

A Position Statement on the Terms of Reference for the Joint Standing Committee on the National Disability Insurance Scheme (NDIS) Inquiry into Current Scheme Implementation and Forecasting for the NDIS

Purpose

This position statement outlines [People with Disability Australia's](#) (PWDA's) preliminary response to the [Joint Standing Committee on the National Disability Insurance Scheme](#) (JSC on the NDIS) inquiry into [Current Scheme Implementation and Forecasting for the NDIS](#) which will take place over the summer of 2020–21.

PWDA will make a preliminary submission to the NDIS JSC, outlining four key recommendations in a letter due on 29 October 2021.

Our key hope is the JSC will direct the government and the National Disability Insurance Agency (NDIA) to ensure the [NDIS](#) comes into closer alignment with the [United Nations Convention on the Rights of Persons with Disabilities](#) (CRPD).

Once our letter submission is in, we will prepare a longer submission ahead of a 2 February 2022 due date.

Background

An original aim of the NDIS is to give effect to Australia's obligations under the UN CRPD, international human rights instrument the nation ratified in 2008.

This intention is backed up by the key objective of the [National Disability Insurance Scheme Act 2013](#) (NDIS Act) is to 'protect and prevent people with disability from

experiencing harm arising from poor quality or unsafe supports or services provided under the National Disability Insurance Scheme.’

Discussion

Australia is not realising its original goals for the NDIS, including in its funding and implementation.

In our initial submission letter on the inquiry’s [Terms of Reference](#) (TOR), we make four key recommendations and observations to government.

These recommendations and our concerns relate back to the TOR for the inquiry.

Recommendations and observations

1. The original intentions for Tier 2 supports and ILC grant funding are being ignored

As intended, Tier 2 NDIS supports and [Department of Social Services Information, Linkages and Capacity Building](#) grants should support people with disability to access mainstream services, not deliver more research funding to universities or other external agencies that do not deliver direct services or benefits to people with disability.

2. Visionary plans for a fund to ensure NDIS financial sustainability are being ignored

As proposed by the Productivity Commission (2011), there should be a singly funded, fully underwritten National Disability Insurance Premium Fund managed by the Commonwealth. People with disability have the right to a fully funded sustainable NDIS to ensure their supports and services are delivered equitably.

3. NDIS modelling and forecasting data is inaccessible, locked away and unclear

The financial and actuarial modelling and forecasting of the NDIS being relied upon by governments must be accessible, completely publicly available and transparent, and available for full probity under Australian freedom of information (FOI) laws.

4. **Access to the NDIS is a human right and the NDIS needs to be a strong scheme for people with disability**

The NDIS must be a strong scheme for people with disability and must be consistent with the CRPD and Australia's obligations to implement the CRPD.

Further information

- [Joint Standing Committee on the National Disability Insurance Scheme Inquiry into Current Scheme Implementation and Forecasting for the NDIS](#)
- [NDIS JSC Terms of Reference](#)
- [Department of Social Services Information, Linkages and Capacity Building grants program](#)
- [NDIS](#)
- [National Disability Insurance Scheme Act 2013](#)
- [United Nations Convention on the Rights of Persons with Disabilities](#)
- [PWDA article on the UN Convention on the Rights of Persons with Disabilities](#)

About PWDA

People with Disability Australia (PWDA) is a national disability rights and advocacy organisation made up of and led by people with disability. We are a peak, not-for-profit non-government organisation that represents the interests of people with all kinds of disability. We have a vision of a socially just, accessible and

inclusive community in which the human rights and freedoms of all people with disability are recognised, respected and celebrated.

To find out more about PWDA, visit our website [here](#).

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