



Consumers
Health Forum
of Australia

25 January 2013

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

Dear Committee Secretary

National Disability Insurance Scheme Bill 2012

The Consumers Health Forum of Australia (CHF) welcomes the opportunity to provide a submission to the Senate Community Affairs Committee Inquiry into the *National Disability Insurance Scheme Bill 2012* (the Bill).

CHF is the national peak body representing the interests of Australian healthcare consumers. CHF works to achieve safe, quality, timely healthcare for all Australians, supported by accessible health information and systems.

CHF supports the introduction of a National Disability Insurance Scheme (NDIS) and welcomes the development of the Bill. As CHF has previously noted in our submission to the Productivity Commission's Disability Care and Support Inquiry, the NDIS will enhance quality of life and increase economic and social participation for consumers with a disability and their carers as part of the National Disability Strategy. However, CHF has identified some issues in the legislation relating to the monitoring of the NDIS and the composition of the Independent Advisory Council.

National Disability Insurance Agency Board and Independent Advisory Council

The involvement of people with disabilities and their carers, providers and other stakeholders will be crucial to the success of the system, particularly in ensuring a smooth implementation process, providing advice on technical, security and privacy issues and in expressing the consumer experience and consumer needs. CHF therefore welcomes the establishment of an Independent Advisory Council under Clause 143 of the Bill, to ensure the involvement of key stakeholders and the provision of key expertise in the operation of the National Disability Insurance Agency.

In particular, CHF welcomes Clause 147 (4), providing for the appointment of at least four people with disabilities and at least two carers to the Independent Advisory Council. We would welcome the provision of detail on how members will be appointed, and recommend that nomination structures are put in place to ensure that members have the confidence and connections with broader disability, carer and consumer networks. We would also welcome clarification on whether the advice of the Independent Advisory Council will be made public, as is the case with other comparable advisory bodies, to improve the transparency of the governance arrangements.

While the Independent Advisory Council will provide stakeholders with a forum for feedback, CHF notes that the Bill does not provide for the appointment of a person with a disability or other consumer representative to the Board of the Agency. While we understand that the Board will be chosen for their commercial and strategic skills, we do not believe that this precludes the appointment of a person with a disability or a carer. CHF recommends that Clause 127 (2) be amended to provide for the appointment of a person with a disability or their carer to the Board.

Community Monitoring

Although the Bill creates a National Disability Insurance Scheme Launch Transition Agency and provides for some monitoring functions, it does not establish the monitoring mechanisms recommended by the Productivity Commission. In particular, CHF is disappointed that consumer perspectives have not been formally included in the monitoring processes.

CHF notes that the Final Report of Productivity Commission recommended the inclusion of Community Visitors in the monitoring of the NDIS, and suggested it be modelled on existing programs operating in State and Territory jurisdictions. In these jurisdictions, Community Visitors programs are driven by consumers, community members and disability advocates who conduct site visits and monitor the suitability of services and facilities from a consumer perspective.

CHF believes that these programs provide an important mechanism for consumers and community members to participate in the monitoring of disability services. In Victoria, for example, the Community Visitors program has enabled advocates to table an annual report to Parliament. Because they are volunteer driven, the programs have proven to be cost-effective and are strongly supported by both health consumer and disability advocates. CHF therefore recommends the inclusion of a community monitoring program based on the proposals of the Productivity Commission.

Other Issues

The NDIS is designed on a market-purchaser model, which will enable consumers to determine how to spend the funds available to purchase their supports and services. While the ability to make decisions about which services and supports to utilise will be a positive and welcome change for most consumers, CHF notes feedback from the Office of the Public Advocate Victoria (OPA) around the challenges this may present for consumers with cognitive impairments and profound mental illness who will require either significant support in making such decisions, or may require others to make such decisions on their behalf. CHF supports the OPA's call for clarification within the Bill around the role of nominees by detailing the principles governing their activities.

CHF also notes the large volume of submissions provided to the Inquiry by people with disability and their families and carers. These submissions represent the interests of the people who will be most affected by the introduction of the NDIS, and we are confident that the Committee will recognise the importance of these submissions.

CHF appreciates the opportunity to provide a submission to the Inquiry, and looks forward to reviewing the Committee's report. If you would like to discuss these comments in more detail, please contact CHF Policy Manager Maiy Azize.

Yours sincerely,

Carol Bennett
CHIEF EXECUTIVE OFFICER