

National Disability Insurance Scheme Amendment (Getting the NDIS Back on Track No. 1) Bill 2024 [Provisions]

Public Hearing – 25 July 2024

ANSWER TO QUESTION ON NOTICE

Department of Social Services

Topic: National Disability Insurance Scheme Amendment (Getting the NDIS Back on Track No. 1) Bill 2024 [Provisions]

Question reference number: IQ24-000134

Question asked by: Jordon Steele-John

Type of Question: Spoken. **Hansard Page/s:** 58-59

Date set by the Committee for the return of answer: 31 July 2024

Question:

Senator STEELE-JOHN: Can you remind us how the list of invitees to these meetings was decided on?

Ms Shannon: I'd characterise it as the invitees typically being members of organisations that were either DROs or significant providers. There were also some unions. There was a mix of representatives from the participant, provider and worker perspectives. Individuals were largely invited in a personal capacity and, indeed, a deed of confidentiality doesn't apply to an organisation; it applies to an individual. I would need to take it on notice, but I think the identification of the group of invitees was a combination of departmental and ministerial office suggestions. That is pretty typical for this kind of consultation process.

Senator STEELE-JOHN: Yes. For these three meetings that began on 24 January, was it the same invitees for all three meetings?

Ms Shannon: I would need to take that on notice. I think that not everyone who was invited attended all three meetings. Some people obviously weren't available, and perhaps other people were substituting later. I'd need to check that.

Senator STEELE-JOHN: Who was given the job of formulating the list of invitees?

Ms Shannon: As I just referred to, I think the department made some suggestions and some suggestions were prompted from the minister's office in a fairly typical—

Senator STEELE-JOHN: Yes, but who had responsibility if that's who gave info—

Ms Shannon: I believe the department set up the Teams meeting invite. We organised the meeting. Again, I can correct that if it's not correct.

Senator STEELE-JOHN: Yes. Who organised the meeting would be great. Please take that on notice. Whose idea was the series of meetings?

Ms Shannon: I think it's fair to say the minister was very keen to be able to test some ideas with stakeholders at quite an important stage in the development of the legislation, but I would need to take that on notice....

Senator STEELE-JOHN: Can you take on notice who proposed a meeting—the department, the minister or their office? If it was not them, who proposed it?

Ms Shannon: I will try to do that. I may not be able to run that right to ground, but I will do my best.

Senator STEELE-JOHN: Who suggested the idea of the request for a deed of confidentiality for the meeting on 24 March?

Ms Shannon: I would need to check, but, as part of a standard legislative process, we do not have authority and it is not possible to consult outside of government on a piece of legislation while in draft until you have permission or authority to do so. The department would not have been able to consult with stakeholders on the provision of the bill without the agreement of

government to do that.

[...]

Senator STEELE-JOHN: ... Were there any folks on that list of invitees who were invited but declined to attend?

Ms Shannon: I think that, in some meetings, some of the invitees didn't attend. I don't know if anyone who was invited to all three meetings declined all three meeting. I can check.

Senator STEELE-JOHN: Are you able to table for us the information provided to the attendees during these three meetings?

Ms Shannon: There weren't papers. I might need to take that on notice, because it was done in a deliberative process and I might need to get a bit of advice on that, if that's okay.

Senator STEELE-JOHN: Yes. Could you provide on notice any papers prepared for those meetings, any presentation materials, any agenda or any other materials that were created for or used within those meetings, that would be useful. There was a high amount of community interest in the contents of those meetings. I'm sure that, for some of the people in there, you can't believe people are still talking about them, but that's the flow-on effect of making a decision like this. Thank you very much for that.

Answer:

The meetings were a joint initiative, developed and organised in discussions between the Department of Social Services (the department) and Minister Shorten's Office (Minister's Office) to test the intent and content of the legislation with stakeholders.

The list of invitees was developed and agreed on in discussions between the department and the Minister's Office. The meeting invitation was sent by the department.

The same individuals were invited to all three meetings. Not every invitee attended every meeting.

Invitees were asked to sign a Deed of Confidentiality in the lead up to the third meeting on 14 March 2024.

No papers or agendas were provided to invitees. No presentation was used in the January meeting. The presentations used in meetings of 28 February 2024 and 14 March 2024 are at **Attachments A and B** respectively.