



Overview: National Disability Insurance Scheme (NDIS)

October 2014

The United Nations Convention and the National Disability Strategy

The **UN Convention on the Rights of Persons with Disabilities (UN CRPD)** was ratified in Australia in 2008. The National Disability Strategy 2010-2020 (NDS) is Australia's plan to comply with the CRPD. The Commonwealth, and all State and Territory Governments have agreed to the NDS.

There are 6 outcome areas under the NDS:

- Inclusive and accessible communities
- Rights protection, justice and legislation
- Economic security
- Personal and community support
- Learning and skills
- Health and wellbeing

The NDIS comes under the 'personal and community support' outcome area.

Person Centred Approaches

With a person centred approach, the person with disability has choice and control over their lives. The person controls their own funding and purchases support that suits them. At the moment people with disability do not have much control or choice. The NDIS is intended to change that.

Essential Elements

- **Personal Budget** with adequate funding to supports for the person with disability;
- **Technical expertise & professional advice** to advise &/or assist in developing the tailored package of supports;
- **Financial intermediary** that, *if required*, manages the mandatory requirements of the funding, e.g. finances, legal obligations, contracting, payroll, workplace health and safety, insurances, etc.

Results from Person Centred Approaches

- People with disability and families have **choice and control** in addressing their particular individual needs.
- **Better supports** to people with disability.
- **Long-demanded flexibility** - at the moment we know that service providers and workers are frustrated by the limitations.
- The person with disability is seen as an **expert** in their own lives.
- **Supports can change** along with changes in the person's circumstances.
- Support can be more **responsive to cultural requirements**.

National Disability Insurance Scheme

The NDIS is established under the *National Disability Insurance Scheme Act 2013*. There are also **Rules** and **Operational Guidelines** for the NDIS. The National Disability Insurance Agency (NDIA) operates the Scheme.

Who is eligible

The eligibility criteria for the NDIS are known as ‘**access requirements**’. The NDIS is for people with:

- **permanent** disability, including episodic conditions such as psychiatric, if permanent
AND
- significantly reduced functioning in self-care, communication, mobility or self-management
AND
- a requirement for significant ongoing support for their whole life.

Children and people in an *early intervention* group e.g. with Parkinson's, are also eligible for the NDIS. The NDIA can determine that someone is eligible for early intervention support if they don't meet the requirement for having a permanent disability.

The NDIS is **not** for:

- people with catastrophic injuries covered by the **National Injury Insurance Scheme (NIIS)**;
- people acquiring a disability after they turn 65 years of age – a person can remain in the NDIS if they turn 65 after they have applied to the NDIS;
- people not requiring support under the NDIS.

How the NDIS works

Under the NDIS a person with disability will:

- Seek **eligibility** from the NDIA
- Develop a **plan** with priorities & goals, specifying what supports are needed to reach the goals
- Arrange decision supports, plan management and financial management supports if necessary
- **Implement** their plan
- Have their spending monitored, plan reviewed and renewed

The NDIA will:

- Determine if a person meets the **access requirements**
- **Approve** a participant's plan
- **Monitor** the plan, and review it within an agreed time frame or when required
- Act as the **fund holder** if appointed
- Act as the **plan manager** if appointed
- Where the NDIA is a plan manager or fund holder, they can only purchase from **registered providers of supports**

The Agency can also:

- Help a person access support with a decision made by the Agency
- Fund organisations directly
- Undertake compensation proceedings with the consent of & on behalf of a participant

NDIS cannot fund:

- Unlawful activities
- **Universal services** that are for everyone e.g. health. These stay the responsibility of whoever is responsible for them now.
- Residential aged care or Home Care Packages. If an NDIS participant goes into residential aged care or gets a Home Care Package, they will not be eligible for the NDIS any longer.

Where we are up to in NSW

The NDIS began in July 2013 in a number of locations – in NSW it began in the Newcastle Local Government Area. It expanded to Lake Macquarie on 1 July 2014. It will cover Maitland from 1 July 2015.

The NSW Government has also signed an agreement with the Commonwealth to establish the NDIS across the whole of NSW. This will begin on 1 July 2016, and the NDIS will cover all of NSW by the end of 2018.

After this, NSW will have 140,000 people with disability with a funded plan under the NDIS. There are over 850,000 people with disability under 65 living in NSW.

Useful links

- NDIS - www.ndis.gov.au or call 1800 800 110
- My Choice Matters - www.mychoicematters.org.au
- Every Australian Counts - www.everyAustraliancounts.com.au
- NSW Industry Development Fund - www.idfnsw.org.au
- Ability Links NSW - abilitylinksnsw@facs.nsw.gov.au

For further information:

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