

VACCHO POSITION PAPER - Independent Assessments

The Victorian Aboriginal Community Controlled Health Organisation is calling for the NDIS to establish strategies to incorporate the sector's suggested changes before moving forward with Independent Assessments. This will include undertaking an in-depth review of how the proposed changes can be delivered in a culturally safe manner. This position paper was developed to provide an overview of the current advocacy on Independent Assessments in the context of policy work on disability in the Aboriginal community.

Recommendations

In our recent submissions VACCHO has put forward several recommendations to ensure the approach can better support Aboriginal people with disability. You can read the whole [Independent Assessment submission here](#). Summary of recommendations:

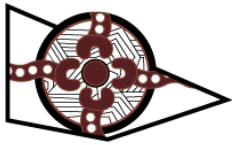
- The NDIA needs to engage Aboriginal health peak bodies, ACCOs and ACCO NDIS providers to stress-test the approach and seek feedback on suitability.
- Independent Assessments are offered by culturally safe practitioners and in culturally safe settings to ensure that the assessment is supportive of Aboriginal people with disability.
- Independent Assessors either work in an ACCO or have a close, embedded relationships with an ACCO to ensure that cultural knowledge and skills are fundamental to the assessment of Aboriginal people.
- Where ACCOs have the will to host or oversee the work of an Independent Assessor, the NDIA should negotiate partnership with Aboriginal Jurisdictional Peak bodies, such as VACCHO, to offer an Aboriginal State-wide Independent Assessment service.
- NDIS to designate a proportion of the Independent Assessment workforce as identified positions.
- Time limits on Independent Assessments should be increased to enable building of rapport and to cater to the needs of the participant.
- The Independent Assessment toolkit should be continuously reviewed.

Background

Independent Assessments were first raised by the Minister for the NDIS in November 2019, flagging a change to the NDIS access process. Independent Assessments are a new approach for determining eligibility for the NDIS and are explained on the [NDIS Independent Assessment webpage](#). There were two Independent Assessment trials in 2019-2020, with an [evaluation report](#) produced which was generally positive. However, there are still many unanswered questions about the approach including how the assessment will inform an individual's NDIS plan and budget.

Current Situation

There has been a poor uptake of the NDIS by Aboriginal people with disability. While NDIA [data reports](#) are touted as positive indicators of uptake, there is no baseline data to model the number or percentage of Aboriginal people who experience profound or permanent disability to compare it to. Anecdotally, our Members have reported that there are significant numbers of Aboriginal people with disability going without services, who have been denied access and/or disengaged from the process. There is potential for the Independent Assessment approach to improve the pathway for Aboriginal people with disability into the NDIS. However, VACCHO is concerned that a poorly designed and implemented approach could further entrench the problems with the Scheme. To read more about the broader challenges of the NDIS for Aboriginal people and our Members please see our [submission to the Disability Royal Commission](#).



In February 2021, the NDIA announced the companies who were awarded Independent Assessment contracts, and this has been met with frustration by NDIS participants, disability advocacy organisations and VACCHO. This was coupled with a lack of meaningful consultation from the NDIA prior to the announcement and no evidence of how consultation feedback has been used to amend the approach. There is now widescale concern and media reporting that the Independent Assessment approach should be abandoned. However, the Commonwealth will proceed with tabling NDIS Legislation changes to formalise the change this year.

Risks

The [proposed Independent Assessment approach](#) formed part of the NDIA consultation process from December 2020-February 2021. During this process VACCHO attended multiple sessions to advocate for our Members and found the engagement stilted and restricted to the scope of [NDIA discussion paper](#). VACCHO produced [two submissions](#) ([ECEI](#) and [Access and Planning](#)) in response to the proposed approach providing recommendations and raising concerns about the model. VACCHO considers the risks of the Independent Assessment approach to be:

- The Independent Assessor contracts have already been awarded to all mainstream organisations, with no mandate from the NDIA to ensure culturally safe services, Aboriginal practitioners or partnerships with ACCOs.
- That the approach is not fit for purpose for Aboriginal people. Aboriginal people experiencing disability find it particularly challenging to articulate their needs in mainstream settings, due to mistrust and fear of mainstream organisations and governments. This is a result of generations of racism, exclusion and harm and is still prevalent. The dynamic is not accounted for in the approach.
- There are additional barriers and challenges getting an accurate assessment when the individual experiences a disability that is difficult to diagnose or assess through functional approaches, such as psychosocial conditions.
- That reviews and appeals are not permitted, limiting the opportunities for the Aboriginal person and their carer to appeal and have the case reconsidered, considering points 2-3.
- The new approach is applied to all people currently in the Scheme, risking the current plan funding already allocated based on the participant's assessment (where it is working well).
- That people cannot be reduced to a simple scoring system corresponding to monetary value for a plan. People experiencing disability are far more complex than this, with effective assessments for Aboriginal people with disability only possible through a more holistic approach incorporating culture.
- It could be challenging and isolating for people who are uncomfortable seeing a new practitioner for their assessment (who must be independent) or responding poorly to the assessment approach and not having an opportunity for recourse.

VACCHO is concerned about the risks of Independent Assessments and urge the NDIS to adopt our recommendations so the approach could be redeveloped. Independent Assessments that are appropriately designed should lead to further inclusion of Aboriginal communities in the NDIS by ensuring that cultural safety is paramount to assessments of Aboriginal people across the country.

If you would like to find out more about VACCHO's policy work in the disability portfolio, please [get in touch with VACCHO](#).