



Committee Secretary
Senate Standing Committees on Community Affairs
PO Box 6100
Parliament House
Canberra ACT 2600

2 September 2019

By email: community.affairs.sen@aph.gov.au

Dear Jeanette

Re: Inquiry into the NDIS Streamlined Governance Amendment Bill

The Alliance writes to respond to questions that we did not have the opportunity to answer fully during the Committee's hearing on 30 August and would be grateful if you could pass this additional information to the Committee.

1. What harm would passage of the Bill cause, given that some of the changes in the bill are already in effect?

The key risk we see with passing the Bill is that it aims to codify elements of the existing governance framework at the same time as the Tune review is underway. The Tune Review is an opportunity to undertake significant reform in this area and the passage of this Bill may undermine the reform opportunity that the review offers.

Should the Parliament pass this Bill, it will not only confirm a structure that was only meant to be temporary and in place for the NDIS trial phase; it risks creating the impression for the community and the Tune Review that the governance provisions of the scheme are now 'fixed' and does not need a thorough interrogation and analysis of its impact on participants and providers.

2. Is the predominant objection to the content of the bill or to the timing of the bill?

The Alliance believes that because they are linked, we have objections to both the content and the timing of the bill.

While the decision making timelines amendments in the Bill are essentially uncontroversial and carry a low risk of any harm to the scheme design, simply making the current system more efficient does not improve the scheme's overall design, something that should be the objective of any legislative amendment.

We see the amendments that will diminish the active roles of the States and Territories (those relating to the selection/termination of board and IAC membership as well as confirmation of the States and Territories as Host Jurisdictions) as retrograde steps. These amendments make no progress towards a contemporary governance structure. Neither do they encourage a more equal or strategic arrangement with jurisdictional partners that enables them to collaboratively resolve the mainstream program intersection issues we now face.

We have separate objections to the proposed process for selecting/terminating board and IAC members that are in our submission. We do not see these as measures purely about efficiency, but as a diminution of the influence of the States and Territories.

We believe it is more prudent to wait for the Tune Review to report and then legislate on the basis of its recommendations. It is thus important for the government to ensure the Tune Review does examine the governance structure of the scheme as part of its work and make recommendations for reform in this area as required.

Please contact me if further information or clarification is needed.

Yours sincerely

Alan Blackwood
Policy Director