

Touching Base Notes on NDIA replies to Question on notice from Budget Estimates

Question on notice no. 534

Portfolio question number: NDIA SQ23-000153

Budget estimates Community Affairs Committee, Social Services Portfolio

Senator Jordon Steele-John: asked the National Disability Insurance Agency on 13 June 2023.

- 1. How many plans has the NDIA technical advisory team reviewed for participants who have sought to have sex services included in their plan?**
- 2. How many participants have had sex services refused in their plan by the NDIA technical advisory team? Under what grounds has sex services been refused?**
- 3. How many participants have had sex services approved in their plan by the NDIA technical advisory team?**

ANSWER TO QUESTION ON NOTICE

2023-24 Budget Estimates

The Hon Bill Shorten MP, Minister for the National Disability Insurance Scheme,
Minister for Government Services

Topic: Sexual Therapy

Question reference number: NDIA SQ23-000153

Question asked by: Senator Jordon Steele-John Outcome Number: 3

Type of Question: Written Hansard Page/s: N/A

Date set by the Committee for the return of answer: 14 July 2023

Answer:

There is no Price Guide line item aligned with the provision of Sexual Activity Supports. Therefore, it is not possible to provide data on the number of Sexual Activity Support providers which have been funded by the National Disability Insurance Scheme.

Touching Base Note:

The questions did not ask for data about the number of Sexual Activity Supports providers!

Questions specifically related to decisions being made by the Technical Advisory Team. Does the Technical Advisory Team not keep records of its work?

Question on notice no. 535

Portfolio question number: NDIA SQ23-000154

Budget estimates

Community Affairs Committee, Social Services Portfolio

Senator Jordon Steele-John: asked the National Disability Insurance Agency on 13 June 2023—

4. What specific line items are being recommended to be used by participants, sex workers and plan managers for invoicing and receipts for sex services?

5. Can you explain why when participants call the NDIS helpline 1800 800 110 they are told sexual services are not funded, when the Federal Court made it clear that neither the Minister or the NDIA have the power to broadly prohibit any NDIS support without unanimous agreement of all the State and Territory Disability Ministers?

ANSWER TO QUESTION ON NOTICE

2023-24 Budget Estimates

The Hon Bill Shorten MP, Minister for the National Disability Insurance Scheme,
Minister for Government Services

Topic: Sexual Activity Supports

Question reference number: NDIA SQ23-000154

Question asked by: Senator Jordon Steele-John Outcome Number: 3

Type of Question: Written Hansard Page/s: N/A

Date set by the Committee for the return of answer: 14 July 2023

Answer:

There is no specific Price Guideline item recommended for purchasing Sexual Activity Supports. We are working with internal stakeholders to ensure NCC staff are supported to provide accurate information in relation to sexual activity supports.

Touching Base Note:

As there is no specific item for sexual supports, the question was asked to determine what specific line items the NDIA is recommending to be used?

The NDIA answer was provided on 14th July 2023. In subsequent calls to the National Call Centre on 10th August 2023 and 27th September 2023 we discovered inaccurate information is still being shared.

Question on notice no. 509

Portfolio question number: NDIA SQ23-000127

Budget estimates

Community Affairs Committee, Social Services Portfolio

Senator Jordon Steele-John: asked the National Disability Insurance Agency on 31 May 2023—

Question:

Senator STEELE-JOHN: Thank you. I just have a last one, on notice. **Would you be able to provide to me, on notice, what work the agency has done in light of the Federal Court case NDIA v WRMF, particularly in relation to the development of a policy regarding sex services?**

Ms Falkingham: I am happy to take that on notice, Senator. Also, there are 34 FTE that work in the Co-design and Engagement Branch.

ANSWER TO QUESTION ON NOTICE

2023-24 Budget Estimates

The Hon Bill Shorten MP, Minister for the National Disability Insurance Scheme,
Minister for Government Services

Topic: Sexual Therapy

Question reference number: NDIA SQ23-000127

Question asked by: Senator Jordon Steele-John Outcome Number: 3

Type of Question: Spoken Hansard Page/s: 115

Date set by the Committee for the return of answer: 14 July 2023

Answer:

There is no Price Guide line item aligned with the provision of Sexual Activity Supports. Therefore, it is not possible to provide data on the number of Sexual Activity Support providers. Following the WRMF decision the National Disability Insurance Agency (NDIA) has updated their policy and operational settings.

Touching Base Note:

The question did not ask for data about the number of Sexual Activity Supports providers but was specifically asking what work has been done on developing a policy regarding sex services.

If the NDIA policy and operational settings have been updated following the WRMF decision, they have occurred without consultation, let alone co-design, with relevant stakeholders and do not appear to have been made available to National Call Centre staff.