Keeping the Promise:

rethinking the roles of planner and LAC in the NDIS

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Author

Robbi Williams

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JFA Purple Orange

104 Greenhill Road, Unley SA 5061 AUSTRALIA

PO Box 701, Unley BC, SA 5061 AUSTRALIA

+ 61 (8) 8373 8302

admin@purpleorange.org.au

www.purpleorange.org.au

About JFA Purple Orange

JFA Purple Orange is a non-government, social-profit organisation. Anchored on dialogue with people living with disability, their families, service providers, government, and other stakeholders, we identify policy and practice that can help advance the chances of a good life. Our work is anchored on the principles of Personhood and Citizenhood. Our work includes research, evaluation, capacity building, consultancy, and hosted initiatives.

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Contents

1.0 Introduction 4
2.0 Re-grounding: why Australia has an NDIS 5
3.0 NDIS in context: why every decision counts 7
4.0 Current issues 9
Problems with the current approach to individual planning 10
The structure of the LAC role 11
The arrangements for commissioning LAC services 12
5.0 Notable points about planning and LAC from the Productivity Commission 2017 enquiry on Scheme costs 14
Summary pressure points 14
Summary principles underpinning design and remedy 14
Summary remedies 14
6.0 Crafting an alternative approach: the imperative to make the best use of 10,000 NDIS jobs 17
Summing up the imperative 17
Mapping the available resources for a solution 17
7.0 An example of an alternative approach to resourcing the NDIS Participant Pathway 18
Scheme imperatives 18
Streamlining the participant pathway 18
The role of NDIS Investment Agent 19
Modelling how many Investment Agents are needed 20
Investing in community information, linkages, and capacity-building 21
The role of the Community Agent 22
Modelling how to purchase community agency 23
8.0 What could happen next 25
9.0 Concluding remarks 26

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1.0 Introduction

" This paper proposes a substantial adjustment in the balance of investment"

The NDIS is a large, once-in-a-generation social welfare reform that promises to transform the life chances of Australians living with disability. An undertaking of such magnitude demands a collective, collaborative approach across government, community, and industry stakeholders, as there are complex challenges to be navigated in realising its goals.

To support the process of change, this paper is the first in a series, intended to support conversations to find the best possible design and delivery of the NDIS.

This first paper considers the relationship between the NDIS and community, examining how the NDIA might best balance its investment in community and pathway roles so that people arrive at the Scheme on time *and* with a clear plan that can life each person into social and economic participation. In particular, the paper focuses in on the role of NDIS Planners, who sign off the plans, and Local Area Coordinators (LACs) whose role is intended to assist people both to enter the Scheme and to connect to mainstream services and opportunities in community life.

The paper outlines the problems inherent in the current arrangements and asserts that for the Scheme to be true to its promise, a solution must be found now. The paper proposes one such solution.

It proposes a substantial adjustment in the balance of investment between two main roles:

- Pathway Agents – people who help the person get NDIS funding assistance
- Community Agents – people who help the person get a life.

The paper argues this is an achievable way to support high-quality, choice-driven planning, robust access to mainstream services and opportunities, and an efficient, effective NDIS pathway.

This paper has been written in a short timeframe, because the NDIA necessarily is making decisions daily about the emerging structure of the participant pathway and the role and commissioning of the LAC services, because it has to chaperone 460,000 people onto the Scheme in a tight timeframe. It will be much harder to make significant changes to the Scheme's design, systems, and practices once it has everyone on board, so it is vitally important that the decisions being made now are positioning the Scheme to achieve genuine reform, genuine transformation in people's life chances.

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2.0 Re-grounding: why Australia has an NDIS

" This is why the NDIS needs to succeed"

Before setting out a proposed way forward, it is important to take a moment to reflect on how we have got to this point, because every story needs a 'once upon a time'.

There are compelling well-documented reasons why Australia is undertaking the major social reform called the NDIS. Australians living with disability and their families have largely been excluded from the opportunities and community membership available to other Australians.

Where services exist, they tend to be segregated, grouping people together; special schools, special workplaces, special housing, special transport. Such service models, which have been the dominant form of response to disability, have a very poor track record of advancing people into good life chances and valued membership within their local communities.

If such services had been any good at this, arguably we would not have the same need for an NDIS. Instead, what has happened over the past quarter century or more of service commissioning is that the governments have commissioned disability services that in essence separate people living with disability from the ordinary rhythms, roles, and places of community life. There has been a dearth of investment in the community grassroots agencies and mechanisms that connect people to those rhythms, roles, and places as fellow citizens. This absence of investment is a big reason why we needed the NDIS, and therefore the NDIS needs to make that investment.

These block-purchased, segregated service forms represent a reduced choice compared to what is available to other citizens people, and within them offer very little choice to the participants; typically they have been commissioned without the involvement of the intended users, and such service models make the exercise of choice much harder.

Quantitatively, people have been under-served or, as the various waiting lists testified, entirely unserved.

Added to this is a mainstream community that has few habits of welcome and inclusion. This is because it has been acculturated by the conventional patterns of disability service commissioning and delivery to believe that people living with disability are charity cases served separately and specially. This has resulted in a wholesale squandering of the gifts and contributions that people living with disability can bring to community and the economy. In turn, the gifts and contributions of those persons' family members standing alongside and providing extensive informal supports, have also been lost to our community and economy (other than their undervalued, under-supported contribution as carers).

This means the NDIS cannot be just about the purchase of formal supports because by itself this will not reliably lift NDIS participants into social and economic participation. Otherwise, all the NDIS will have achieved is to make people living with disability more comfortable in their exclusion.

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So, the NDIS needs to succeed as a deliverer of transformational benefits that see participants becoming valued contributing members of local communities. We cannot afford to lose sight of this for one moment, else as a community and as a nation we will have failed our fellow citizens. It will be a long time before another opportunity like this comes along.

Australia has to be a world leader on this, not an international cautionary tale.

3.0 NDIS in context: why every decision counts

"three key policy imperatives for the NDIA"

The NDIS is anchored on the UN Convention on the Rights of Persons with Disabilities, and Australia's advancement of that Convention through its National Disability Strategy.

The Scheme reflects three main values:

- **Control & Choice**
  People living with disability have genuine control and choice in the nature and orchestration of their supports
- **Participation in community life and the economy**
  People living with disability are taking up valued roles in mainstream community life, which confer genuine community membership and belonging
- **Financial Sustainability**
  People living with disability, because of a funding mechanism based on insurance principles, have the assurance of funding for reasonable and necessary supports into the future. This value is not an end in itself, but the means by which the first two values are honoured.

This presents three key policy imperatives for the NDIA in designing and administering the Scheme.

Investment in an efficient effective participant pathway
The 'participant pathway' is how the person living with disability – the *NDIS Participant* – moves through the stages of the Scheme, for example information, eligibility, assessment, planning, supports brokerage, supports orchestration, supports delivery, and review.

Each of the NDIS participant pathway stages needs to be crafted to advance and uphold the person's control and choice; such is the nature of personalised supports. Otherwise, the Scheme loses value coherence and undermines its purpose.

Investment in a strong community context
The NDIS participant pathway is a linear progression that takes place in the context of a gloriously messy, complicated, multi-layered thing called community. Every NDIS dollar needs to be spent in a way that increases the chances that each person living with disability takes up valued membership in community life. This means each of the stages of the NDIS participant pathway needs to be undertaken as efficiently as possible, so the scheme can maximise its investment on connecting people to their community.

Otherwise, again, the Scheme loses value coherence and undermines its purpose.

Financial sustainability through values-coherent decision making
An organisation's success, an organisation's culture, comes down to the extent to which its declared values are reflected in every decision and action it takes.

Any Scheme decision that does not demonstrably uphold and advance the goal of transformational benefits, where the participant is lifted into, or supported to maintain, social and economic participation, will increase the risk of suboptimal services, which are less efficient, less effective, and thereby will undermine scheme sustainability; this is hardly in keeping with the insurance principles underpinning the Scheme.

The Scheme will support its own sustainability if every one of its decisions passes muster in terms of its declared values, as summarised in these three main policy imperatives:

- *Investment in an efficient effective participant pathway*
- *Investment in a strong community context*
- *Financial sustainability through values-coherent decision making*

4.0 Current issues

"a good idea is at its most vulnerable during implementation"

While there is little doubt the NDIS is delivering at least some benefits to a significant number of its participants, there are few people likely to dispute the presence of a range of design and implementation issues. As the pace of implementation intensifies, the design and implementation decisions will become harder to refine.

The NDIS at its heart is a good and important idea that has the potential to make transformational changes in the life chances of people living with disability and the families in their lives.

But a good idea is at its most vulnerable during implementation, because the drama is always in the detail. With a reform on the scale and complexity of the NDIS, the size and source of the investment, and the number and range of decision-makers involved, the NDIS *idea* is highly vulnerable at present and, among other reasons, this is because of the pressure of the bilateral agreements.

The bilateral agreements are those agreements that set out the investment and responsibilities relationship between each state and territory government and the Australian government. These agreements are important because they enable the Scheme to take effect.

However, they carry aggressive timelines for the migration of people and dollars onto the Scheme. This brings enormous pressure to bear on the NDIA, who have to administer the enrolment process. It seems clear that this pressure has resulted in a significant number of NDIA implementation decisions being made in service to the demands of the bilateral agreements. This includes the commissioning of LAC services. While such pressure is understandable, any such 'bilateral-driven' implementation decisions must also stay true to the Scheme's underlying values. As set out in the previous section, this value coherence is critical to the scheme's integrity and sustainability and applies even when the scheme is under the current bilaterally driven timeline pressure.

The looming problem is that so much energy and resource is focused on running the pathway that there is a consequential underinvestment in the community networks. This seems very counter-intuitive, even ironic, given the importance of community networks to the Scheme's ability to deliver its promise. We will have a Scheme design and character, and this includes LAC identities and practices, that have been shaped by the consequences of the timeline requirements of the bilateral agreements, rather than the values the Scheme is intended to advance. It will then take much longer to unpack these less helpful structural and cultural Scheme characteristics, which in turn means it will likely take longer to deliver transformational benefits to Scheme participants.

So, the challenge is how to run a fast-paced orderly migration of 460,000 people onto the Scheme while at the same time investing in the role of community as context.

Currently, it seems that the NDIA is making large and consequential implementation decisions that observe the bilateral demands at the expense of the core values of the Scheme. Among other things, issues have emerged in relation to individual participant planning and how this takes place in the

context of community connection; this includes the LAC role and how it is commissioned. This goes to the heart of the Scheme values in relation to control and choice, and participation in community life and the economy. Issues include the shortness of the planning conversation, the planning methodology, and difficulties accessing information and assistance, not only to understand and plan for Scheme participation but also to understand and plan for broader community connection and involvement.

Problems with the current approach to individual planning

The breathless timeframes within the bilateral agreements have resulted in a planning process that is patchy, rushed, and highly variable in terms of personalisation. This presents challenges to the NDIA in terms of the number of planners it has to have available, and the speed with which the Agency commissions Local Area Coordination services to assist with this part of the pathway.

Currently, the NDIA is investing in two roles in the planning process – the Local Area Coordinator (LAC) and the Planner. This means the NDIS participant may have to navigate two professionals as they move through the NDIS pathway. Understanding the precise interface between these two roles is not always easy, though the Planner can give funding approval for a person's plan whereas the LAC cannot.

Issues include planner/LAC availability, practice consistency, and that breathless timeline. While the NDIA understandably is seeking to resolve these issues by refining the content and interface of these roles, the current investment in these roles is unlikely to deliver a compelling solution. This is because the arrangements are not mindful of how people like to plan.

An advisory report delivered to the NDIA in December 2015 set out the principal parameters for how people like to plan. That report was built on a co-designed consultation with disability community stakeholders around Australia, covering a diverse demography and geography.

That consultation revealed three key aspects to how people like to plan:

- with someone they know/trust and who will know their situation well
- on their own timeframe
- using a planning approach that is right for them.

Currently, the NDIS pathway is 0 for 3 on these. This is because:

- participants are allocated an LAC or a Planner, and it is unlikely going to be someone the person knows and can trust to understand their situation
- planning operates within the bilateral timelines, which assert large numbers of participants joining the Scheme in a short timeframe, all of whom need plans signed off quickly so that funds and responsibilities can transfer from states and territories into the Scheme. This makes it nigh impossible to undertake an authentic person-centred plan, and has given rise to a range of troubling consequences, such as plans being resolved based on a phone call, plans driven by assessment questions that are not fit for purpose, and plans missing key preferred elements
- a standardised planning approach that is applied across the board. While it is understandable that plans be rendered in a format that makes it easy for the Scheme to administer investments (the costs of disability supports) and assess returns on those investments (what the person got and whether it made a difference to their life chances), the process of planning

needs to be more diverse because people have different preferences and capacities in how they arrive at an informed choice

The NDIA seeks to manage this dilemma by asserting it has a longitudinal relationship with NDIS participants and there will be opportunities downstream to develop more personalised processes; the imperative for the moment is to give people certainty they are on the Scheme, albeit with a support package that looks like what they had before.

The problem with this is that it suggests that all the planning undertaken during the rollout of the Scheme will largely be based on what people had before. This means 460,000 plans will be 'business-as-usual' plans, more if one factors in the plan reviews that the earlier enrolees have before the late enrolees are done showing up. This could give rise to a half-million, maybe three-quarters of a million business –as-usual plans. However, the Scheme is not meant to be about business-as-usual. We have the Scheme so Australia can move away from business-as-usual, to deliver *transformational* benefits that affirm people living with disability and lift them into genuine community belonging

At the very least, this business-as-usual practice means Scheme participants will have to wait several more years before the personalisation agenda kicks in. Worse than that, the practice will set the culture for the NDIA, and once you set a culture for a full staff establishment serving 460,000 people, that culture can be very hard to shift.

So, in attempting to run an enrolment/planning mechanism that observes the requirements of the bilateral agreement, the NDIA currently is surrendering the Scheme's values of control and choice and participation in community life and the economy. Also, because business-as-usual plans are likely to be sub-optimal, this creates downstream pressure on Scheme financial sustainability because the plan-driven support arrangements are not sufficiently geared to personalised entry to community membership.

The structure of the LAC role

One way to mitigate this planning problem is through the role of the LAC. In general, the LAC ('Local Area Coordination') involves the following:

- link people living with disability to the NDIS
- Link people living with disability to information and support in the community, and
- Work with their local community to make sure it is more welcoming and inclusive for people living with disability.

Of itself this makes sense, suggesting that people living with disability can access assistance from a community agent who can assist each person to plan for, and connect to, mainstream community resources, which then serve as context for how NDIS investment can help.

However, the challenge for this role is that it is carries two main characteristics that may be at odds with each other.

On the one hand, the role is about assisting people to connect into community life. This demands a deep level of knowledge about community resources, the cultivation of local relationships with community resource gatekeepers, and community development work to build pathways for people to connect to welcoming and inclusive community opportunities. Such work requires a high degree of proactive intentionality, and time.

On the other hand, the role is about assisting NDIS participants to navigate the NDIS pathway. This includes tailoring information and providing assistance with planning. This is likely to include responding to urgent and unexpected situations.

Based on previous experience, these two characteristics do not sit well together, and on the regular occasions when they collide, the 'pathway' work tends to be prioritised over the 'community' work. For example, an LAC agency not familiar with the local community will likely stick to what it knows by focusing on the pathway tasks which are only focused on delivering on the bilaterals and the schemes needs. Also, the need to respond to an urgent or unplanned situation (demanding a pathway response such as a plan review and reset) will always trump the proactive community work. An aggressive bilateral timeline to get enrol large numbers of people onto the Scheme, will also create a heavy pressure to perform pathway role elements instead of community role elements.

On this basis, the role design is problematic and will likely compromise the return on investment (if proactive work is regularly thwarted by the need to undertake reactive work, then forward momentum is slower and less overall progress is made).

An LAC provider might attempt to address this by organising LAC effort into two distinct teams: one focusing on pathway assistance and the other focusing on community development. The problem with this, particularly when one contemplates how effective community development in inclusion often happens one person at a time, is that you then have the prospect of two different LACs involved in a person's life, and creates the possibility of a dislocation between the broader planning and activity relating to community resources, and the specific planning relating to NDIS resources.

The net effect is that, by and large, the LACs are not actually able to do much genuine LAC work.

The arrangements for commissioning LAC services

The NDIA has previously stated that its LAC partners need to be deeply knowledgeable of, and deeply embedded in, local communities. This makes sense, given those are essential ingredients in assisting people to navigate mainstream services and community resources.

Unfortunately, the current record of commissioned services does not reflect this. The NDIA is commissioning LAC services by selecting a relatively small number of agencies to provide services across large areas. This seems counterintuitive. Community agencies that have these capacities are typically 'grassroots' community agencies that have well-developed connections and insights. They know the formal and informal leaders in those communities, how things get done, who needs to speak to who, who has which resources to share, and where the places of welcome are. They have skills in translating information for their memberships, and in assisting their memberships to mobilise for individual and collective benefit.

In essence, such agencies are more likely to deliver successes associated with methodologies like Asset Based Community Development (ABCD) because they have a deep knowledge of where those assets lie and how they might be leveraged for social benefit.

Grassroots community agencies are local and know the local geographic/demographic area well. It is a rare agency that can claim such insights across a large geographic and demographic landscape. And yet that is what is currently assumed in the NDIA's current commissioning model for LAC partners. Contracts covering substantial geography and demography are being let, which appear to disregard the inherent diversity of communities and which understate or even ignore the idea that agencies are deeply embedded in their communities.

In short, grassroots community agencies are well-positioned to assist NDIS participants (i) make inroads into broader community connection and (ii) make informed choices about how NDIS funding can best help their situation. Therefore, one might expect the LAC commissioning arrangements to leverage this.

The opposite is the case. The current LAC commissioning arrangements have a built-in bias against grassroots community agencies, by denying them a place at the table. Good local agencies may only wish to declare their expertise and capacity in relation to the communities and demographics their experiences are built on. So they are unlikely to put themselves forward for contracts that demand a larger reach.

The problem gets worse. Not only do these grassroots community agencies lose out on an opportunity to make a potent contribution to outcomes for people living with disability, but the larger agencies that win LAC contracts and enter those communities are likely to be recruiting staff, at least some of whom will be drawn from the grassroots community agencies. Contrary to the idea of the NDIA investing in community capacity as a way to reduce downstream pressure on NDIS sustainability, this approach constitutes a form of community asset-stripping.

It is hard to understand why a Scheme that is committed to assisting people to participate in community life would undertake a commissioning process that compromises existing community assets and capacities.

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5.0 Notable points about planning and LAC from the Productivity Commission 2017 enquiry on Scheme costs

Summary pressure points

The Productivity Commission's Study Report into Scheme costs[1], released October 2017, identified a range of pressure points in the implementation of the Scheme. This paper only focuses on those that relate to the issues of planning, community, and the role of the LAC.

The Commission noted a revised estimate of 475,000 people coming onto the Scheme at an ongoing cost of $22bn and projected that the current rate of implementation would likely mean the Scheme will be late. This is despite the NDIA's efforts to get people into the Scheme as fast as possible, which the Commission suggested had resulted in a focus on quality rather than quality in the planning process.

Summary principles underpinning design and remedy

The Commission made several references in its Study Report about the role of community. It referenced the insurance principles underpinning the Scheme, including investment in community participation and building social capital, and the importance of access to supports outside the Scheme, such as mainstream services, information, community linkages and capacity-building[2].

This establishes a strong imperative to collaborate with well-established community agencies who carry such networks and insights.

The Commission noted this imperative is such that NDIS costs would be at risk if people were not able to access informal supports, community supports and mainstream supports[3], using an illustration of a person-centred approach showing how NDIS individualised supports was just one quarter of the story, which is only complete when other community-based resources and connections are woven in[4].

This sets the scene for a number of remedies the Commission identifies to resolve the issue of planning, though at the same time the Commission is remarkably silent in its recommendations about investment in community.

Summary remedies

To resolve the problems with the current approaches to planning, the Commission recommenced a greater focus on preplanning[5], which typically refers to the planning a person might do prior to showing up at the Scheme and meeting with an NDIA Planner.

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[1] Productivity Commission (2017) *National Disability Insurance Scheme (NDIS) Costs,* Study Report Overview, Canberra
[2] Ibid, p4
[3] Ibid p7
[4] Ibid p8
[5] Ibid p15

Much of the planning did not involve LACs because they could not be appointed in time, so the Commission recommended that LACs be in place six months in advance of people in the area coming onto the Scheme. The Commission emphasised that this would be a better and less costly approach that having to fix plans later, and would likely equip participants with a greater sense of control and choice[6].

Unfortunately, this does not address the problems outlined earlier in relation to the current role structure and commissioning of the LACs. But it does emphasise how the most likely source of assistance with planning is going to come from community-based agencies working in collaboration with the NDIS.

The Commission also signalled planners needed more disability knowledge, and that the NDIAS should make use of specialist disability organisations[7]. This is important because it is a recognition that there is outside expertise the NDIA could be tapping to help strengthen the quality of plans it then considers for funding. However, what the Commission misses here is that such expertise, such wisdom, is not exclusive to the disability industry. This is because the importance of wisdom does not just relate to disability demographics but also to the broader issues of community connection and linkages, which demands the types of authentic insights that grassroots organisations carry.

Interestingly, the Commission notes that by leveraging insights from specialist organisations, the NDIA can avoid having to compete for those skills by trying to recruit them inhouse. This is a point that can also be applied to the current approach to commissioning LACs which, arguably, puts LAC agencies in competition with grassroots community organisations who have personnel that carry the community insights and practices that the LAC agencies seek (and which then causes asset-stripping of those local grassroots agencies, as mentioned earlier).

The Commission notes the importance of Scheme participants being able to access information about the Scheme, provider options, and the like[8]. In support of this, the Commission recommends that funding for Information Linkages and Capacity-Building (ILC) should be immediately increased to the full Scheme amount of $131 million per annum[9]. This is an important signal and creates the opportunity for a much more strategic and systematic investment in these activities. However, in terms of community-driven assistance to Scheme participants, the larger investment remains the LAC budget, which is around 4 times greater than the ILC budget.

The importance of collaboration between the NDIA and grassroots community agencies is further signalled by the Commission's comments in relation to people living with psychosocial disability who are otherwise unlikely to join the Scheme. The Commission recommends that 'models of outreach' be considered[10]. Successful outreach is about authentic community casework and connection, again the province of well-embedded local grassroots community agencies.

The Commission also recommends that the NDIA trial ways to provide sustainable funding to local community agencies that mobilise voluntary effort. Currently around Australia, there are a number of local community agencies, many of them consumer-led, that use voluntary effort to assist people to connect to information and to link to community resources. The Commission's recommendation is important, and is a good segue to the next section, which contemplates an alternative approach to

[6] Ibid p29 and p54
[7] Ibid p29
[8] Ibid p40
[9] Ibid p54
[10] Ibid p53

commissioning community-based effort that assists Scheme participants to make the best use of the NDIS *and* community resources.

6.0 Crafting an alternative approach: the imperative to make the best use of 10,000 NDIS jobs

"There are likely to be other ways that 9,200 NDIS jobs can be arranged to help deliver an efficient NDIS pathway and *effective community linkages"*

Summing up the imperative

Based on the above analysis, it seems unwise for the NDIA to continue its current arrangements for the development of plans and the commissioning of LAC services, because while they may be designed to observe the requirements of the bilateral agreements, they do so at a heavy cost in terms of the Scheme's underlying values. With each such decision, the Scheme loses values coherence, and this in turn makes it much harder to recover later.

Therefore, any solution must be capable of preserving the values coherence – choice and control, and participation in community life and the economy – while at the same time meeting the enrolment timeline requirements of the bilateral agreements.

The road to such a solution lies in thinking about how to rebalance the investment of Scheme resources so that valuable community grassroots agencies are properly leveraged, as Scheme partners and collaborators.

Mapping the available resources for a solution

In considering a solution to the current implementation difficulties, it is important to understand the extent of the budget available.

By several accounts, it seems the NDIA has been modelled based on 10,000 full-time equivalent positions. This means that the NDIS has been designed to be run by a workforce of 10,000. It sounds like a lot, but across a full Scheme of $22 billion it is not so heavy (we estimate it is less than 7% of total Scheme costs).

In the modelling, 800 of these 10,000 are back-office folk, involved in management, admin, IT support and the like.

This leaves 9,200 positions that are expected to have direct contact with people living with disability, based on an original indicative caseload of 50 participants per worker.

Currently, those positions have translated in the main to agency positions in planning, and in the LAC roles.

Based on the issues scoped thus far in this paper, arguably this is not the best way to spend these resources. There are other ways that 9,200 jobs can be arranged to help deliver an efficient NDIS pathway *and* effective community linkages.

7.0 An example of an alternative approach to resourcing the NDIS Participant Pathway

"a streamlined NDIS participant pathway could free-up 4,600-6,900 full-time Community EFTs"

Scheme imperatives

there are two Scheme goals in relation to the participant pathway:

- *Streamlining the participant pathway*
  Efficient coordination of the key pathway steps so that participants know how much the Scheme can help them, can get a suitable plan signed off so that funds flow for their supports, and can regularly review what investments are working
- *Investing in community information, linkages, and capacity-building*
  effective access to community information, linkages, and referrals (introductions) so that participants are well-informed about the Scheme and about mainstream services and community resources, can develop a good plan, and can connect.

As stated in the previous section that there is the equivalent of 9200 FTEs available to resource the above.

Streamlining the participant pathway

In a co-designed, consultation-driven advisory report[11] prepared for the NDIA in 2015 about *preplanning* (the planning that people do before they show up and meet with an NDIS planner), three key stages in the participant pathway were set out:

- *Signal*
  this is where the NDIS participant meets with an agent of the Scheme to understand in broad terms how much the Scheme may be able to help with it is a signal of a possible amount of funding, but not a guarantee. It is enough information so that the person can then develop a plan that includes accessing mainstream services and community resources, and how best to use NDIS funding.
- *Negotiate*
  this is where the NDIS participant, having resolved their draft plan perhaps with the assistance of a community agents/agency/network, meets with the agent of the Scheme to agree the extent of funding the NDIS can make available. The plan, with any negotiated revisions, is signed-off so funds can flow for services
- *Review*
  this happens downstream, where the NDIS participant meets with the agent of the Scheme to

[11] JFA Purple Orange (2015) *About pre-planning: An advisory report to the National Disability Insurance Agency (NDIA) on how people can best be assisted to prepare for the NDIS*

look at how things went and to give an updated signal about how the Scheme can help in the future. So, if reviews happen annually, this is also the first of a two-step process each year; (i) review/signal and (ii) negotiate/sign-off

As such, the NDIS pathway, at its core, can be considered as this two-step pathway. After all, it is only the NDIA personnel who can approve a plan, so these two steps reflect that responsibility.

All other steps, such as information, planning, community connection, service brokerage, service orchestration, etc, can be undertaken by the participant or through assistance from a community agency professing the relevant capacity.

This gives rise to two types of agent:

- The NDIS Investment Agent, who assists the participant to access an NDIS individual budget. This role is undertaken by NDIA staff because they are responsible for approving individual plans so funding can flow
- The Community Agent, who assists the person to access information, consider options, connect to community services and resources, and land a plan they can take to the NDIS. The various elements of this role are undertaken by a range of community agencies, depending on their histories and capacities

The role of NDIS Investment Agent

By focusing the pathway role into these two key stages, it provides a much more focused role for the NDIA employee, who might be termed the *Investment Agent*, and whose capacities need to include:

- Clear understanding of the Scheme's parameters and funding mechanics
- Insight into what types of investment might best advance a person's life chances
- Testing the draft plan to identify the 'golden thread' between the plan elements and the participant's circumstances (if a key element of the person's circumstances is that they are unemployed, or living in poverty, then the Investment Agent might look to see if the draft plan includes elements that, to the reasonable person in the street, will likely increase the participant's changes of securing waged employment).

In this role, the Investment Agent does not need to bear the burden of expectation that they carry insights across as diversity of disabling circumstances in a diversity of economic and geographic circumstances. Instead, they need to know what a good investment looks like. This role of Investment Agent, armed with sound people skills and a robust insight into the types of practical steps that can build life chances, is in effect the defender of the insurance model because it is their job to release funding on the basis that it will produce a return in terms of an outcome for the participant. The achievement of each individual outcome – closing the gap towards better life chances – will contribute to Scheme sustainability and help build a sophisticated actuarial model based on a growing body of knowledge about what types of investment work best.

Modelling how many Investment Agents are needed

The previous section has outlined the qualitative aspects of the Investment Agent role. This then raises the question of how many will be needed from the starting FTE count of 9,200. To quantify this, the two key stages can be modelled in terms of how much time is needed to accomplish them.

The *Signal* stage is an introductory conversation, involving an initial brief assessment enough to provide a broad signal about which reference package value seems the closest match to the participant's situation. Some overseas jurisdictions have undertaken this in less than 10 questions, taking less than 30 minutes. The step is also assisted if one assumes that the participant has already taken the opportunity to access relevant information about the NDIS (refer community role in next section).

Of course, some participants will be in circumstances where this signal conversation may need to take longer. Therefore, let us set a model average of one hour per participant.

Once a participant has been on the Scheme long enough for a plan review, this *Signal* stage also includes the *Review* component. However, this does not necessarily inflate the time needed for the meeting, because a review of circumstances is not any different from an initial assessment of circumstances. So arguably it is not necessary to add additional time, particularly if the participant has separately participated in providing evaluation data about their supports and associated outcomes.

Given that the *Negotiate* stage is about negotiating a match between a draft plan and a quantity of NDIS resources, because all the draft planning work has been done prior by the person with community-based assistance, the stage is focused on testing and refining the plan ideas. It is important to assume the participant has had the opportunity to think through their goals and preferences and therefore arrives at this meeting warmed up.

Some meetings will be shorter, for example participants whose arrangements are stable and working. Some meetings will be longer, for example participants where the thinking is incomplete, or who have not accessed adequate planning support, or where there is significant complexity or sophistication to the arrangements requiring a careful run through of how ordinary risks are being enabled and managed.

Therefore, let us set a model average of two hours per participant.

While the above two stages have mapped how long to allow for a meeting with the participant, it does not include the behind-the-scenes work. Therefore, based on previous experience mapping human service pathways, let us assume that for every hour a worker spends with a customer/client/participant, a further hour is needed for the behind-the-scenes work like meetings, file notes, database entries, etc.

This modelling gives an annual average of three hours face-to-face meeting with the participant, so this means an additional three hours behind-the-scenes. That makes six hours. Let us assume a margin of error of 25%, which takes it up to around 7.5 hours, basically one worked day.

Here is a tabulated summary:

work	**Estimated average time taken**
Signal/Review meeting	1.5hrs
Signal/Review Behind-the-scenes admin	1.5hrs
Negotiation meeting	2hrs
Negotiation Behind-the-scenes admin	2 hrs
contingency	0.6
total	***7.6 hrs (i.e. one worked day)***

Therefore, this modelling of an efficient pathway estimates an average of one worked day per participant per year to navigate the two key stages of the pathway. Everything else in between those steps can be conducted in community and/or as part of the person's funded plan.

An FTE position translates to 200 directly productive workdays per year.[12]

Given the modelling estimated one day per year per participant, and given one FTE translates to 200 worked days, this means that one full-time NDIS Investment Agent could service an annual caseload of 200 participants.

Given that the full Scheme enrolment is estimated at 460,000 participants, the total number of full-time NDIS Investment Agents required in this model is 2,300 (460,000 divided by 200).

This is an estimate for an optimal model. However, the Scheme is currently operating in an environment where 'optimal' may not be attainable in the shorter term. To allow for this, and to accommodate any additional margin of error, let us *double* the number of full-time NDIS agents to 4,600. This means that instead of 7.6 hours per participant per year it is 15.2 hours.

This is exactly one half of the starting figure of 9,200 FTEs, which means that the remaining 4,600 FTEs can be invested in community mechanisms and their role in the remaining aspects of the NDIS pathway.

Investing in community information, linkages, and capacity-building

Establishing a more streamlined participant pathway means the NDIA can maximise that portion of the NDIA resources aimed at LAC-type activities in community: information, linkages, referrals, and assistance with planning. Added into this will be the various ways people can be supported to build capacity, for examples through peer networks and through workshops organised by agencies involved in capacity-building.

The Scheme can gain significant leverage by investing in existing community networks and mechanisms. There is plenty of capacity there; it just needs to be tapped and grown, in the best traditions of asset-based community development (and this is a far better approach than trying to contrive a competitive market for it through LAC commissioning).

We can collectively refer to the above as the elements of the role of the ***Community Agent***.

[12] This figure is achieved by starting with 365 days and then subtracting weekends, public holidays, annual leave, and sick leave. Then subtract a further 20 days (four weeks per year) for professional development, other miscellanea, and other unplanned moments that life can throw at a worker.

The role of the Community Agent

Assuming an NDIS Agent population of 2,300-4,600 (depending on how an optimised the Participant Pathway is) and subtracting this from the NDIA's original starting figure of 9,200 full-time positions, this means that a streamlined NDIS participant pathway could free-up between 4,600 and 6,900 full-time Community Agents available to assist people living with disability to:

- access and understand information about the NDIS
- access and understand information about rights, mainstream services, and community resources
- access opportunities to build personal capacity in support of good life chances
- think about what a good life might look like, develop a plan towards it, including where NDIS resources can best help
- understand and think about options for service choices, value-for-money, self-managed supports, etc

To illustrate the impact, and using the more conservative figure of 4,600, let us look at South Australia which has an estimated 7% of the population.

This means that 7% of 4,600 FTE positions could be invested in the South Australian grassroots community sector to assist people living with disability in the above ways. This translates to 322 full-time Community Agents.

Importantly, this could be invested in those existing grassroots community agencies who are not service providers but who are deeply embedded in their local communities, are highly knowledgeable, and are highly skilled at connecting people and mobilising community responses.

This could transform the South Australian community sector and would constitute, finally, a reversal of a trend in service commissioning of the past 25 years in a number of countries where these types of assistance have not routinely been invested in because they have not been understood. They are less tangible than the purchase of hands-on supports, bed days, group home places, respite hours, day centre places, and so on.

It is not hard to find community agencies who have their roots in information linkages and capacity building, but whose own capacity to undertake this work has been eroded by government commissioning habits over the past quarter-century. This helps to explain why a number of these agencies have moved into conventional service provision, because that is how community agencies survive when governments are buying conventional service provision and not much else.

In the Northern Territory it would be 46 positions, which could have a critical impact especially in rural and remote communities.

Overall, and in line with population share, the spread could be as follows:

Jurisdiction	Number of full-time Community Agents
Queensland	923
NSW	1,473
ACT	75
Victoria	1,158
Tasmania	98
SA	322
NT	46
WA	500

Given the encouraging work that has taken place through NDIS shorter-term investment in mechanisms like peer networks, and the associated concerns about how and such mechanisms could be funded in the future, this model harnesses a level of community investment that makes it possible to contemplate an Australia-wide coverage of peer networks.

This model also constitutes an investment in existing community capacity, in agencies that are arguably best placed to assist Scheme participants to make lasting connections into community life.

For a Scheme that is subject to an aggressive timeline for participant migration, this approach, even if implemented just in part, could prove a critical countermeasure that can safeguard the Scheme's capacity to properly leverage community assets and, in so doing, advance its own sustainability.

Also, given the Productivity Commission's remarks about the need to strengthen the boundaries between the NDIS and mainstream services[13], all the above Community Agents and the grassroots agencies they work for could have a potentially critical role to play in ensuring there is collective pressure placed on mainstream services to operate in accessible and inclusive ways. As such, the NDIA's voice on this issue is joined by that of potentially hundreds of community agencies around Australia.

Modelling how to purchase community agency

The immediate challenge is how to assist NDIA commissioners to look beyond the potentially unpalatable prospect of a large number of contracts with smaller agencies, which is the exact opposite of the current LAC commission bias towards a small number of contracts with larger community partners.

The larger volume is manageable, particularly given the contract can be simple, standardised and characterised by a short set of outputs metrics.

Also, the approach can be installed relatively quickly, and piloted over, say, an18-month period.

Sample steps could be as follows:

1. choose pilot area(s)
2. map that area's participant population in terms of geography and demography and any other key elements where data is readily available

[13] Ibid p31

3. map that area's grassroots community agencies likely to have geographic and demographic relevance to the above population in relation to 'LAC-type' services in information, linkages, and capacity-building
4. invite those agencies to enrol as agencies prepared to offer LAC-type community services in information, linkages, and capacity-building
5. develop a simple Community Agent service contract on a population-based, per capita for each agency, refined over time in line with subsequent take-up
6. manage contracts based on key metrics, based on:
    a. numbers of participants who use that agency for an LAC-type service
    b. subsequent preparedness of participants at the NDIS plan meeting with NDIS Agent
    c. reported outcomes

8.0 What could happen next

"The model in this paper is a potential solution, …and deserves …testing"

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There is little doubt the current arrangements are not working optimally, and it is entirely possible the difficulties will intensify as more and more people are enrolled in the Scheme.

The model in this paper is a potential solution, a countermeasure to the challenging timelines of the bilateral agreements, and deserves consideration for testing. Given that there are multiple LAC approaches currently being used by the scheme, there is a strong element of trial in the implementation of the LAC. While we are in this trial phase it is essential we do not limit focus to models that are already struggling. One option is a 24-month pilot, where several areas due for LAC commissioning instead trial and evaluate this model.

Overseen by a co-design group empowered to make refinements quickly as part of an action research methodology, this approach could help the NDIA develop a more agile approach to testing and scaling methodological elements of the Scheme and, in so doing, better navigate the challenges of the Australian governments' bilateral agreements.

9.0 Concluding remarks

For the NDIS to stay true to its promise, it must find countermeasures that can mitigate the current implementation problems.

This paper has set out an alternative approach to how the Scheme runs its participant pathway and the associated role of the LACs. At its heart is a refocus of Scheme resources on community agencies with insights to various participant demographics and with deep roots in local communities.

As such, the ideas in this paper represent a fundamental collaboration between government and community, each playing to their strengths, and offering a more natural route to a sustainable and successful NDIS.

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