

2nd National PRECI Conference

Surfers Paradise, Queensland, 2 May 2024

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Introduction

I would like to acknowledge the traditional owners of the land on which we are meeting, the **Yugambeh** [*Yugum-bear*] people, and pay my respects to their Elders – past, present and future.

And I want to thank PRECI – and especially your Chair, **Denise Luscombe** – for inviting me to open your second National Conference.

I also want to thank PRECI for your contribution to – and support of – the independent NDIS Review, which I co-chaired with **Lisa Paul**.

The two submissions you made to the NDIS Review were thoughtful and influential – especially your recommendations to develop best-practice approaches in early childhood intervention and to ensure that NDIS funding aligns with best practice.

What you identified is that the NDIS has both a knowledge gap and a knowledge translation gap.

Of those two gaps, I would argue that the greater challenge is the knowledge translation gap.

It started developing over the past 15 years through initiatives such as Better Start and over the past decade has been turbocharged by the NDIS.

The best way to bridge that gap is for everyone – governments, practitioners, families - to focus on best practice.

In your submission you advocated for approaches that recognise the critical role families play in their child's development, and the importance of children learning alongside their peers in the community.

We agreed – and that's why we recommended the creation of foundational supports and the roll out of Lead Practitioners.

Your comments about the failure of the NDIS market were also correct.

As you pointed out in your submission, there is also a need for much better workforce planning, accreditation and visibility.

As you said:

‘It is unconscionable that the government should be paying for services and not have any way of knowing what is being offered and how effective it is.’¹

Many of the issues you raised were also raised by people with disability and their families and taken together were important in shaping our report and recommendations.

But – as you know – recommendations are only half the job.

The real work begins now with detailed checking, planning, engagement and implementation of the reforms needed to reboot the NDIS.

That is why I am here today.

I have come to your National Conference for three reasons.

¹ PRECI Submission to the NDIS Review – August 2023, page 9

First, I am here to talk to you about the Review's findings and recommendations – and point you to the supporting analysis behind our recommendations.

Second, I am here to answer any questions you might have.

Third, I am here to ask for your help.

What do I mean by help?

Currently, the NDIS is spending more than \$5 billion per annum on supports for children aged 0 -14 years, while families report little improvement in outcomes and a lack of connection to where their children naturally learn, live and play.

These poor outcomes cannot continue. We are failing children and families – and the trajectory is also not sustainable.

Reform is therefore urgent. It will also be very challenging. Big reforms always need champions and partners. Your experience and expertise in what it takes to deliver best practice early intervention will therefore be vital on the road ahead.

Let me now brief you on the NDIS Review – our approach and our key recommendations.

Review

The independent Review was established in October 2022 by the NDIS Minister, the **Hon. Bill Shorten**.

We were given just twelve months to evaluate the design, operations, and sustainability of the NDIS.

We had three core tasks:

1. To put people with disability and their families back at the centre of the NDIS
2. To restore trust and confidence in the Scheme, and
3. To ensure the NDIS is sustainable.

Importantly we thought about the two parts of sustainability – benefits as well as costs. So a key focus of the NDIS Review was on reforms which would deliver much greater benefits than we are seeing today.

With that in mind, we travelled to every state and territory – including regional and remote communities. We met thousands of Australians and heard directly from people who are not usually heard in a Review of this type. In the remotest of communities in the Northern Territory we were shocked and angry to see, firsthand, just how unfair the NDIS is today.

We received 3,976 submissions. This was more than three times the then-record number of submissions which were made to the Productivity Commission Inquiry into Disability Care and Support in 2010 and 2011.

This level of engagement and trust was truly humbling. We could not have completed our Review without all this essential advice based on lived experience.

While we were conducting the Review we also had to be mindful of some additional initiatives.

Those initiatives included ...

The National Cabinet agreement on Financial Sustainability,

The 2023 Commonwealth Budget commitment of \$910 million over five years to improve the effectiveness and delivery of the NDIS,

And the release of the final report of the Disability Royal Commission.

We kept all of that in mind and kept going and delivered our final report – *Working together to deliver the NDIS* – late last year.

The report contains 26 recommendations – with 139 actions designed to change the system that supports Australians with disability.

We see those recommendations – to be delivered over five years – as a blueprint to renew the promise of the NDIS and deliver a more accessible and inclusive Australia.

Now, Minister Shorten is serious about, as he puts it, ‘finishing the job’ that started with the rollout of the NDIS in 2013 and securing the future sustainability of the Scheme.

So, too, are the States and Territories.

Doing nothing is not an option for three reasons.

First, we must deliver better outcomes for people with disability.

Second, we must maintain the trust and confidence of the Australian community in the NDIS.

Third, we must meet the targets set by National Cabinet.

To get better outcomes from the NDIS and maintain public confidence and trust, the scheme must be sustainable.

There is a seriousness of intent from all governments on this issue. And that seriousness is a great opportunity for the disability sector – and also great responsibility.

We are all responsible for the sustainability of the NDIS – people with disability, families, service providers, workers, professionals and governments. It is a shared responsibility.

Let me explain what I mean.

Systemic reform

My position is clear: the Review's recommendations and actions must be implemented as a matter of urgency, or we run the risk of failing another generation of children with disability.

The Review's recommendations and actions must also be implemented as a whole.

That is an important point.

Everything in the NDIS is connected to everything else. Our recommendations reflect that connection – and are designed to meet all three objectives of the Review. Cherry picking through the recommendations therefore just won't work.

The conclusion the Review came to is that the size and scope of the challenges we face – such as the fact that around one-in-five Australian children has a disability, developmental delay, or developmental concerns; or the fact that 9 per cent of children aged between 5 and 7 are in the NDIS – requires fundamental system change.

Let me give you a few examples of what I mean by systemic change.

The whole disability ecosystem – not just the NDIS– needs to be governed and managed as a whole.

The NDIS cannot be sustained as a standalone support system.

It cannot be a walled garden surrounded by a moat – with everyone on the wrong side of the wall left to fend for themselves.

Mainstream services must meet the needs of people with disability – just as people with disability must be a part of mainstream life.

For that to occur we need a new Disability Inter-Governmental Agreement to ensure all governments fulfil their responsibilities – to work hand-in-glove with the other key Inter-Governmental Agreements covering education, health and housing.

This is Action 20.1.

The NDIS also needs to be surrounded by a new system of Foundational Supports. We used the term ‘foundational’ very

deliberately, because these supports are the foundations of fairness, equity and sustainability.

Foundational Supports are also foundational to our recommendations.

They must be implemented in lock-step with our other recommendations, particularly in relation to changes to the way people access the scheme and the way their NDIS funding is set. This is Recommendation 1.

A key element of Foundational Supports is that the Review wants all children with disability, developmental delay and developmental concerns to receive supports based on their needs – and we want those supports to be delivered where those children live, learn and play – and when they need them.

For the NDIS to be sustainable, mainstream and universal services must become more accessible and inclusive. That is Recommendation 2.

That means – as Action 2.5 states – improving early identification of children with developmental concerns, delays and disability.

That means – as Action 2.13 states – making schools more inclusive.

Indeed, one of the things that most shocked us during the Review was the number of children refusing to attend school, being home-schooled and then receiving no schooling.

This is catastrophic for those children, because education is the key to their future.

Another urgently needed systemic reform concerns the market.

The marketplace has failed to deliver for people with disability.

Overall, it has not delivered choice. It has not delivered innovation. It has not delivered value.

And it has not sufficiently improved outcomes nor maximised participation of people with disability in the broader society and economy.

We need to put strong guardrails around the NDIS marketplace – and ensure it delivers the best-possible outcomes for participants, wherever they live.

That is why Action 13.1 focuses on monitoring the market.

That is why Action 13.2 focuses on creating provider panels to serve regional and rural areas neglected by the marketplace.

That is why Action 15.1 focuses on attracting and retaining disability staff to make disability careers more attractive and Action 15.3 focuses on workforce planning and training, across the entire care economy.

And that is why Actions 17.1 and 17.2 focus on risk reduction and that the new National Disability Supports Quality and Safeguards Commission should monitor the NDIS and foundational supports, as set out in Action 16.1.

But what about systemic reforms, specifically for children and their families inside and outside the NDIS?

I've mentioned Action 1.12 – which states all children with disability, developmental delay and developmental concerns should receive support based on their needs – and those supports should be delivered where those children live, learn and play and be based on best practice.

But that's just a part of the system change that is required.

Chapter 6

You see, I believe fixing support for children and their families is a threshold issue for the NDIS.

We must create a continuum of supports that match needs.

We must get early intervention right – as a matter of urgency – both inside and outside the NDIS, because we cannot expect the next generation of children to achieve their full potential without evidence-based support ...

... and we cannot expect the NDIS to remain viable if we squander the futures of those children.

I won't waste your time by walking you through the challenges we face in this area. After all, you are the experts in early childhood intervention: you know much more than I do.

Instead, I would like to ask you to read – or re-read – Chapter 6 of the Review’s Final Report, as well as the key recommendations set out in Actions 6.1 to 6.7.

I would also ask you to take a good look at the Supporting Analysis section on early childhood intervention – which begins on page 388.

I don’t want you to read those parts of the Final Report and Supporting Analysis because I think the Review has anything to teach you.

I would ask you to examine – and critically respond to – those parts of the Final Report because we need your input to get the planning and implementation right.

You will have seen that in our recommendations that we lay out key directions, as part of a blueprint for reform. There is much detailed implementation work to follow – and that work must be done in collaboration with people with disability, their families, their organisations – and experts such as you.

The Review to create real change needs you – and the NDIS needs you.

Before I conclude I want to draw your attention to, arguably, the most significant parts of Chapter 6 – Actions 6.4 and 6.5.

Action 6.4 recommends a new needs assessment process to more consistently determine the level of need for each child and set budgets on this basis.

The assessment process should include observation of the child in natural settings and must allow children to be children. We were particularly disturbed during the Review when we heard about children being subjected to interventions which involve coercion or punishment. These must be stopped.

We were also concerned that the fundamental purpose of ECI services, seems to have been lost.

As you put it in your August 2023 submission to the Review:

‘The aim of ECI services is to build the capabilities of parents and caregivers to provide children with the experiences and opportunities needed to develop the functional skills that will

enable them to fully participate in family, community and ECEC environments.²

Action 6.5 recommends creating a key role of Lead Practitioner.

We envisage the Lead Practitioner will need to be expertly qualified in family-centred practice and lead a transdisciplinary team.

We also believe this approach should be linked to strengthened Early Childhood Practice Standards.

We also see the creation of Lead Practitioner positions as an initiative that will enable and encourage best practice across the sector.

We have also recommended that the Lead Practitioners and other Navigators should be commissioned using relational contracting. Relational contracting would ensure there is a partnership between the organisations delivering these important services and the NDIA.

² *Ibid*, page 7

Relational contracts allow for feedback, continuous improvement and communities of practice which lift standards and outcomes nationally.

They are very different to the purchaser-provider contracts used today by the NDIA to commission LACs.

The Review's view is that Lead Practitioners must be commissioned using relational contracting – otherwise the initiative will not work.

Similarly, the Lead Practitioner workforce must have appropriate minimum qualifications as part of the proportional regulatory system we recommended in Action 17.1.

These examples also help to illustrate how our recommendations and actions are connected and need to be considered as a whole.

Next steps

Finally, let me look ahead to the next steps.

Right now, the Government is progressing the recommendations from the NDIS Review that relate to access, budget setting, plan management, and strengthening the early intervention pathway.

That legislation – the Getting the NDIS Back on Track Amendment Bill – will enable key recommendations from the NDIS Review to be implemented.

These are important steps, but only first steps.

We are at the beginning of a renovation of the NDIS that will take years to complete.

But the long-term success of this nation-building project will be decided by the critical actions we take right now to set up future success.

What am I talking about?

I'm talking about beginning to put in place the policy frameworks that focus on outcomes – this is Action 23.1.

I'm also talking about creating a virtuous cycle of improvements in disability supports through a rigorous approach to evidence, data and research.

These are spelled out in Actions 23.2, 23.3 and 23.4.

For instance, we recommend creating an Evidence Committee to – among other things – determine best-practice early intervention.

This is explained in the Supporting Analysis on page 1103.

Conclusion

In conclusion, let me say this: Minister Shorten has said the NDIS is secure.

It is not going away.

But that does not mean the work of the disability sector is done.

We share a responsibility to ensure the promise of the NDIS is fulfilled.

That responsibility is both an opportunity and a challenge:

An opportunity to take the vision that drove us all those years ago when we were campaigning for an NDIS – a vision of human rights and inclusion – and see that vision realised;

And a challenge to do that in a way that ensures the NDIS is sustainable and continues to enjoy the high level of public support it has always enjoyed.

To secure the sustainability of the NDIS much needs to change – and those changes need to be clearly prioritised and carefully sequenced.

As set out in Recommendations 24, 25 and 26, a 5-year transition period is needed with a clear roadmap and deep engagement with the disability community.

Up until now, the focus has been on the individualised stage of building the NDIS – getting participants into the Scheme – and taking a *laissez faire* approach to markets, quality and outcomes.

From now on, the focus needs to be on the community-wide stage of the NDIS build – making Australia accessible to everyone, not just NDIS participants.

We need to care as much about people outside the NDIS as we do about those who are in the Scheme.

We need to care as much about the sustainability of the NDIS as we do about reasonable and necessary supports.

We need to intervene strategically in NDIS markets so they deliver quality and outcomes.

We need to recognise that children thrive when families feel well supported.

The NDIS is a great Australian socio-economic invention.

It has changed the lives of hundreds of thousands of Australians.

And it promises – in the years and decades to come – to further open up this great country to generations of boys and girls, men and women, with a disability.

It is up to us to work together to ensure that this promise becomes a reality.

Thank you.

It now gives me great pleasure to declare the second National PRECI Conference open and I especially look forward to meeting and talking to many of you over the next couple of days.

Thank you very much.