For the 2022-23 financial year, the ASL cap increased to 4,754 and 4,944 in the 2023-24 financial year.

As of June 2022, the NDIA APS separation rate for ongoing APS employees was 11.6%, compared to labour hire which was greater than 40%. By increasing APS employment within the NDIA's financial budget, the NDIA is looking to build an increasingly stable and secure workforce.

Note: [Appendix A](#) contains a detailed breakdown of the NDIA workforce by diversity and contract status.

3.8 Early Childhood partners

Early Childhood partners are required to demonstrate that their staff have experience and clinical expertise in working with young children with developmental delay or disability, and their families. Their professional qualifications and experience help tailor the most effective supports for a child and their family, through using evidence and best practice approaches.

Early Childhood partners employ teams made up of early childhood professionals, such as occupational therapists, speech pathologists and early childhood educators.

As of 30 June 2022, EC partners support 82,863 children younger than 7, including 11,686 children receiving early intervention support.

3.9 Local Area Coordinators

Local Area Coordinator partners are required to recruit staff who reflect the diversity of the community they work in. This includes staff with lived experience of disability, those who represent the cultural diversity of their community, as well as those with relevant qualifications and demonstrated work experience (e.g., disability, child services, allied health, social work, community development and education).

Local Area Coordinators employ appropriately skilled and experienced staff at a ratio that enables them to support their active participants through individualised, flexible and efficient responses.

3.10 Location

Reflecting its national footprint, the NDIA has standalone offices and co-located sites across Australia. In remote and very remote areas, the NDIA works with Community Connectors (similar to partners) who travel to remote communities to support the delivery of the NDIS.

Figure 6: Location of NDIA staff⁵

State/Territory	APS (Headcount)	Labour hire (Headcount)	Total
ACT	243	293	7.7%
NSW	1189	364	22.3%
NT	90	27	1.6%
QLD	915	222	16.3%
SA	411	73	6.9%
TAS	95	9	1.4%
VIC	1,800	819	37.6%
WA	327	86	5.9%
Total	5,070	1,893	100%

3.11 Service Delivery Operating Model

The NDIA’s service delivery operating model is a business framework that describes the service provided to participants—aligned to the infrastructure, finance, governance and staffing model needed to deliver the NDIS.

The model is primarily focused on operational service delivery obligations, such as the planner (delegate) workforce. This aligns with participant intake, forecasts, participant complexities, and the time required to meet participants and develop their plans.

To support the delivery of this model, the NDIA employs staff with a range of different skills and capabilities. The NDIA has a highly skilled and capable workforce focused on improving service delivery to participants. Planners are expected to understand how disability impacts a person’s daily living, assess their support needs where necessary, and identify when they could benefit from early intervention.

3.12 NDIA training

The NDIA has developed a comprehensive suite of training resources to ensure NDIA and partner staff are equipped with the right skills and knowledge to support participants. All new starters in the NDIA attend a one day ‘Welcome to the NDIA’ induction course and are also required to complete a suite of mandatory

⁵ Data as of 30 June 2022.

eLearning modules. Upon commencement, all NDIA and partner staff in planning roles also complete 'planner essentials' training aimed at improving confidence of the planning approach for new staff.

These new starter programs are delivered across an 8-week period and cover all aspects of the NDIA, including legislation requirements, health and safety, all stages of the participant pathway (pre-planning, planning, implementation, monitoring and plan changes). These programs align with the NDIS legislation, internal work instructions and other performance metrics.

In addition, the NDIA has developed a range of complementary resources and training—for example 'disability snapshots' developed in collaboration with peak body disability organisations. The 'disability snapshots' provide an overview of common disability types, the likely impact of those disabilities on a person's life, and how to promote a positive and supporting culture to support people with disability.

Training materials are continuously revised and updated in line with learnings from a range of quality and continuous improvement processes.

3.13 Operational guidelines

In the Participant Service Charter, the NDIA committed to improving the transparency of our processes to help participants understand how we make our decisions. One of the ways the Agency is doing this is through improving our Operational guidelines (OGs).

Since announced in 2020, 17 Operational Guidelines have been published on the NDIS website and the Agency continues to expand on these to provide a clear and logical approach to explain our decision making across the NDIS.

Each Operational Guideline is written in a way that is easy to understand, scenario based and aligned to the NDIS legislation. To reinforce and embed this consistent approach, all service delivery staff complete mandatory training that aligns to these Operational Guidelines. This helps improve their capacity and capability through access to a comprehensive suite of documents that explain NDIA policies.

3.14 Partner recruitment and training

All organisations providing services through the partner program must provide the NDIA with a workforce recruitment and training plan outlining the current skills and capabilities of their workforce. This plan needs to include:

- Recruitment strategies to attract a diverse range of staff reflective of their community. Information on how they will engage and mobilise staff with the experience and qualifications required to ensure it has a workforce capable of delivering the NDIS is also required
- How they will ensure that employment offers are subject to the completion of all relevant pre-employment checks, similar to that of NDIA staff (e.g., working with children and police checks)
- Evidence of how they will support the wellbeing of their staff, and how this aligns with NDIA culture and values
- Ongoing professional development and compliance with any other requirements that are needed as part of their role, including professional accreditation
- For Early Childhood partners, they will need to ensure they have verified that all staff have any of the required qualifications before commencing in the role.

Each partner organisation must ensure there are sufficient staff in various roles, including: project manager/director, manager/director for community capability building activities, partner representative, partner executive representative, service area manager, workplace trainer, co-design, quality and safeguards, communications, media and Local Area Coordinators.

The NDIA will also provide support through:

- 'Train the trainer' training for all workplace trainers and service area managers or other identified leadership positions and other subject matter experts
- Online modular based training packages that are tied to competency-based skills
- An integrated training package, including all training related to the use of the NDIA business systems.

The NDIA regularly meets with partner executives including at annual forums, quarterly CEO meetings, fortnightly meetings, and change and learning communities of practice meetings. Meetings are supported through respective governance arrangements to ensure there is an ongoing connection to support partners to deliver the NDIS within contractual agreements.

4. Culture

4.1 NDIA values

The culture of the NDIA is underpinned by values that reflect the Australian Public Service (APS), Employment Principles and Code of Conduct. Both APS and labour hire staff are expected to comply with the APS Code of Conduct as representatives of the NDIA.

The NDIA values are:

- We value people – We put participants at the heart of everything we do
- We grow together – We work together to deliver quality outcomes
- We aim higher – We are resilient and always have the courage to do better
- We take care – We own what we do and we do the right thing.

These values reflect the NDIA's commitment to building a positive, participant-centred culture amongst all NDIA and partner staff. Through the NDIA Performance framework, staff must be able to formally demonstrate behaviours that align with these values and that of the APS. Where a staff member is not fully meeting agreed performance standards a performance support process, according to the principles of equity, transparency, natural justice and procedural fairness, will be initiated.

4.2 Inclusion and diversity

The NDIA is committed to being an inclusive and welcoming employer, where diversity is embraced and celebrated. The NDIA has developed an inclusion and diversity framework that identifies the need to have a diverse workforce that is reflective of the disability community. This means that participants, their carers and families can have confidence that the NDIA understands their circumstances and needs.

4.3 Networks

The NDIA has established a number of networks and senior positions across the NDIA to inform and support access, inclusion and diversity efforts, including the appointment of three SES inclusion and diversity champions.

A key role of these SES champions is to support and interact with each of the NDIA employee networks, including:

- Culture Champion Network (CCN)
- First Nations Employee Network (FNEN)
- LGBTIQ+ Employee and Allies Network
- National Employee Disability Network (EDN).

4.4 Employees with disability

The NDIA recognises the expertise and input that employees with disability bring to the delivery of the NDIS. According to 2022 APS Census data, the NDIA continues to increase the representation of people

with disability employed across the APS – with 20% of NDIA APS employees having disability (10 percentage points higher than the APS overall).

The NDIA aims to be a world leading employer of choice for people with disability and a leading employer for access and inclusion, with the NDIA's Corporate Plan 2022-26 committing to achieving a target of having 20% of staff with disability.

4.5 Disability Inclusion Plan 2022-25

In September 2022, the Agency launched an updated Disability Inclusion Plan 2022-25, which further builds upon the original inclusion plan. The plan aims to promote the NDIA as an employer of choice through industry leading inclusion and diversity practices, co-designed with staff. The key focus areas within this plan include accessibility, employment and career development, and inclusive culture.

In developing this plan, the NDIA consulted with a variety of internal and external stakeholders, including through workshops to co-design solutions for specific challenges. For example, the NDIA is seeking views and input from employees with a disability about their experiences in the workplace, to identify what works well and where improvements can be made. The engagement will also target team leaders of staff with disability and will continue to explore the issues currently impacting staff with disability, with the goal of informing potential solutions.

The Disability Inclusion Plan has been embedded within the NDIA's Corporate Plan 2022-26.

4.6 Aboriginal and Torres Strait Islanders

The NDIA is actively working towards the goal of increasing to 5% the number of staff who identify as Aboriginal or Torres Strait Islander – currently 3% (2022 APS Census).

Launched in July 2022, the NDIA First Nations Employment and Inclusion Plan outlines the continuing efforts to improve employment outcomes for Aboriginal or Torres Strait Islanders and to support a whole of Agency focus on building a diverse and inclusive workplace that is reflective of the communities and individuals the NDIS supports.

4.7 Culturally and Linguistically Diverse

The NDIA is currently developing an inclusion plan to support the inclusion of all staff, regardless of their background, religion, race or beliefs. Australia has a rich multicultural community and history, and the NDIA strives to foster a sense of belonging for everyone and create a culture where staff feel valued and respected, and empowered to share and celebrate their unique cultural identity and diversity.

According to the 2022 APS Census data, 25% of NDIA staff (APS and labour hire) were born in a country other than Australia (2% higher than rest of the APS) and 20% reported they spoke a language other than English at home.

4.8 LGBTIQ+

The NDIA is committed to the inclusion of all staff within the workplace, regardless of their gender identity, gender expression, biological sex, sexual orientation or attraction.

According to the 2022 APS Census data, 8% of staff identified as belonging to the LGBTIQ+ community, compared to 4.8% across the APS in 2019.

The NDIA recognises the importance of creating a workplace where genuine inclusion underpins NDIA operations so that staff, participants, and others who come into contact with any staff member to feel safe.

The NDIA LGBTIQ+ Inclusion Plan 2021-23 was developed following extensive consultation with internal and external stakeholders. To achieve outcomes that will bring about positive change and drive inclusive practices, the plan is underpinned by specific, tangible actions including capability and leadership, culturally safe workplace culture and inclusive policy and practice.

4.9 NDIA Enterprise Agreement

The NDIA Enterprise Agreement (EA) 2020-2023 outlines the employment conditions that apply to Australian Public Service (APS) employees (ongoing and non-ongoing) within the NDIA. It provides an important framework to support our workforce to continue to deliver the Scheme.

As outlined in the NDIA enterprise agreement, the NDIA is committed to regularly consulting with staff or their representative.

4.9.1 Agency Consultative Network

In 2020, the NDIA established the Agency Consultative Network to openly discuss workplace matters that have an impact on staff, including change management and human resource policies.

4.9.2 Commonwealth and Public Sector Union

In line with other APS agencies, the Commonwealth and Public Sector Union also represents NDIA APS employees. Both the NDIA and the Commonwealth and Public Sector Union regularly meet to discuss all matters relating to staff. The NDIA continues to have a strong and proactive relationship with the Commonwealth and Public Sector Union and discusses issues when raised.

5. Staff sentiment and engagement

5.1 APS Census

As part of the Australian Public Service (APS), the NDIA participates in the APS Employee Census which is an annual survey used to collect confidential attitude and opinion information from employees on important issues in the workplace. Among other things, it measures staff sentiment and engagement. The APS Census is administered to all NDIA APS employees and labour hire staff. The recent data highlights that:

- 95% understood how the work they do contributes to making a difference and supporting the lives of people with disability, their families and carers
- 93% shared a strong belief in the purpose and objectives of the NDIA (10% higher than other APS agencies)
- 91% reported a strong commitment to the goals of the NDIA (10% higher than other APS agencies)
- 92% are willing to go above and beyond to assist the NDIA in achieving its objectives (6% higher than other APS agencies).

Figure 7: NDIA APS Census data

Index	APS Census 2021	APS Census 2022	Change	Overall APS
Engagement	74	76	+2 pp	+4 pp
Wellbeing	66	71	+5 pp	+3 pp
Innovation	67	67	No change	+2 pp
Communication	67	70	+3 pp	+2 pp
Leadership	78	80	+2 pp	+4 pp

Figure 8: NDIA APS Census data ranking

Index	APS Census 2021	APS Census 2022	Change
Engagement	59	29	+30 places
Wellbeing	73	44	+29 places
Innovation	42	35	+4 places
Communication		43	
Leadership		13	

The 'Engagement index' provides a measure of the individual connection and commitment staff have to the NDIA. The 2022 Engagement index was at an overall 76%, 4% higher than other APS agencies and the highest-ranking score for comparative 'large APS service delivery operating Agencies'.

88% of respondents reported their immediate supervisor cares about their health and wellbeing. The top three themes of staff verbatim comments on what the NDIA is doing well include:

- Team and leaders
- Wellbeing and work practices
- My organisation (referring to the NDIA).

The NDIA worked hard to maintain staff engagement during COVID-19 and will continue to leverage flexible working practices and other measures to build engagement, social connection and work productivity.

Over the next 12 to 18 months, there will be significant change as the NDIA continues to deliver on the commitments in the Participant Service Charter, Participant Service Improvement Plan, as well across a range of other reforms and improvements to the NDIS.

6. Quality

6.1 Enhancements

The NDIA aspires to be a high-performing service delivery organisation that delivers consistent quality services to participants, their families and carers. The NDIA is committed to contributing data and information to the review of the NDIS design, operation and sustainability, to improve the Scheme for generations to come.

The NDIA is currently undertaking a range of initiatives to enhance the efficiency and effectiveness of our processes and systems, including:

- Simplifying processes for participants, frontline staff and service providers through enhanced digital services
- Implementing a new CRM business system to support improved service experience for participants, providers and NDIA staff and partners
- Improving payments and claiming processes for participants and providers to reduce manual action required by staff
- Enhancing our operational guidelines and supporting materials to assist frontline staff and partners to deliver a quality experience and better outcomes for our participants
- Improving NDIA staff and partners capability and adherence with operational systems and processes.

6.2 Ongoing improvement

The NDIA is continually working to deliver a high-quality end to end participant experience, through delivery of a range of continuous improvement, quality, performance management and learning and development opportunities.

Across 2021, the NDIA delivered a number of initiatives to improve the participant experience, including:

- Developed a root cause analysis guide to identify further improvements in plan quality, sustainability and participant experience
- Implemented a new continuous improvement program to provide training to improve priority areas (e.g., complaints and reviews)
- Introduced a new performance management and quality reporting regime, which includes results from all quality assurance activities and trends for analysis of complaints and reviews. Reports are provided monthly to planning teams and NDIA executives.

6.3 Partner Quality Assurance Framework

The NDIA's Outcomes Assurance Framework monitors, manages and supports the performance of Partners in the Community. This is completed quarterly through a risk-based approach across key performance indicators, quality plan audits and contract assurance activities.

Partner organisations work from a set of key performance indicators focused on the timeliness of supports for participants, customer satisfaction, development of plan goals relating to social and economic participation, and connections to mainstream and community supports.

Quality plan audits review the plans developed by partners including compliance, reviewing reasonable and necessary supports and ensuring the key planning requirements have been met. Partners are required to have internal quality teams and the NDIA regularly provides feedback and works with this team to address and resolve any quality issues.

The NDIA also undertakes regular performance reviews of partner organisations and provides feedback regarding their performance against this framework. Where opportunities are identified, the NDIA discusses and works with the partner organisation around the required actions to support improved performance.

6.4 Participant Service Charter and Participant Service Guarantee

In August 2020, the NDIA released the Participant Service Charter, which outlines the level of service participants can expect when interacting with the NDIA and our partners. This was originally proposed from the Review of the NDIS Act (Tune Review). This Service charter is underpinned by five engagement principles: transparent, responsive, respectful, empowering and connected.

The Service Charter also includes the Participant Service Guarantee, which includes a series of clear timeframes against which the NDIA can be held to account. These are based on common areas of criticism from participants and refer to access, plan approvals, plan reviews and complaints. The NDIA regularly reports against these timeframes on the NDIS website. To reinforce the NDIA's commitment, these timeframes were also legislated in April 2022.

In June 2022, the Commonwealth Ombudsman completed an investigation into the NDIA's preparation to meet the Participant Service Guarantee. Their findings identified that the NDIA continues to make strong progress in measuring, reporting and achieving these timeframes. Their inquiry included five recommendations that were agreed to by the NDIA, namely:

- Develop an overarching implementation plan
- Conduct regular and ongoing analysis of pauses to timeframes
- Develop a qualitative performance measurement and reporting framework
- Develop a policy for publishing timeframe performance
- Review end to end quality assurance review guides.

6.4.1 Embedding approach

The NDIA has implemented a range of activities across the Agency to build awareness and embed both the Participant Service Charter and Participant Service Guarantee with all staff. This includes:

- From 2021, all NDIA and partner staff are required to complete a mandatory service charter eLearning module. This provides further context about how staff can apply the engagement principles across their work. As of November 2022, 92% of staff have completed this eLearning module.

- Both the Participant Service Charter and Participant Service Guarantee are included across a range of learning and development programs, including new starter programs, induction, continuous improvement and other upskilling opportunities.
- In late 2021, the NDIA introduced a Participant Service Charter Toolkit to all frontline and National Contact Centre staff. This Toolkit included various activities to identify and commit to the engagement principles. Over 3000 staff were involved to develop behaviours to help all staff to deliver quality participant experiences.

Based on the recent APS Census data, 85% of NDIA staff have identified a clear connection between the Participant Service Charter and their work. The NDIA has also introduced a recognition program to celebrate NDIA and partner staff who deliver aligned to these principles and behaviour.

6.5 Participant experience

The legislation changes that came into effect from 1 July 2022, focused on improving the participant experience and building on the recommendations of the 2019 Tune Review. This provides greater flexibility for participants and allows the NDIA to update participant plans.

The NDIA also made improvements in achieving some of the PSG targets in the June 2022 quarter, across the planning, plan reviews and reviewable decisions pathways, including:

- Consistently meeting both the 21 day timeframe in respect of access decisions over the last nine quarters (100%), and the 14 day timeframe in respect to making an access decision after the final information has been provided (99%)
- Plan approval timeframes for participants aged 0-6 improving over the last year, with 96% approved within the timeframe of 90 days in the June 2022 quarter
- Plan approval timeframes for those aged 7 and above improved to 90%, following a reduction in service level met in the March 2021 quarter when the timeframe was reduced from 70 days to 56 days.

The NDIA recognises that there is still ongoing work to do, to ensure all decisions are consistent and made on a timely basis for participants.

6.6 Participant satisfaction

The NDIA has collected data on participant satisfaction since the early trial phase of the NDIS. In September 2018, the NDIA expanded on the original participant satisfaction survey to allow for a comprehensive understanding of the participant experience at each stage in the pathway. From 2020, Australian Healthcare Associates on behalf of the NDIA, gathers responses across the four primary stages – access, pre-planning, planning and plan changes.

While participant satisfaction remains high, on some measures there has been a decrease in the number of participants rating their experience as good or very good. In the June 2022 quarter and using a sample size of 17,407 participants:

- 81% rated their access process as either good or very good (n. 1,083)
- 79% rated their pre-planning experience as either good or very good (n. 817)

- 85% rated their planning process as either good or very good (n. 4,107)
- 70% of participants rated the plan change process as either good or very good (n. 11,400).

