



## SENATOR THE HON MITCH FIFIELD

ASSISTANT MINISTER FOR SOCIAL SERVICES

MC14-004685

The Hon Kate Doust MLC  
Chair  
Standing Committee on Uniform Legislation and Status Review  
18-32 Parliament Place  
WEST PERTH WA 6000

Dear Ms Doust *Kate*

Thank you for your letter of 17 April 2014 to the Hon Kevin Andrews MP, Minister for Social Services, seeking additional information on the National Disability Insurance Scheme (NDIS) as part of the National Partnership Agreement on the trial of *My Way* sites. Your letter was referred to me as this matter falls within my portfolio responsibilities.

The Assessment Tool is only one element of the NDIS eligibility assessment process. It is also important to look at Part 1 of the NDIS Act 2013 and the NDIS rules at [www.ndis.gov.au](http://www.ndis.gov.au). In addition, the National Disability Insurance Agency's operational guidelines contain information about the processes for assessing a participant's needs and prescribes the use of the Assessment Tool, also available at [www.ndis.gov.au](http://www.ndis.gov.au). The Committee Secretary may like to talk to Anne Skordis at the NDIA for further detail about the use and operation of the assessment tool on 02 6146 3029.

You also ask about the Western Australian (WA) Parliament being able to scrutinise the NDIS rules. The *National Disability Insurance Scheme Act 2013* (the Act) creates the framework for the NDIS. Under the Act, *Part 5 – Legislative Instruments, clause 209* outlines the requirements for consultation with each host State or Territory around the making of the rules.

The *Intergovernmental Agreement for the National Disability Insurance Scheme (NDIS) Launch* (the IGA), signed on 7 December 2012, sets out the governance arrangements for the NDIS trial. This includes the establishment of a Ministerial Council, the Disability Reform Council, of which WA is a member. Clauses 75-80 of the IGA set out the role of the Ministerial Council, which includes its role as the forum to obtain views and/or agreement on the making of, or the amendments to, the Act and related rules. The Hon Helen Morton MLC, WA Minister for Disability Services, and the Hon Dr Mike Nahan MLA, WA Treasurer, are members of the council.

Further, you ask about the differences between the NDIS and *My Way* models. One key difference is the involvement of the Disability Service Commission in the decision-making around participant plans in the *My Way* model. *My Way* also utilises the existing approved WA Panel of Providers and contractual arrangements which include upfront payment and acquittal, whereas the NDIA participants can source supports from any NDIA registered providers and, if self-managed, can source services outside the list of registered providers.




In addition, management of cost overruns on clients is the responsibility of the Commonwealth for the NDIS and the WA Government for the *My Way* trial site. The approach to reviewing decisions also differs with the Administrative Appeals Tribunal acting as the external merits review body for the NDIS and the *My Way* model currently using state-based mechanisms.

I have enclosed for your reference a copy of the Prime Minister and Premier's media release on the WA trial sites including a copy of the bilateral agreement between the Commonwealth and WA.

Thank you again for writing.

Yours sincerely



**MITCH FIFIELD**

7/5/14



Schedule G:  
Bilateral Agreement for NDIS Trial between the  
Commonwealth and Western Australia

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## BILATERAL SCHEDULE G - Western Australia

### PART 1 — PARTIES TO THIS AGREEMENT

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#### Parties to this Agreement

1. This Agreement is between the Commonwealth of Australia (the Commonwealth) and the State Government of Western Australia (WA).

### PART 2 — ROLE AND PURPOSE

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#### Role and purpose of this Agreement

2. This Agreement will allow for a National Disability Insurance Scheme (NDIS) trial site in WA. It builds on the Agreement between the Commonwealth and the Western Australian Governments for disability reform in Western Australia signed on 5 August 2013.
3. That Agreement provided for a two year trial of two service delivery models via:
  - a. the National Partnership Agreement on Trial of *My Way* Sites (the NP), which will test the *My Way* model to be implemented by the WA Disability Services Commission (DSC) under State legislation with additional Commonwealth Government funding from 1 July 2014. The *My Way* sites will cover the Lower South West DSC region from July 2014 and the Cockburn/Kwinana DSC region from July 2015, with preparations already underway.
  - b. this Schedule to the Intergovernmental Agreement for the National Disability Insurance Scheme (NDIS) Launch (the IGA NDIS), which will test the NDIS model to be implemented in the Perth Hills area by the National Disability Insurance Agency (the NDIA) under national governance arrangements set out in the *National Disability Insurance (NDIS) Act 2013* (the NDIS Act 2013).
4. The trial arrangements will allow for the assessment and comparison of the merits of the different approaches to disability services and help determine and inform the national roll-out of disability reform.
5. This Agreement covers arrangements for the NDIS trial site in WA. It outlines how the NDIS is expected to operate in the trial site, including the respective roles and responsibilities of the Commonwealth and the WA Governments. It also covers the establishment of a Joint Steering Committee to oversee the progress and evaluation of both the NDIS and *My Way* sites.
6. Further arrangements for the *My Way* trial sites will be formalised in a separate National Partnership agreement between the Commonwealth and WA.
7. The Agreement operates alongside the NDIS Act 2013 and the IGA NDIS. WA has entered into this Agreement to permit the effective implementation of the NDIS trial in the Perth Hills

area. Consistent with paragraph 129 of the IGA NDIS, this Agreement may be amended at any time by agreement in writing by the Parties.

#### **Trial Site Aims**

8. In addition to the objectives of the NDIS trial outlined in the IGA NDIS and the NDIS Act 2013, the Perth Hills region trial site will have the following further specific aims:
  - a. to test one of two different approaches to the delivery of disability services, both of which aim to ensure eligible participants are able to access reasonable and necessary individualised services and supports (refer the NP);
  - b. to contribute to an independent comparative evaluation of the services and outcomes in the *My Way* sites referred to in the NP and the NDIS trial referred to in this Agreement;
  - c. share lessons from the trial to help determine and inform the national roll-out of disability reform; and
  - d. preserve and enhance the investments that WA has made in its disability sector.

### **PART 3 – NATIONAL DISABILITY INSURANCE SCHEME – TRIAL**

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#### **Features of the Western Australian trial site**

9. The NDIS trial site will operate in the Perth Hills region, covering the Local Government Areas (LGAs) of Kalamunda, Mundaring and Swan.
10. Approximately 4,300 people are expected to benefit from the trial of NDIS in the Perth Hills region, as set out in Appendix A.
11. Participants in the trial site will receive ongoing support until transition to a full scheme commences or an agreement is made covering ongoing support to trial participants.
12. The Commonwealth will ensure that there is adequate capacity in the NDIA to allow for crisis responses and unplanned assessments.

#### **Areas of agreement for trial**

13. The trial of the NDIS in WA will commence on 1 July 2014 and will cover a two year period to end on 30 June 2016.
14. Both parties agree that the process for phasing in participants of the NDIS trial will be undertaken within the agreed roll-out arrangements (Appendix B). The NDIA, WA and the Commonwealth will work collaboratively to develop participant flow arrangements by March 2014 that are consistent with agreed funding arrangements.
15. The final approved intake will be monitored on a quarterly basis and the NDIA will take all reasonable action to ensure that the approved intake aligns with the allocated NDIS funding (cash and in-kind). The capacity of the NDIA to manage the roll-out will be taken into consideration when determining the final roll-out arrangements.

16. This Agreement should be read in conjunction with a number of the Annexes of the IGA NDIS, being:
- a. Annex C: Portability Arrangements;
  - b. Annex D: Principles to Determine the Responsibilities of the NDIS and Other Service Systems;
  - c. Annex E: Continuity of Support; and
  - d. Annex F: Integrated NDIS Performance Reporting Framework.
17. WA agrees that Annex C: Portability Arrangements of the IGA NDIS will apply in the Perth Hills site during trial.
18. People who enter the NDIS trial under the age of 65 years will have the choice of continuing to receive supports through the NDIS or transitioning to the aged care system once they turn 65 years. This reflects the principle of choice and control and ensures people have continuity of care as they age.
19. Both parties agree that, for the trial period, the Commonwealth will cover the costs of participants who turn 65 years after entering the scheme at a younger age, on the basis that the WA Government has agreed to commence negotiations to implement changes to the roles and responsibilities of the Western Australian and Commonwealth Governments, consistent with the roles and responsibilities of other State Governments as set out in Schedule F of the National Health Reform Agreement 2011, amended to reflect any changes required by the introduction of the NDIS.
20. The existing WA quality assurance system for service providers will apply in the NDIS trial site. WA will identify details of the existing participant support programs in the Perth Hills trial site and provide this information to the NDIA for the purposes of registering providers under the NDIS. Working arrangements between WA and the NDIA to ensure appropriate management and monitoring against these quality assurance frameworks will be developed.

#### **Local Area Coordination**

21. Local Area Coordinators (LACs) will have an active role in the community to positively influence community attitudes to inclusion and work to address some of the systemic barriers to participation. They will also work to address barriers on behalf of individuals and support people with disability to build capacity to access other support systems and increase independence. LACs are expected to assist people with disability in the community by, for example:
- a. Providing general information about the scheme, the types of supports available through the NDIA, and other supports available in the broader community at relevant community based activities;



- b. Providing information to other stakeholders who are likely to play a key role in the lives of people with disability;
  - c. Linking people with disability to providers of supports so that less complex needs are met efficiently;
  - d. Helping to build the independence of people with disability through building their capacity and their informal networks of support;
  - e. Identifying, and working with community organisations to build their capacity to understand and respond to needs and to become more inclusive and meet the needs of people with disability;
  - f. Providing information about making an access request, the information to provide and what to expect in working with the NDIA;
  - g. Assisting people to access the NDIA, for example by helping a prospective participant complete the My Access Checker and making appointments with the NDIA on their behalf where requested; and
  - h. Participating in planning discussions where they have an existing relationship with the participant.
22. Local area coordination functions operating in the Perth Hills trial site will use NDIS systems, processes and training and be identifiable as NDIS when working within the Perth Hills trial sites.

#### **Human Resourcing**

23. The Commonwealth agrees that the first offer of employment for the NDIA should be to appropriately skilled WA Government disability staff.
24. Both Parties are committed to providing opportunities for staff members from the DSC to be seconded to the NDIA, subject to merit-based recruitment. WA is committed to making its best endeavours to ensure appropriate staff are available to undertake the LAC roles.
25. Before commencement of the trial, the Parties agree to develop a comprehensive agreement to govern the secondment, contracting or assignment of WA officers and transfer of any functions to the NDIA.

#### **Consultation**

26. The Parties and the NDIA will establish a Local Advisory Group to advise on the NDIS trial, consistent with the Terms of Reference at Appendix D.
27. Both Parties commit to open and transparent information sharing about all aspects of the operations in the NDIS site at Perth Hills to ensure continuity of support, financial accountability and effective interactions with supports and services outside the NDIS, subject

to privacy and other requirements. This will include sharing data to enable ongoing actuarial assessment of the NDIS trial and comparison with the equivalent assessment of WA's *My Way* sites.

- a. Both parties agree that the actuarial assessment of financial sustainability in the NDIS trial site in the Perth Hills will be conducted in accordance with Part 6A, sections 180A to 180F (inclusive) of the NDIS Act 2013.

- 28. The Perth Hills trial site will be used to collect qualitative and quantitative data and information relevant to the WA trial and this, taken together with the outcomes from the other trial sites, will be shared with all governments and the organisation contracted to independently evaluate the other NDIS trials, to facilitate national data collection and consolidation that will contribute to the analysis of costs, liabilities, service interventions, service delivery models and implementation strategies.
- 29. Data collection and management will take account of interests of people with disability and relevant legislation. The data management approach including data collection, storage and transfer will be agreed between the Commonwealth, NDIA and WA and reflected in a Memorandum of Understanding (MoU) by early April 2014. The NDIA will be required to operate in accordance with the data management approach in the MoU.

#### **Interactions with existing legislation**

- 30. This Agreement is to be considered in conjunction with existing Western Australian legislation. WA will endeavour to provide the NDIA with any relevant updates to the list over the course of the NDIS trial, as and when it becomes necessary because of changes to Western Australian legislation and/or the NDIS legislative framework. The purpose of this non-definitive list is to assist the NDIA to be aware of, and comply with, Western Australian law. It does not affect the statutory rights and obligations of the Parties or the NDIA. This could include the following Western Australian legislation:
  - a. Carers Recognition Act 2004;
  - b. Children and Community Services Act 2004;
  - c. Commissioner for Children and Young People Act 2006;
  - d. Disability Services Act 1993;
  - e. Equal Opportunity Act 1984;
  - f. Guardianship and Administration Act 1990;
  - g. Health Act 1911;
  - h. Health and Disability Services (Complaints) Act 1995;
  - i. Hospitals and Health Services Act 1927;
  - j. Mental Health Act 1996;

- k. Motor Vehicle (Third Party Insurance) Act 1943;
- l. Parliamentary Commissioner Act 1971;
- m. School Education Act 1999;
- n. Volunteers and Food and Other Donors (Protection from Liability) Act 2002;
- o. Workers' Compensation and Injury Management Act 1981;
- p. Civil Liability Act 2002;
- q. Public Trustee Act 1941; and
- r. Pay-roll Tax Assessment Act 2002 (s.41C).

### **Financial contributions**

- 31. Both Parties agree to contribute to the NDIS trial in Perth Hills in accordance with Appendix A.
- 32. WA and Commonwealth contributions to NDIS package costs for the trial site will be held in a separate account by the NDIA.
- 33. The parties recognise that to give effect to choice and control of individuals within the trial site, in-kind contributions should transition to cash contributions to the greatest extent possible and as quickly as possible.
- 34. Consistent with the IGA NDIS, the Commonwealth will meet 100 per cent of any costs associated with higher population numbers or higher per person NDIS funded supports costs and 100 per cent of the NDIA's cash flow risk during the trial.

### **Overspends and underspends**

- 35. If, at the end of the funding period, costs are less than the anticipated funding commitments set out in this schedule and WA's actual contribution is a different proportion of actual cost, compared to WA's proportion of expected costs, an additional adjustment will be made that will be either:
  - a. a payment from WA to the Commonwealth if the actual contribution was a smaller share of actual cost than the jurisdiction's share of expected costs; or
  - b. a payment from the Commonwealth to WA if the actual contribution was a larger share of actual cost than the jurisdiction's share of expected costs.
- 36. Arrangements for overspends and underspends in all other circumstances are outlined in the IGA NDIS.
- 37. If at the end of two years there is a net underspend, WA's share of this underspend will be refunded to WA, or taken into account in determining WA's contribution in the following year, depending on any agreed arrangements for the transition to full scheme.

### **Joint Steering Committee**

- 38. Both Parties agreed to the establishment of a Joint Steering Committee to oversee the progress and evaluation of the NDIS trial site in Perth Hills, and the *My Way* sites in the Lower South West and Cockburn/Kwinana DSC regions.
- 39. The first meeting will be held in March 2014.
- 40. Terms of Reference for the Joint Steering Committee are at Appendix C of this Agreement.

### **Evaluation**

- 41. An independent comparative evaluation of the services and outcomes in the WA NDIS site and the *My Way* sites will be undertaken throughout the period of the trial.
- 42. The terms of reference of the evaluation will be agreed by the Joint Steering Committee and the Commonwealth and State Disability Ministers by March 2014.
- 43. The evaluation will be overseen by the Joint Steering Committee, consistent with the terms of reference agreed by Ministers, for comparing the operation of the sites.
- 44. The evaluation will inform decisions about any extension of this Agreement. A comprehensive interim report will be provided six months prior to the expiry of this Agreement.
- 45. WA will procure the evaluation, with costs of the evaluation shared equally between the Commonwealth and WA Governments as outlined at Appendix A.
- 46. The data collected as a part of the evaluation in the Perth Hills trial site will be shared with the organisation contracted to independently evaluate the other NDIS trials, to inform the independent evaluation of the NDIS as outlined in the NDIS IGA.
- 47. The results of the evaluation will feed into any future disability reform in WA, and the legislated review of the operation of the NDIS across Australia that is set out in the NDIS Act 2013.

The Parties have confirmed their commitment to this Agreement as follows:

*Signed for and on behalf of the  
Commonwealth of Australia by*

*Signed for and on behalf of  
Western Australia by*

A handwritten signature in black ink, appearing to read 'Tony Abbott', written over a horizontal line.

**The Honourable Tony Abbott MP**  
Prime Minister of the Commonwealth of Australia

31 March 2014

A handwritten signature in black ink, appearing to read 'Col Barnett', written over a horizontal line.

**The Honourable Colin Barnett MLA**  
Premier of Western Australia

31 March 2014

## APPENDIX A - FUNDING ARRANGEMENTS FOR TRIAL

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1. The Commonwealth and WA agree that the estimated participant population covered by the Perth Hills<sup>1</sup> NDIS trial for under 65s is as shown in Table 1.

Table 1	Year 2014-15	Year 2015-16
Estimated current consumer population	676	1,743
Estimated new consumer population	966	2,507
Estimated total consumers	1,642	4,250

2. Both Parties agree that the process for phasing in participants of the NDIS trial will be undertaken within the agreed roll-out arrangements (Appendix B). Appendix B sets out the planned intake of the expected number of participants over the trial. The NDIA, WA and the Commonwealth will work collaboratively to develop participant flow arrangements by March 2014 that are consistent with the agreed funding arrangements. The planned intake in Appendix B will be monitored on a quarterly basis to ensure that it aligns with the allocated NDIS funding (cash and in-kind) for that quarter. The capacity of the NDIA to manage the roll-out will be taken into consideration when determining the final roll-out arrangements.
3. This estimate is based on the following assumptions:
  - a. Productivity Commission estimates of eligible Tier 3 national population.
4. The estimated total cost of NDIS funded supports to the agreed participant profile in Table 1 is shown in Table 2 (under 65s cost shown only). Cost estimates are based on current DSC consumer transition from *My Way* and assumes a full year phasing effect of approximately 41 per cent<sup>2</sup> of new and first year participants.

Table 2	Year 2014-15	Year 2015-16
Estimated total cost of National Disability Insurance Agency funded supports	\$24.9 million	\$104.5 million

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<sup>1</sup> Perth Hills is comprised of the LGAs of Kalamunda, Mundaring and Swan.

<sup>2</sup> Estimates reflect the roll-out of the *My Way* trial and estimated current consumers within the trial sites.

### Commonwealth contribution

5. The Commonwealth will provide a financial contribution equivalent to 40 per cent of package costs to support trial participants during the trial. The Commonwealth's funding for NDIS funded supports is shown in Table 3 (under 65s cost shown only).

Table 3	Year 2014-15	Year 2015-16
Commonwealth's contribution to Tier 3 Package support	\$10.1 million	\$42.4 million

6. The Commonwealth's share of funding for individual support packages will be provided in cash and through direct provision of services. The split of funding between cash and in-kind services will be agreed by March 2014, as an additional appendix to this Agreement.
7. The Commonwealth programs which are expected to be drawn on in providing direct services include:
- Australian Disability Enterprises;
  - Autism Specific Early Learning and Care Centres;
  - Better Start for Children with Disability Initiative;
  - Continence Aids Payment Scheme;
  - Support for Day to Day Living in the Community: A Structured Activity Program;
  - Disability Employment Services - Work Based Personal Assistance;
  - Helping Children with Autism;
  - Hearing Services Program;
  - Improved Support for people with younger onset dementia;
  - Targeted Community Care - Mental Health Respite: Carer Support and Personal Helpers and Mentors component;
  - National Auslan Interpreter Booking and Payment Service;
  - After School Hours Care for Teenagers with Disability;
  - Partners in Recovery: Coordinated Support and Flexible Funding for people with severe and persistent mental illness and complex needs;
  - Respite Support for Carers of Young People with Severe or Profound Disability;

- o. Young Carers Respite and Information Services; and
  - p. Mobility Allowance.
8. The Commonwealth will pay for all NDIS-related administration and system support costs associated with the trial.
  9. The Commonwealth will be responsible for meeting all scheme costs for participants who turn 65 and choose to remain in the scheme.

**Western Australian contribution**

10. WA will provide a financial contribution equivalent to 60 per cent of package costs to support trial participants during the trial. WA's share of the cost of NDIS funded supports is shown in Table 4.

Table 4	Year 2014-15	Year 2015-16
WA's funding for NDIS funded supports	\$14.8 million	\$62.1 million

11. The WA share of funding for NDIS funded supports will be provided in cash and through direct provision of services, which will be offset against WA's contribution to package cost. The WA programs which are expected to be drawn on in providing direct services include:
  - a. Early Childhood Intervention;
  - b. Adult Therapy;
  - c. Behaviour Support Services;
  - d. Therapy Services;
  - e. Behaviour/Specialist Intervention;
  - f. Counselling;
  - g. Regional/Community Support Teams;
  - h. Holiday Programs;
  - i. Community Access;
  - j. Respite (Centre-based, homes and flexible);
  - k. Community Aids Equipment Program;
  - l. Individualised Community Living;



- m. Personal Care Support;
  - n. Taxi User Subsidy Scheme;
  - o. Home and Community Care (<65);
  - p. Support Aids and Equipment;
  - q. Home Modifications;
  - r. Children who are dependent on Technology and Cared for by their families at Home (CATCH) Program;
  - s. Attendant Care in Schools;
  - t. Schools Plus;
  - u. School Bus Services;
  - v. Out of Home Care Placements for Children with Disabilities;
  - w. Additional Placement Support Costs;
  - x. Provision of Specialised Vehicles;
  - y. Intensive Family Support;
  - z. Intellectual Disability Diversion Program;
  - aa. Legal and Social Awareness (LASA);
  - bb. Sex Offending Intellectual Disabilities (SOID);
  - cc. Transitional Accommodation Support Services for the Intellectually Disabled; and
  - dd. Ventilator Dependent Quadriplegic Program.
12. Both parties agree that there will be further work that needs to occur in order to finalise the balance of cash and in-kind contributions. This will be completed by March 2014, and be included as an additional appendix to this Agreement.

#### **Arrangements for Intergovernmental Payments**

13. The Parties agree that intergovernmental payments currently provided by the Commonwealth to WA for the purpose of providing disability services to individuals should be repaid to the NDIA on behalf of the Commonwealth commensurate with the expected participant numbers in the NDIS trial as a proportion of the total expected NDIS participant numbers in WA.

14. Intergovernmental payments include the Commonwealth contribution to the WA Home and Community Care Program (HACC) and payments made through the National Disability Specific Purpose Payment (NSPP).
15. WA agrees to pay the NDIA on behalf of the Commonwealth, in-kind or cash services to the equivalent value of the amounts set out in Table 5, in instalments during the financial year, at the same time as the contributions to NDIS funded supports, as outlined in paragraphs 32 – 39 of the IGA NDIS.

Table 5	Year 2014-15	Year 2015-16
Total Repayments by WA	\$2.7 million	\$11.2 million

16. It is acknowledged that part of the in-kind contribution identified in paragraph 15 will be funded from the NSPP and HACC. The proportion of in-kind contribution which should be counted as a Commonwealth contribution, because it is funded through the NSPP and HACC, will be agreed between the Commonwealth and WA once the mix of in-kind and cash has been finalised.

## APPENDIX B – PLANNED INTAKE OF PARTICIPANTS

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1. On the basis of the agreed funding and the population assumptions, it has been agreed that the proposed participant flow will be as per Table 1 in Appendix A above.
2. It is expected that participants will be phased into the NDIS on a quarterly basis, with a four month ramp up, as set out in Tables 1 and 2.

Table 1	Jul to Sep 2014	Oct to Dec 2014	Jan to Mar 2015	Apr to Jun 2015	Total
Estimated current DSC consumer population	125	307	357	313	1102
Estimated new consumers and current consumers of other service systems	40	150	150	200	540
Total	165	457	507	513	1642

Table 2	Jul to Sep 2015	Oct to Dec 2015	Jan to Mar 2016	Apr to Jun 2016	Total
Estimated current DSC consumer population	91	275	275	0	641
Estimated new consumers and existing consumers of other service systems	139	459	541	828	1967
Total	230	734	816	828	2608

3. In determining the participant flow, the NDIA will need to ensure that there is adequate capacity in funding and resource allocation to allow for crisis and unplanned assessments.
4. It is further agreed that in determining the participant flow, details of how current consumers within programs will be transitioned into the trial will be agreed by March 2014 and attached to this Agreement as a separate appendix.

- a. WA will work with the Commonwealth and the NDIA to ensure that agreed phasing of participants will be managed to minimise the risk of scheme costs exceeding the total funding for the trial period.
5. These strategies will then be considered in the context of the impact of these flows on:
- a. providers involved and impact on the overall sustainability of the supports provided where this support is required by other individuals;
  - b. the provider transition strategy required to meet the conversion from in-kind to cash contributions;
  - c. the nature of current funding arrangements with providers;
  - d. the availability of cash and in-kind funds and the needs of the individuals for supports that can or cannot be met by the existing in-kind arrangements; and
  - e. individual capacity and readiness.
6. The strategy will be incorporated into detailed joint communication materials from the Commonwealth and WA from March 2014 onwards.

## **APPENDIX C – JOINT STEERING COMMITTEE ON DISABILITY REFORM IN WESTERN AUSTRALIA - TERMS OF REFERENCE**

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The Joint Steering Committee on Disability Reform in Western Australia (the Committee) will oversee the progress and evaluation of disability reform in Western Australia.

The Committee's focus will be on trial sites in the Perth Hills, Lower South West, and Cockburn/Kwinana areas. These sites will test two different approaches to the delivery of disability services. The lessons learned from these trials will inform the national roll-out of disability reform.

The Committee will be responsible for:

1. sharing data information about progress and issues across each of the trial sites;
2. providing information on issues of relevance or possible interest to other jurisdictions at the Disability Policy Group,/Senior Officers Working Group meetings;
3. providing advice to both Governments on issues emerging in any of the trial sites;
4. overseeing the development of a communications strategy;
5. resolving issues as they emerge, including issues relating to the provision of in-kind services, interfaces with mainstream services and continuity of support;
6. oversight of the comparative evaluation of the two trial models, including providing advice to both Ministers on the terms of reference and reviewing interim reports;
7. providing advice to both Governments on the financial performance of the trial sites; and
8. providing information to both Governments on the degree of consistency in:
  - a. the approach to eligibility;
  - b. the provision of reasonable and necessary supports; and
  - c. the outcomes achieved across each of the trial sites.

### **Reporting**

The Committee will report to the Western Australian Minister for Disability Services and the Commonwealth Minister for Social Services.

Reports to Ministers will be provided quarterly, as well as in response to requests for information or emerging or urgent issues.

### **Review Date**

The Committee will operate until 30 August 2016. The need for any extension of the Committee will be considered and decided jointly by the Western Australian and Commonwealth Governments in May 2016.

## Meetings

The first meeting of the Committee will be held in March 2014. Subsequent meetings will be held bi-monthly until mid-2014. Meetings will then be held quarterly.

Meetings will be held either in Western Australia, or via telepresence.

Secretariat support will be provided by the WA Disability Services Commission.

## Membership

- Deputy Director General, WA Department of the Premier and Cabinet [co-chair]
- Deputy Secretary, Department of the Prime Minister and Cabinet [co-chair]
- Director General, WA Disability Services Commission
- Deputy Secretary, Department of Social Services
- WA Mental Health Commissioner
- CEO NDIA (the CEO can alternatively delegate to the State Manager)
- Community representative from Perth Hills Local Advisory Group
- Representative from the WA NDIS *My Way* Reference Group

The representatives from the Local Advisory Group and WA NDIS *My Way* Reference Group will consult with their respective groups about issues considered by the Committee.

## **APPENDIX D – NDIS PERTH HILLS LOCAL ADVISORY GROUP – TERMS OF REFERENCE**

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### **Chair**

The Local Advisory Group will be co-chaired by the National Disability Insurance Agency WA Manager (or the NDIA WA Director of Engagement) and another member elected at the first meeting, who should be a non-government representative.

### **Membership**

The Local Advisory Group will comprise:

- The National Disability Insurance Agency (NDIA) WA Manager or the NDIA WA Director of Engagement;
- The WA Disability Services Commission appointed representative;
- A NDIA Board member from WA; and
- At least nine representatives, at a minimum:
  - two consumers (Disability and Mental Health)
  - one carer and/or family member
  - one Mental Health service provider
  - one Disability service provider
  - one consumer representative organisation
  - one service provider peak organisation
  - one local government representative
  - one mainstream service system provider, such as justice, education and/or health.

Representatives will be agreed by the NDIA, the WA Disability Services Commission and the WA Mental Health Commission.

## **Term and Meetings**

The Local Advisory Group will be convened as soon as practicable in 2014. These Terms of Reference will be endorsed by the Local Advisory Group at its first meeting.

The Local Advisory Group will meet monthly until the WA trial site commences from 1 July 2014. The Local Advisory Group will continue to meet on an as-needs basis after the commencement of the trial site.

The Local Advisory Group and its Terms of Reference will be reviewed by the NDIA, the WA Disability Services Commission and the WA Mental Health Commission in May – June 2015.

## **Objectives**

The Local Advisory Group will be responsible for providing advice on the implementation of the National Disability Insurance Scheme in the WA Perth Hills trial site.

The Local Advisory Group will provide advice to the Joint Steering Committee and the NDIA Board.

## **Scope**

The scope of the Local Advisory Group is to provide advice, in particular:

- Provide feedback on preparation for the commencement of the trial site, including participant and provider expectations;
- Share local knowledge of service provision and the experience of people with disability;
- Advise on localised communication requirements to match objectives of the trial site; and
- Make connections between NDIS objectives and local requirements.

The Local Advisory Group will not be a decision-making forum. It will be a mechanism where members, the NDIA and the WA Disability Services Commission are able to discuss and seek resolution at a local level.

## **Operations and Resources**

Meetings will be held face-to-face. The WA NDIA Office will provide secretariat support.

## **Reporting**

Actions, outcomes and advice will be recorded and distributed to all members prior to being provided to the Joint Steering Committee and the NDIA Board.



# WESTERN AUSTRALIAN TRIAL SITE FOR THE NATIONAL DISABILITY INSURANCE SCHEME

**Monday, 31 March 2014**

**Prime Minister**

**Assistant Minister for Social Services**

The Commonwealth and Western Australian Governments today signed an agreement to establish a National Disability Insurance Scheme (NDIS) trial site in Western Australia from 1 July 2014.

A trial site for the NDIS will be established in the Perth Hills area, alongside a trial site for Western Australia's

My Way scheme in the Lower South West region and Cockburn/Kwinana regions.

These trial sites are crucial to the National Disability Insurance Agency's ability to ensure the scheme is built on strong foundations and key lessons from the trials are taken on board.

Around 8,400 Western Australians with disability will benefit from the two trials and even more will benefit from the full rollout of the NDIS.

The trial sites in Perth are key milestones in the continued national rollout of the NDIS.

People with disability and their families should be able to access the NDIS and its benefits regardless of where they live.

The Perth trials will be independently evaluated by a Joint Steering Committee comprising representatives from the Commonwealth and Western Australian Governments and community representatives from the trial sites.

For more information about the NDIS Perth Hills trial site, visit [www.ndis.gov.au](http://www.ndis.gov.au).

31 March 2014



# Premier signs NDIS agreements with PM

*Monday, 31 March 2014*

- **National Disability Insurance Scheme to start in WA on July 1, 2014**
- **Increased choice, control and resources to support people with disability**
- **Trials independently evaluated to inform disability services into the future**

Premier Colin Barnett and Prime Minister Tony Abbott today signed the agreements that will provide the foundations for the trial of the National Disability Insurance Scheme (NDIS) in Western Australia.

The agreements provide the detail of the uniquely WA arrangement which will see two different models of service trialled and independently evaluated.

On July 1, 2014 the State Government's WA NDIS 'My Way' trial will commence in the lower South-West region, with the Cockburn/Kwinana area joining the trial the following year.

Disability Services Minister Helen Morton said the 'My Way' trial, to be implemented under State legislation, built on the strengths of the current WA disability services system and would be run by the Disability Services Commission.

At the same time a trial of the national model will also commence in the Perth Hills area on July 1, 2014.

"The Perth Hills trial will be run by the National Disability Insurance Agency and implemented under Commonwealth legislation," Mrs Morton said.

"The NDIS agreements outline the respective roles and responsibilities of the Federal and Western Australian governments. Both NDIS trial programs will enable people with disability and their families and carers to exercise greater choice and control over their lives and get access to more individualised support and services.

"Both the State and Federal governments have committed significant additional funding to the trials to ensure people with disability are able to access the 'reasonable and necessary' support they need to live a good life in their local community."

The agreements also outline the role to be played by a joint steering committee which will be established to oversee the progress and evaluation of both the NDIA NDIS and the WA NDIS My Way trial sites.

## Fact File

- **About 8,400 people across the two trial sites will benefit**
- **The joint steering committee will comprise representatives from the Federal and State governments, and community representatives from both trial sites**
- **For more about WA NDIS My Way trial, visit <http://www.disability.wa.gov.au> > NDIS in WA**
- **For information about NDIS Perth Hills, visit <http://www.ndis.gov.au>**

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