

Foundational and disability supports for children and young people

Attachment 1: Review recommendations, responses and early childhood intervention frameworks

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Disability Royal Commission recommendations and government responses

This table includes recommendations relevant to the scope of this inquiry's terms of reference. See the [final report](#) for a full list of recommendations.

Table. Relevant recommendations made under each volume of the Disability Royal Commission final report, and Australian and NSW Government responses

<p>Volume 4: Realising the Human Rights of People with Disability Volume 4 examines Australia's human rights obligations and proposes changes for a stronger and more comprehensive legal framework to protect and advance the rights of people with disability.</p>	<p>Australian Government response Joint Response: Subject to further consideration</p> <p>NSW Government response</p>
<p>Recommendation and territory laws Recommendation 4.22 Strengthening disability rights protection in state States and territories should enact legislation complementary or equivalent to the Australian Disability Rights Act, taking into account their own legal frameworks.</p> <p>The Disability Rights Act should provide that the Act is not intended to exclude or limit the operation of a state or territory law that furthers the objectives of the <i>Convention on the Rights of Persons with Disabilities</i> and is capable of operating concurrently with the Act.</p>	<p>Accept in principle The Australian Government is committed to ensuring Commonwealth anti-discrimination legislation works for people with disability and is dedicating \$6.9 million to review and modernise the <i>Disability Discrimination Act 1992</i> (Disability Discrimination Act). The Attorney-General's Department will review the Disability Discrimination Act to ensure it remains fit-for-purpose, recognising that it has not been substantially amended since 2009. The review will consider and consult on the Disability Royal Commission's recommended amendments, with a view to strengthening and clarifying protections for people with disability. The Government is committed to working in partnership with the community, recognising that implementing these recommendations may impact a diverse range of stakeholders. Broad and accessible consultations will be conducted with affected stakeholders, including on potential regulatory impact.</p> <p>Note recommendations directed at the Australian Government Recommendation 4.30(b) Subject to further consideration NSW is committed to providing appropriate protections for people with disability. Reviews are currently being undertaken by the NSW Law Reform Commission into the <i>Anti-Discrimination Act 1977 (NSW)</i> and section 93Z of the Crimes Act 1900 (NSW). The outcomes of, and recommendations arising from, these reviews will need to be considered by NSW and may directly impact recommendation 4.30(b).</p>
<p>Volume 5: Governing for Inclusion Volume 5 examines existing national disability policy, strategy and governance arrangements.</p>	

Recommendation

Australian Government response

NSW Government response

Recommendation 5.1 Development of a National Disability Agreement

The Australian Government and State and Territory governments should develop a new National Disability Agreement through the Disability Reform Ministerial Council, to be signed by first ministers. The fundamental objective of the Agreement should be to advance equality, inclusion and the rights of people with disability in Australia.

The Agreement should provide the framework for intergovernmental collaboration to:

- develop and implement reforms requiring national attention and coordination, including recommendations of this Royal Commission
- implement Australia's Disability Strategy 2021–2031 (ADS) and the National Disability Insurance Scheme (NDIS).

The ADS, NDIS national agreements and policies, and other national disability frameworks should be schedules to the new National Disability Agreement.

The Agreement should clearly set out roles and responsibilities of parties to the Agreement.

The new National Disability Agreement should be developed and finalised by the end of 2024.

Recommendation 5.2 Review and update of Australia's Disability Strategy

The signatories to Australia's Disability Strategy 2021–2031 (ADS) (the Australian Government, State and Territory governments and the Australian Local Government Association) should review and update the ADS to ensure it reflects the issues raised and recommendations made by this Royal Commission.

This review and update should:

- consider the ADS and all its implementation mechanisms, including Targeted Action Plans, Engagement Plan, Outcomes Framework, Guiding Principles, reporting arrangements and Data Improvement Plan
- be undertaken in partnership with people with disability and their representative organisations.

An updated ADS should be released by the end of 2024.

Commonwealth: Subject to further consideration

ACT, NSW, NT, QLD, SA, TAS, VIC, WA: [Accept in Principle](#)

The Australian Government and State and Territory governments are committed to ensuring intergovernmental arrangements support collaboration to advance equality, inclusion and the rights of people with disability in Australia and ensure appropriate governance of the disability ecosystem.

All governments have agreed to work together, and with the disability community, to:

- Implement legislative and other changes to the NDIS to improve the experience of participants and restore the original intent of the Scheme, within a broader ecosystem of supports.
- Jointly design additional Foundational Supports to be jointly funded through new Federal Funding Agreements, with additional costs split 50-50 between the Commonwealth and jurisdictions.
- Undertake a targeted review of Australia's Disability Strategy 2021-31 to identify practical process, governance and reporting improvements in response to issues identified in the Disability Royal Commission's inquiry and final report.

Governments will respond to this recommendation by 31 December 2024, following further consideration alongside relevant recommendations of the NDIS Review.

Joint Response: [Accept](#)

The Australian Government, State and Territory governments, and the Australian Local Government Association have commenced a focused review of Australia's Disability Strategy 2021-31 to consider the issues raised in the Disability Royal Commission and to take account of feedback from the first two years of Australia's Disability Strategy 2021-31 implementation.

The review is being undertaken with the active involvement of the Australian's Disability Strategy Advisory Council and will consider the Australian's Disability Strategy 2021-31 and its artefacts and processes, including Targeted Actions Plans (concluding and new). It will focus on identifying practical process, governance and reporting improvements, and addressing key gaps or missing elements.

The review will inform the publication of changes to Australia's Disability Strategy 2021-31 and implementation processes before the end of 2024.

A separate major evaluation of Australia's Disability Strategy 2021-31, focused on outcomes, is due to commence in 2025 and be completed in 2026.

[Note: the focused review of Australia's Disability Strategy 2021-31 is now complete and [a refreshed Strategy](#) was published 30 January 2025.]

Recommendation

Recommendation 5.3 Review and update of disability strategies and plans

State and Territory governments should review and update their disability strategies and plans to ensure they reflect the issues raised and recommendations made by this Royal Commission.

These reviews and updates should:

- consider how these strategies and plans align with Australia's Disability Strategy 2021–2031, including outcomes of Recommendation 5.2
- be undertaken in partnership with people with disability and their representative organisations.

The reviews and updates should be completed by mid-2025.

Australian Government response

Accept in principle

The NSW Disability Inclusion Plan 2021–2025 (DIP) is intended to align with Australia's Disability Strategy (ADS).

The NSW Government will undertake a strategic review of the NSW DIP. This review will examine further opportunities for alignment between the next DIP and the ADS, including the outcomes of recommendation 5.2.

Following this review, the NSW Government is expecting to launch a refreshed NSW DIP which will incorporate commitments of the NSW Government in response to the Disability Royal Commission. The NSW Government will partner with people with disability and their representative organisations, including the Disability Council NSW, to prepare the refreshed NSW DIP and Disability Inclusion Action Plans (DIAPs).

NSW Government departments and prescribed entities will prepare new or remade DIAPs by mid-2025.

NSW Government response

Recommendation 5.4 Review of national agreements, strategies and plans

The Australian Government and State and Territory governments should review national agreements, strategies and plans that affect people with disability. This work should be undertaken through the Disability Reform Ministerial Council in conjunction with other ministerial councils. Reviews should consider:

- the alignment of national agreements, strategies and plans with Australia's Disability Strategy 2021–2031
- how funding allocations should recognise the needs and rights of people with disability
- the inclusion of specific outcome measures related to people with disability
- the development of specific action plans relating to people with disability.

National agreements that should be reviewed include the:

- National Agreement on Closing the Gap
- National Housing and Homelessness Agreement
- National School Reform Agreement
- National Health Reform Agreement
- National Mental Health and Suicide Prevention Agreement
- National Agreement for Skills and Workforce Development.

Other national agreements, strategies and plans to be reviewed should include, but not be limited to, those relating to:

- children and young people, such as the National Framework for Protecting Australia's Children 2021–2031 [...]

The reviews of current agreements, strategies and plans should be completed by the end of 2025.

Joint Response: Accept in principle

The Australian Government and State and Territory governments are committed to ensuring national agreements, strategies and plans support an inclusive Australian society that ensures people with disability can fulfil their potential as equal members of the community, consistent with the vision and purpose of Australia's Disability Strategy 2021-31 and responsibilities under the United Nations Convention on the Rights of Persons with Disabilities.

These considerations will be incorporated into future reviews of relevant agreements, strategies and plans as they become due for renegotiation. This will be considered through the respective governance mechanisms and structures for each agreement, in consultation with disability portfolios.

Given the scope and complexity of reviewing these agreements, flexibility for delivery timeframes will be required in undertaking this action.

Through a targeted review in 2024, governments will also consider how Australia's Disability Strategy 2021-31 can be improved to more effectively drive work towards a more inclusive society across all portfolios (see recommendation 5.2).

Recommendation

Recommendation 5.7 Focal points across jurisdictions to implement the CRPD

The Australian Government and State and Territory governments should ensure each jurisdiction has a designated focal point for matters relating to implementation of the *Convention on the Rights of Persons with Disabilities* (CRPD).

At the Australian Government level, this should be the new Department of Disability Equality and Inclusion, alongside the Attorney General's Department.

Each CRPD focal point should include people with disability in leadership positions.

Each jurisdiction should designate focal points by the end of 2024.

Australian Government response

Joint Response: [Accept in principle](#)

The Australian Government and State and Territory governments support designating a focal point, or focal points, in each government to support work relating to implementation of the United Nations *Convention on the Rights of Persons with Disabilities*.

Australian Government – additional information

At the Australian Government level, the Attorney-General's Department and the Department of Social Services will continue to act as the joint focal point for implementation of the United Nations *Convention on the Rights of Persons with Disabilities*.

NSW Government response

Volume 6: Enabling Autonomy and Access

Volume 6 examines the barriers that impact people with disability being able to exercise autonomy and access services and systems on an equal basis with others. This includes barriers to accessible information and communication, support for decision-making, advocacy, healthcare, and the overuse of restrictive practices in various settings.

Recommendation

Recommendation 6.1 A national plan to promote accessible information and communications

The Australian Government and State and Territory governments should develop and agree on an Associated Plan in connection with Australia's Disability Strategy 2021–2031 to improve the accessibility of information and communications for people with disability. The Associated Plan should be co-designed with people with disability and their representative organisations. It should be finalised by the end of 2024.

The Associated Plan should:

- consolidate and build on existing initiatives and commitments by governments
- recognise the diversity of people with disability and the many formats and languages that people may require information to be provided in
- consider the roles of various stakeholders, including the Australian Government, State and Territory governments, disability service providers, disability representative organisations and organisations representing people from culturally and linguistically diverse backgrounds
- focus, in the first instance, on information and communications about preparing for and responding to emergencies and natural disasters, and public health
- include targeted actions to ensure access to information and communications for people with disability in the criminal justice system; supported accommodation, including group homes; Australian Disability Enterprises; and day programs
- identify and allocate appropriate funding and resources for delivery

Australian Government response

Joint Response: [Accept in principle](#)

The Australian Government and State and Territory governments recognise that people with disability have a right to access information and communications on an equal basis with others.

All governments support the development of an Associated Plan to Australia's Disability Strategy 2021-31 to improve the accessibility of information and communications for people with disability.

The Australian Government will lead the development of the Associated Plan, building on existing initiatives to deliver a unified approach. The Associated Plan will be developed in consultation with States and Territory governments.

The Associated Plan will be developed with people with disability and their representative organisations. This includes First Nations people with disability, people with disability from culturally and linguistically diverse backgrounds, people who are Deaf or hard of hearing, people who are blind or have low vision, Deafblind people, people with intellectual disability, and other people with disability who may face additional barriers to accessing the information and communications they need.

Scoping and development will commence in 2024.

Australian Government – additional information

In addition to leading on the development of the Associated Plan, the Australian Government will build capability across the Australian Public Service (APS) for effective policy engagement, design and consultation with the disability community. This will enable the APS to embed accessibility in the policy design and implementation of government policies, programs and services and everyday interactions with the community.

Recommendation

Australian Government response

NSW Government response

- include mechanisms for review and public reporting of progress made against the Associated Plan.

Recommendation 6.2 Increase the number of Auslan interpreters

The Australian Government and State and Territory governments, through the Disability Reform Ministerial Council, should commission the development of a workforce strategy to increase the number and quality of Auslan interpreters.

The strategy should:

- be based on a robust demand-supply analysis to quantify the current gaps and shortages in interpreting services. This includes analysis of qualifications, specialisations, geographic coverage, and the availability and use of face-to-face interpreting and Video Remote Interpreting
- include costed initiatives to:
 - increase the number of Auslan interpreters, including the provision of scholarships and stable ongoing employment opportunities, particularly in under-served areas
 - support specialisations in health, legal and other critical sectors (including minimum qualifications)
 - provide ongoing professional development and industry standards to support a high-quality interpreter workforce
 - increase and retain Auslan interpreters who are First Nations or from culturally and linguistically diverse backgrounds
 - raise awareness and promote pathways to becoming an Auslan interpreter.

The strategy should be developed by September 2024, and implementation of the strategy should begin by January 2025.

Advocacy (Recommendations 6.21–6.23)

Recommendation 6.21 Additional funding for advocacy programs

a) For the financial years 2024–25 and 2025–26, the Australian Government should commit additional funding of:

- \$16.6 million per annum for the National Disability Advocacy Program
- \$20.3 million per annum for the National Disability Insurance Scheme Appeals Program.

These amounts should be indexed to maintain their value in real terms from year to year.

b) From 1 July 2026, the Australian Government should ensure long-term and stable funding for national disability advocacy programs to meet demand. This should be informed by improved data in line with Recommendation 6.22.

c) From at least 1 July 2026, State and Territory governments should ensure long-term and stable funding for disability advocacy programs in their jurisdictions to meet demand. This should be informed by improved data in line with Recommendation 6.22.

Joint Response: Accept in principle

The Australian Government and State and Territory governments recognise the critical role Auslan interpreters play in supporting people who are Deaf or hard of hearing to access the information and communications they need.

Governments also recognise Deaf interpreters and translators who support people from culturally and linguistically diverse backgrounds or are more familiar with foreign sign languages, people with sensory or cognitive disability, people who are educationally or linguistically disadvantaged, or people who have limited conventional Auslan.

All governments support nationally coordinated work to boost the Auslan and Deaf interpreter workforce. As part of its work developing an Associated Plan under Australia's Disability Strategy 2021–31 to improve the accessibility of information and communications for people with disability consistent with recommendation 6.1, the Disability Reform Ministerial Council will consider strategies, initiatives and approaches to boost the Auslan and Deaf interpreter workforce.

Australian Government – additional information

To support delivery of recommendations 6.1 and 6.2, the Australian Government has allocated \$12.3 million to develop an Associated Plan under *Australia's Disability Strategy 2021–2031* to improve national approaches to accessible information and communications for people with disability and build capability across the Australian Public Service for effective policy engagement, design and consultation. The Associated Plan will be developed through consultation and is expected to, among other things:

- create common standards for all government information products, with additional specific standards for emergencies, natural disasters, and for First Nations people with disability
- develop minimum standards for use by disability service providers
- improve national approaches to accessible information and communication for people with disability with diverse or intersecting needs
- develop mechanisms to ensure Government agencies are properly accounting for disability community accessibility needs in their everyday communication products and as part of new policy proposals
- develop mechanisms for sharing best practice and building community organisation capability to improve communication with people with disability, and
- explore opportunities to use innovative technology to support inclusive communications.

Joint Response to recommendations 6.21 – 6.23: Accept in principle

The Australian Government and the state and territory governments recognise the importance of advocacy in supporting people with disability to defend and protect their rights.

On 21 April 2023, Disability Ministers endorsed the National Disability Advocacy Framework 2023–2025 (NDAF) and associated Disability Advocacy Work Plan. The NDAF commits all governments to work together to improve national consistency and access to advocacy services for people with disability across Australia. Its purpose is to ensure people with disability have access to effective disability advocacy that promotes, protects and ensures their full and equal enjoyment of all human rights, enabling community participation and inclusion.

All governments support prioritising work on increasing culturally appropriate and accessible advocacy services for First Nations people with disability, people with disability from culturally and linguistically diverse backgrounds and LGBTIQ+ people with disability.

Australian Government – additional information

As part of its initial response to the Disability Royal Commission, the Australian Government is committing \$39.7 million in additional funding over four years to establish a new individual disability advocacy program. The new program will bring together current services to establish a streamlined and cohesive delivery model of ongoing individual disability advocacy supports. This will deliver better outcomes for individuals with disability who are at high risk of harm by addressing unmet demand and provide better support capability for the most vulnerable cohorts. It will be informed by and align with work already progressing under the National Disability Advocacy Framework.

Recommendation 6.22 Improved data collection and reporting on met and unmet demand for disability advocacy

The Australian Government and State and Territory governments should improve data collection and reporting on met and unmet demand for disability advocacy within their jurisdiction. At a minimum, this data should:

- be collected and published on an annual basis
- include demographic indicators that show geographic location, First Nations and culturally and linguistically diverse status
- identify, where possible, whether a request for disability advocacy is from or concerns a person with disability who lives in supported accommodation or is in prison or juvenile detention.

This data should be collected and reported on an ongoing basis. The Australian Government and State and Territory governments should include data collection and reporting as a priority work area in the Disability Advocacy Work Plan associated with the 2023–2025 National Disability Advocacy Framework, and progress this as part of future National Disability Advocacy Frameworks or equivalents.

The Australian Government and State and Territory governments should work together to ensure consistent definitions and methodologies allowing comparisons across jurisdictions and trends over time. Publication of the data should commence no later than 1 July 2026.

Recommendation 6.23 Culturally safe disability advocacy

The Disability Advocacy Work Plan associated with the 2023–2025 National Disability Advocacy Framework should be amended to include priority work areas on increasing culturally appropriate and accessible advocacy services for people with disability from culturally and linguistically diverse backgrounds and LGBTIQ+ people with disability. Efforts under these priority work areas, and the priority work area on increasing culturally appropriate and accessible advocacy services for First Nations people with disability, should include training led by First Nations, culturally and linguistically diverse and LGBTIQ+ people with disability and their representative organisations. This work should be progressed as part of future National Disability Advocacy Frameworks or equivalents.

Recommendation 6.31 Embed the right to equitable access to health services in key policy instruments

a) The Australian Commission on Safety and Quality in Health Care should:

- amend the Australian Charter of Healthcare Rights to incorporate the right to equitable access to health services for people with disability and align with the scope of this proposed right in the Disability Rights Act recommended in Volume 4, Realising the human rights of people with disability
- review and revise the National Safety and Quality Health Service Standards and the National Safety and Quality Primary and Community Healthcare Standards to provide for the delivery of safe and high-quality health care for people with disability and align with the scope of the proposed right to equitable access to health services in the Disability Rights Act recommended in Volume 4
- as part of this review, consider how the national standards support equal access to health services for people with disability throughout

Joint Response: Accept

Recommendation 6.31 (a)

The Australian Government and state and territory governments are committed to ensuring key policy instruments and plans support an inclusive Australian society that ensures people with disability have access to health care services that address their needs. The Australian Government, through the Australian Commission on Safety and Quality in Health Care will provide a plan and timeline to update key policy instruments to ensure they articulate the requirements for safe and equitable access to health services for people with disability. Enacting this recommendation will enable a more person-centred approach to health care planning and delivery, reduce health disparities, provide guidance to patients, and set clear expectations on health services and clinicians.

Joint Response: Accept in principle

Recommendation 6.31 (b)

The Australian Government and State and Territory governments are committed to reviewing all policies and protocols to support an inclusive Australia that ensures people with disability have access to high-quality health care. This includes permission to be accompanied by a support person in as many health settings as possible.

Recommendation	Australian Government response	NSW Government response
<p>life, including (but not limited to) prevention and health promotion, diagnosis and early intervention and rehabilitation services.</p> <p>b) The Australian Government Department of Health and Aged Care and State and Territory counterparts should review all policies and protocols to ensure people with disability are permitted to be accompanied by a support person in any health setting. This should apply at all times, including when in-person healthcare restrictions are in place, such as during COVID-19.</p>	<p>There may be some situations where disability support workers are not able to accompany patients (e.g. during surgical procedures; some involuntary or forensic spaces). These instances will be minimised, and state and territory governments will ensure that disability adjustments and supports are fully provided where support workers cannot be present.</p>	<p>There may be some situations where disability support workers are not able to accompany patients (e.g. during surgical procedures; some involuntary or forensic spaces). These instances will be minimised, and state and territory governments will ensure that disability adjustments and supports are fully provided where support workers cannot be present.</p>
<p>Recommendation 6.32 Increase capacity to provide supports and adaptations through improved guidance, funding and accessible information</p> <p>The Australian Government and State and Territory governments, in consultation with people with disability, should:</p>	<p>Joint Response: Accept in principle</p> <p>The Australian Government and State and Territory governments recognise that people with disability have a right to receive high-quality health care and that adaptations and supports may need to be tailored to individual needs. Further, that access to information and communications are on an equal basis with others.</p>	<p>Joint Response: Accept in principle</p> <p>The Australian Government and State and Territory governments recognise that people with disability have a right to receive high-quality health care and that adaptations and supports may need to be tailored to individual needs. Further, that access to information and communications are on an equal basis with others.</p>
<p>a) identify and publish a list of frequently needed adaptations and supports (including communication supports) to enable people with disability to receive high-quality health care in all publicly funded settings. Adaptations and supports may need to be tailored to individual needs and additional supports may be required. These should include:</p> <ul style="list-style-type: none"> • environmental modifications and aids to reduce sensory loads, such as dimmer lighting, reduced background noise and noise-cancelling headphones • preparatory action to familiarise the person with disability with clinical environments, such as hospital tours and animated videos • different modes of service delivery, such as home visits, and taking a forward-looking approach to minimise distress associated with certain procedures – for instance, taking extra blood to reduce the need for additional blood draws, or undertaking multiple procedures at once if sedation is required to decrease the number of hospital visits • novel and flexible approaches to pre-medication, including sedation, to reduce distress and anxiety before critical medical procedures. <p>b) review hospital (admitted and non-admitted care) and primary health care funding models to ensure these adaptations and supports can be implemented in all relevant settings</p> <p>c) disseminate information about the provision of adaptations and supports in a range of accessible formats.</p>	<p>All governments acknowledge that aspects of this recommendations require further consideration in the context of any changes to Australia's human rights framework. This recognises that the Disability Royal Commission's proposed <i>Disability Rights Act</i> will be considered alongside the recently published recommendations of the Parliamentary Joint Committee on Human Rights <i>Inquiry into Australia's Human Rights Framework</i>.</p> <p>This recommendation also requires consideration of any activities that are in-scope of National Health Reform Agreement public hospital services. As well as consideration of any activities that align with reforms considered for the 2025-30 National Health Reform Agreement Addendum.</p>	<p>All governments acknowledge that aspects of this recommendations require further consideration in the context of any changes to Australia's human rights framework. This recognises that the Disability Royal Commission's proposed <i>Disability Rights Act</i> will be considered alongside the recently published recommendations of the Parliamentary Joint Committee on Human Rights <i>Inquiry into Australia's Human Rights Framework</i>.</p> <p>This recommendation also requires consideration of any activities that are in-scope of National Health Reform Agreement public hospital services. As well as consideration of any activities that align with reforms considered for the 2025-30 National Health Reform Agreement Addendum.</p>
<p>Recommendation 6.34 Introduce disability health navigators to support navigation of health care for people with disability</p> <p>Through the Health Ministers Meeting, the Australian Government and State and Territory governments should:</p> <ol style="list-style-type: none"> a) jointly fund a national workforce of 'disability health navigators' to support people with cognitive disability and complex health needs access health services and to embed safe, accessible and inclusive practice in everyday health service provision b) develop a national evaluation framework to assess the impact of disability health navigators and share lessons learned across jurisdictions. Evaluation findings should be published. 	<p>Joint Response: Accept in principle</p> <p>The Australian Government and States and Territory governments are committed to ensuring people with disability have access to health care services that address their needs and recognise that people with disability may require additional support to navigate the health care system. All governments are committed to ensuring all Australians have access to safe and high-quality healthcare that meets their needs. This recommendation also required consideration of any activities that are in-scope of National Health Reform Agreement public hospital services as well as consideration of any activities that align with reforms considered for the 2025-30 National Health Reform Agreement Addendum.</p> <p>All governments are committed to working together to support the development of a nationally consistent health navigation framework, which will be coordinated and aligned to complement the reshaped disability navigation function of the NDIS and would include scoping of disability health navigation in partnership with State and Territory governments.</p> <p>Scoping of disability health navigation would be required to identify what is currently available, what is working well and what gaps or missing elements in the support system need to be addressed to help people with disability and complex health needs navigate and access all aspects of the health and mental health systems. Scoping would include system navigation services that already exist within the State and</p>	<p>Joint Response: Accept in principle</p> <p>The Australian Government and States and Territory governments are committed to ensuring people with disability have access to health care services that address their needs and recognise that people with disability may require additional support to navigate the health care system. All governments are committed to ensuring all Australians have access to safe and high-quality healthcare that meets their needs. This recommendation also required consideration of any activities that are in-scope of National Health Reform Agreement public hospital services as well as consideration of any activities that align with reforms considered for the 2025-30 National Health Reform Agreement Addendum.</p> <p>All governments are committed to working together to support the development of a nationally consistent health navigation framework, which will be coordinated and aligned to complement the reshaped disability navigation function of the NDIS and would include scoping of disability health navigation in partnership with State and Territory governments.</p> <p>Scoping of disability health navigation would be required to identify what is currently available, what is working well and what gaps or missing elements in the support system need to be addressed to help people with disability and complex health needs navigate and access all aspects of the health and mental health systems. Scoping would include system navigation services that already exist within the State and</p>

Recommendation	Australian Government response	NSW Government response
	<p>Territory health system. Stakeholders, including people with disability, would be consulted as part of the scoping of disability health navigation.</p> <p>All governments acknowledge that there are significant workforce challenges across the health care system, therefore the scoping of disability health navigators would also involve consideration of this issue.</p>	

Volume 7: Inclusive Education, Employment and Housing
 Volume 7 considers the experiences of people with disability in accessing inclusive education, employment and housing.

Recommendation	Australian Government response	NSW Government response
		Accept in part

Recommendation 7.1 Provide equal access to mainstream education and enrolment

- States and Territories should amend education Acts (or the equivalent) to:
- create a legal entitlement for students with disability to enrol in a local mainstream school
 - provide that the right to enrolment is subject only to 'unjustifiable hardship' in the sense used in the *Disability Discrimination Act 1992* (Cth).

State and Territory governments should take the following actions to prevent gatekeeping in mainstream schools:

- maintain a central record of decisions on enrolment refusal or cancellation and provide an annual report to the responsible minister for education on trends and any additional actions required to address barriers
- establish an independent review process to enable a parent or supporter of a child or young person with disability to challenge a refusal to enrol the child or young person in a school.

State and Territory educational authorities should disseminate clear, accessible, transparent material for students with disability and their families on their rights, the obligations of schools relating to applications to attend a local school, and review processes.

Recommendation 7.2 Prevent the inappropriate use of exclusionary discipline against students with disability

State and Territory educational authorities should review all regulations, rules, procedures and other instruments regulating exclusionary discipline to ensure they:

- adopt the principle that education providers:
 - should avoid the use of exclusionary discipline on students with disability unless exclusion is necessary as a last resort to avert the risk of serious harm to the student, other students or staff

The NSW Government supports legal entitlement for students with disability to enrol in their local mainstream schools. This is an existing entitlement in NSW under the *Education Act 1990* (NSW). The NSW Government also supports, and will continue to provide and disseminate, clear and accessible material for students with disability and their families on their rights. This includes the obligations of schools relating to applications to attend a local school as well as enrolment review processes.

The NSW Department of Education is currently reviewing its enrolment policy. This review of enrolment procedures is intended to support the department to confidently deliver on its legislative requirement to provide equal access to mainstream education and enrolment consistently across the state.

Further consideration is required in relation to other components of this recommendation to ensure:

- undue confusion and administrative complexity is not created for families and schools by introducing an additional caveat to existing legislation, e.g. 'unjustifiable hardship' noting that existing NSW legislation adequately addresses this intent
- data collection, reporting and review processes of enrolment decisions do not impose undue administrative burden on schools and/or families.

Joint Response for recommendations 7.2 to 7.3: [Accept in principle](#)

The Australian Government and State and Territory governments support the Disability Royal Commission's vision for more accessible and inclusive education for school students with disability.

Education Ministers commit to work in partnership with people with disability to set out how this vision will be achieved over time.

Additional NSW comment:

The NSW Government is committed to inclusive education. This is underpinned by a focus on prevention and positive approaches to student behaviour support and management. This includes evidence-based practices such as positive behaviour for learning, trauma informed and inclusive education practices. Suspension remains a critical safeguard if student behaviour poses a risk to the health and safety, learning and/or wellbeing of others.

Recommendation

- in considering the use of exclusionary discipline, consider the student's disability, needs and age, and the particular effects of exclusionary discipline for young children
- require steps to be taken before exclusion to ensure an individual behaviour plan and reasonable adjustments have been implemented for the student, including consultation with the student and their family, carers or supporters.
- include a duty for principals to report the repeated use of exclusionary discipline involving a student with disability to an escalation point within educational authorities for independent case management
- include a robust review or appeals process for students with disability and their families or carers and supporters
- ensure students with disability have access to educational materials appropriate to their educational and behavioural needs while subject to exclusionary discipline
- support students with disability to re-engage in education post exclusion.

State and territory educational authorities should review provisions governing the registration of non-government schools to impose obligations relating to exclusionary discipline in the non-government sector that are commensurate with those of the government sector.

Section 22(2)(b) of *The Disability Discrimination Act 1992* (Cth) should be amended to cover 'suspension and exclusion' as well as expulsions.

Recommendation 7.3 Improve policies and procedures on the provision of reasonable adjustments to students with disability

- a) State and Territory educational authorities should develop and make available in accessible form:
- guidelines to enable schools, principals and teachers to comply with their statutory obligations to provide adjustments for children and young people with disability
 - guidelines addressing the relationship between the statutory duty to provide adjustments and duties of care imposed on educational authorities, schools, principals, teachers and staff, such as those imposed by occupational health and safety legislation and the general law
 - guidelines addressing the processes for identifying, planning, implementing and evaluating adjustments required for individual students with disability
 - guidelines explaining the nature and content of the obligation under the *Disability Standards for Education 2005* (Cth) (Education Standards) to consult with students with disability and their parents, carers and supporters
 - information explaining the sources of funding for providing supports to students with disability and the procedures governing the allocation of funds for that purpose

Australian Government response

The NSW Department of Education's 2024 Student Behaviour Policy, developed with extensive collaboration with stakeholders, reflects a balanced approach to student welfare and safety.

Additionally, school registration requirements currently include an obligation for all schools to have discipline policies including but not limited to suspension, expulsion and exclusion of students that are based on procedural fairness.

The department acknowledges there is more to do to address the disproportionate suspension rates for students with disability and is committed to driving early intervention and support for this cohort of students.

The NSW Government supports the provision of accessible information and guidance to support schools, principals, teachers, and staff in fulfilling their obligations regarding the provision of reasonable adjustments to students with disability.

In addressing additional requirements for record keeping, the NSW Government recognises the importance of minimising administrative burdens on schools and notes existing record keeping requirements under the Nationally Consistent Collection of Data on school students with disability (NCCD).

Australian Government – additional information

The Australian Government has done significant work to implement recommendations arising from the 2020 Review of the *Disability Standards for Education 2005* (the Standards), including support for educators to meet their obligations and new co-designed resources for students with disability and their families on their rights.

The next review of the Standards will occur in 2025.

NSW Government response

Recommendation

Australian Government response

NSW Government response

- requirements for schools and principals to keep records and to report on the provision of adjustments for individual students with disability
 - guidelines for developing individual learning plans for students with disability, including requirements for keeping records on the learning program for each student and for making the records available to parents, carers and supporters
 - guidelines for ensuring equal access to consent, relationships and sexuality education for students with disability through learning resources, including for neurodiverse students and LGBTIQ+ students.
- b) State and Territory educational authorities should ensure that education providers have greater access to tools and resources to:
- assist principals and teachers to adapt the curriculum and teaching and assessment practices to enable diverse learners, especially those with complex communication or support needs, to participate in learning experiences on the same basis as students without disability enrolled in the same course (subject to the unjustifiable hardship qualification in the *Disability Discrimination Act 1992* (Cth))
 - support culturally safe adjustments to teaching strategies for particular students with disability, such as First Nations students and students from culturally and linguistically diverse communities.
- c) The Australian Government, through the responsible minister, should consider whether the Education Standards should be amended to address the proposals in a) and b). However, any such consideration should not delay State and Territory educational authorities implementing a) and b).

Recommendation 7.4 Participation in school communities

State and Territory school educational authorities should:

- wherever practicable, locate any new non-mainstream schools and, over time, relocate existing non-mainstream schools within or in close proximity to mainstream schools
- facilitate, to the maximum extent feasible, participation by individual students and groups of students enrolled in non-mainstream schools in educational, cultural, sporting, recreational and celebratory activities with their peers (whether with or without disability) enrolled in mainstream schools
- create partnerships between mainstream and non-mainstream schools as a means of encouraging and arranging regular interchange between students enrolled in each setting.

Recommendation 7.5 Careers guidance and transition support services

State and Territory educational authorities should implement a careers guidance and transition support service for students with disability to aid transition from all educational institutions to further education and/or open employment. The service should:

Accept in part

The NSW Government supports the need to embed inclusive practices in all educational settings.

The NSW Government recognises the value of forging partnerships between mainstream and non-mainstream schools to create opportunities for students from diverse backgrounds to interact and learn from one another, contributing to a more inclusive and diverse educational environment that benefits all.

Further consideration, which will include undertaking a process of funding prioritisation, is required for infrastructure decisions such as co-location or relocation of non-mainstream schools within NSW. This reflects the complexity of and need for careful evaluation of factors such as land availability. Any co-location plans must prioritise meaningful integration and seamless operation.

Accept in part

The NSW Government supports a consistent approach to supporting students as they transition from school to post school options.

Given that the post-school landscape can be complex, with numerous training organisations and universities nationwide, the NSW Government is working to ensure a consistent approach to assist students transition to post-school pathways options aligned to their

Recommendation	Australian Government response	NSW Government response
<ul style="list-style-type: none"> commence transition planning in year 9 in collaboration with students, their parents and carers to help students define and articulate their goals and aspirations beyond school take into account the diversity of students with disability, including students with higher levels of support needs, First Nations students and students from culturally and linguistically diverse backgrounds provide students with disability and their families access to clear and accessible information and resources about future study options and labour market opportunities provide students with opportunities to undertake work experience in open employment aligned with their goals and interests provide linkages to further education providers, employment service providers and government services (including the National Disability Coordination Officer Program, the National Disability Insurance Scheme (NDIS) School Leaver Employment Support, Disability Employment Services, and NDIS Local Area Coordinators). 	<p>The Australian Government and State and Territory governments support the Disability Royal Commission's vision for more accessible and inclusive education for school students with disability.</p> <p>Education Ministers commit to work in partnership with people with disability to set out how this vision will be achieved over time.</p> <p>Additional NSW comment:</p> <p>The NSW Government is committed to providing clear guidance for schools to enhance communication and relationships between students, parents, and staff. This includes supporting the development of specific guidance tailored for Aboriginal and Torres Strait Islander students with disability.</p>	<p>goals. Current support initiatives encompass government-subsidised training, funding for TAFE NSW, and collaboration with industry to create workplace engagement models.</p> <p>Supporting students with disability through access to, and participation in, quality career learning is essential for students to develop their personal identity, a sense of belonging and ideas about their future in a rapidly changing world as they transition from educational institutions to further education and/or open employment.</p> <p>The NSW Department of Education acknowledges the value of the Commission's findings in these transition points, and is committed to delivering on its goal in providing comprehensive career resources and support services, to all students, including those with disability, to navigate their post-school options as effectively as possible.</p>

Recommendation 7.6 Student and parental communication and relationships

- a) State and Territory educational authorities should update their policies and guidance for schools to support the implementation and continuous improvement of requirements for student and parental communication and relationships. These should:
- include clear, accessible material for students with disability and their families on their rights and school obligations
 - target decision-making for individual students and at the whole-of-school level
 - cover applications to attend a local school and address how students and parents should expect to be involved in decision making, adjustments and complaints handling and informal resolution processes
 - indicate types of decisions that require formal parental agreement, such as approaches to behaviour management
 - be co-designed with people with disability and their families.
- b) State and Territory educational authorities should develop material similar to that outlined in a) specifically for First Nations students with disability in consultation with First Nations students with disability, parents and kinship carers. The cultural diversity and understanding of disability in Aboriginal and Torres Strait Islander cultures should be considered in this process.
- c) School principals should work with their governing bodies and school communities to establish local school policies, procedures and practices to enable students with disability and their parents, carers and advocates to fully and effectively take part in the school community and decisions that affect a student's educational experience.

Recommendation

Australian Government response

NSW Government response

- d) In undertaking c), school principals should consult with First Nations parents and kinship carers and consider the cultural diversity and understanding of disability in Aboriginal and Torres Strait Islander cultures.
- e) The Australian Government through the responsible minister, should consider updating the *Disability Standards for Education 2005 (Cth)* to:
- ensure students with disability can participate as fully as possible in an age-appropriate manner in decision making concerning their educational programs and the adjustments they require
 - entitle parents, supporters and carers of students with disability to be assisted by schools or principals on decisions relating to school-wide adjustments to facilities and classroom practices of particular significance to students with disability.

Recommendation 7.12 Improving funding

- a) The Australian Government should work with the Education Ministers Meeting to refine the Nationally Consistent Collection of Data on School Students with Disability (NCCD) levels of adjustments and associated funding for students with disability in response to the findings of the Student with disability loading settings review.
- b) The Australian Government and the Education Ministers Meeting should review disability loading settings and total funding for adjustments every five years to ensure the funding allocated bears a close relationship to the actual cost of supporting students with disability in classrooms and to determine appropriate indexation and distribution of funding.
- c) State and Territory governments should ensure they are using a disability funding model based on strengths and needs that aligns with enhanced NCCD levels of adjustment and Australian Government needs-based funding arrangements to enable students with disability to access and participate in education on an equal basis to their peers.
- d) State and Territory education departments should improve transparency on the use of disability funding in the government school sector by:

- developing a methodology and reporting template to record the use of all sources of school funding against defined categories of adjustments and support for students with disability
 - applying this methodology and template to record expenditure on services and staff commissioned by the department on behalf of schools for students with disability
 - publicly reporting on how the needs of students with disability are being met from all available resources, with early priority given to capturing the use of disability-specific loadings and other disability-specific program funding.
- e) State and territory school registration authorities should require schools to complete the funding template mentioned at d) and submit the template to the relevant state or territory education department.

Recommendation 7.13 National Roadmap to Inclusive Education

- a) The Education Ministers Meeting should publicly release a 'National Roadmap to Inclusive Education' for students with disability. The roadmap should:

Joint response: [Accept in principle](#)

The Australian Government and State and Territory governments support a vision for improved data and evidence on the experience and outcomes of students with disability, building best practice for inclusive education and improving funding for students with disability. Implementing these recommendations requires further consideration by governments, including further work to consider data collection categories and reporting. In addition, implementing components of these recommendations will require consideration of impacts on workload for schools and data management systems.

State and Territory governments will consider how to deliver the intent of these recommendations within their jurisdictions.

Australian Government – additional information

In 2024, the Australian Government is providing an estimated \$29.1 billion in recurrent funding for schools under the Schooling Resource Standard funding arrangements, of which an estimated \$3.7 billion is being provided under the student with disability loading.

Additional NSW comment:

The NSW Government welcomes the opportunity to enhance disability funding arrangements nationally, aligning them with a needs-based approach and the Nationally Consistent Collection of Data on school students with disability.

The NSW Government acknowledges the importance of comprehensive funding models that consider both student needs and school contexts.

The Government is committed to continuing to collaborate with the Commonwealth Government to ensure funding frameworks effectively support the diverse needs of students with disability in NSW schools.

Joint Response: [Accept in principle](#)

The Australian Government and State and Territory governments support the Disability Royal Commission's vision for more accessible and inclusive education for school students with disability.

Education Ministers commit to work in partnership with people with disability to set out how this vision will be achieved over time.

Recommendation

Australian Government response

NSW Government response

Additional NSW comment:

- detail the outcome measures, targets, actions and milestones for delivering the Royal Commission's recommendations for inclusive education
 - provide public transparency on how the recommendations will be implemented and progress tracked and publicly reported.
- b) State and Territory education ministers should report annually to the Education Ministers Meeting on progress against agreed milestones and associated outcome performance measures in the roadmap. Annual progress reports should outline actions to overcome identified barriers to progress and be publicly released.
- c) The Education Ministers Meeting should identify the National Roadmap to Inclusive Education in its 2024 report to National Cabinet as one of its priorities and include it in its workplan.

The Government supports the public release of a national roadmap to advance inclusive education nationwide. A shared national vision will enable States and Territories to collectively address barriers and enhance the inclusivity of our education systems.

Phasing out segregated education

(Recommendations 7.14-7.15)

Recommendation 7.14 Phasing out and ending special/segregated education

Commissioners Bennett, Gabbaly and McEwin recommend:

- a) The Australian Government and State and Territory governments should recognise that inclusive education as required by article 24 of the *Convention on the Rights of Persons with Disabilities* is not compatible with sustaining special/segregated education as a long-term feature of education systems in Australia.
- b) As part of the National School Reform Agreement 2025–2029, the Education Ministers Meeting should agree to:
- the phasing out of special/segregated education
 - no new special/segregated schools being built or new special/segregated classes or units being included within schools from 2025
 - a process for work on milestones and activities related to ceasing special/segregated education by all jurisdictions.
- c) As part of the National School Reform Agreement 2030–2034, the Education Ministers Meeting should agree to milestones for phasing out and ending special/segregated education settings and financial penalties for failing to meet these milestones, including:

- no new enrolments of students with disability in special/segregated schools from 2032
- no new placements of students with disability in special/segregated units or classes from 2041
- no students remaining in special/segregated schools by the end of 2051.

- d) The Education Ministers Meeting should update the Roadmap to Inclusive Education and Australia's Disability Strategy to incorporate the milestones and actions to phase out and end special/segregated education settings included in the National School Reform Agreement 2030–2034.

Joint Response for recommendations 7.14 to 7.15: Note

The Australian Government and State and Territory governments note the differing views held by Commissioners and the community on special /segregated settings.

The Australian Government recognises the ongoing role of specialist settings in service provision for students with disability and providing choice for students with disability and their families.

State and Territory governments will continue to be responsible for making decisions about registration of schools in their jurisdictions, with the intent to strengthen inclusive education over time.

Additional NSW comment:

The NSW Government acknowledges and respects the broader intent and goals outlined in the joint response to 7.14 and 7.15, enabling the government to assess these recommendations within our state's educational framework. This allows us to tailor our responses to best suit the needs and circumstances of NSW schools and students.

The NSW Government chooses to support a balanced approach, aligning with Recommendation 7.15, to ensure inclusivity while respecting community preferences. This decision reflects our thorough consideration of the specific implications and feasibility of implementing these recommendations within our educational environment.

The NSW Government recognises the varied perspectives on specialist settings within the educational landscape, as evidenced by differing views among stakeholders and commissioners. The Government is committed to supporting educational environments that cater effectively to all students, fostering inclusive practices while recognising the importance of choice and diversity in educational provision. We acknowledge that specialist settings play a crucial role in meeting the diverse needs of students and offer choice to families in selecting the most suitable educational environment.

e) The Australian Government should consider the design of a 'Transition Fund' under the National School Reform Agreement from 2028 to provide discrete funding to schools that require additional support as part of their transition journey, with clear performance and reporting requirements.

f) Consistent with phasing out and ending special/seggregated education, states and territories should implement the following recommendations:

- when no students are in special/seggregated schools, the sunsetting of:
 - measures to prevent gatekeeping (see Recommendation 7.1)
 - provisions to facilitate the engagement of students with disability enrolled in special/seggregated schools with students and activities of mainstream schools (see Recommendation 7.4)
- to prevent stigmatisation and segregation of students with disability, ensure the careers guidance and transition support program for students with disability (see Recommendation 7.5):
 - is delivered alongside careers guidance for students without disability
 - has clear rules that no student with disability can be referred to work experience or employment through Australian Disability Enterprises.

Recommendation 7.15 An alternative approach

The Chair and Commissioners Mason and Ryan recommend:

a) State and Territory educational authorities should implement the following measures:

- wherever practicable locate new non-mainstream schools (that is, schools that enrol exclusively or primarily children and young people with complex support needs) and relocate existing non-mainstream schools within or in close proximity to mainstream schools
- create partnerships between mainstream and non-mainstream schools as a means of encouraging and arranging regular interchange between groups of students enrolled in the schools
- facilitate to the maximum extent feasible participation by individual students and groups of students enrolled in non-mainstream schools in educational, cultural, sporting, recreational and celebratory activities with their peers in partnership with mainstream schools and other educational institutions
- arrange for students in non-mainstream schools, where practicable, to participate in classes and educational activities with their peers in mainstream schools
- establish programs for students enrolled in mainstream schools to participate in activities with their peers in non-mainstream schools
- provide, where appropriate, for concurrent enrolment for individual students in both mainstream and non-mainstream schools

Recommendation	Australian Government response	NSW Government response
<ul style="list-style-type: none"> assist non-mainstream schools to facilitate where appropriate, the transition of students with disability, particularly those with complex support needs, to mainstream schools, whether on a full-time or part-time basis provide assistance to mainstream and non-mainstream schools in understanding the strengths and skills of students with disability for post-school transition, including assistance in planning and preparing for further study and training ensure non-mainstream schools encourage and support students with disability completing their education to seek and obtain employment in the open labour market, rather than in Australian Disability Enterprises or similar environments. <p>b) The National Disability Commission (see Recommendation 5.5) should conduct or arrange for a comprehensive review of progress towards providing inclusive education for children and young people with complex support needs. The review's assessment should include the matters we have identified.</p>		

Volume 9: First Nations People with Disability
 Volume 9 outlines the issues and themes identified through listening to the many stories and experiences shared with the Disability Royal Commission by a wide range of First Nations people with disability, their families, carers, supporters, and communities.

Recommendation	Australian Government response	NSW Government response
<p>Recommendation 9.2 Ages and States Questionnaire-Talking about Raising Aboriginal Kids (ASQ-TRAK) State and Territory governments should ensure all First Nations children up to five years of age coming into out-of-home care are screened using the culturally adapted developmental screening Ages and Stages Questionnaire -Talking about Raising Aboriginal Kids (ASQ-TRAK) tool. Children who are vulnerable in two or more of the five domains of communication, gross motor, fine motor, problem solving, and personal-social should be supported by an application for an Early Childhood Early Intervention plan.</p>		<p>Accept The NSW Government is committed to ensuring that all Aboriginal children 0-5 entering statutory out-of-home care are screened using this tool. The NSW Health Out-of-home Care Health Pathway Program is a joint initiative with the NSW Department of Communities and Justice. The program enables health screening and planning for all children and young people entering statutory out-of-home care (for at least 90 days). NSW Health local health districts are being supported to use the ASQ-TRAK, including through the provision of additional ASQ-TRAK kits and access to ASQ-TRAK training. NSW Health has commenced a scoping exercise to understand the extent of the use of the ASQ-TRAK tool and will address any gaps in its use once identified.</p>
<p>Recommendation 9.4 Expand community connector programs The National Disability Insurance Agency should increase the number and coverage of the community connector programs for First Nations people with disability in remote areas. The implementation of the programs should be community-led and delivered. This expansion must be accompanied by adequate long-term funding for the programs and organisations delivering the programs, with sufficient training for staff delivering the programs. In regions where English is not the preferred language for First Nations people, the programs should focus on recruiting staff who speak local languages.</p>	<p>Accept The NDIA is committed to ensuring the NDIS is accessible and culturally appropriate for eligible First Nations people with disability in remote areas and is implementing a variety of initiatives to support this, including exploring ways to expand its Remote Community Connectors program. The NDIA's Remote Community Connectors program consists of community-based NDIA representatives that support the culturally appropriate delivery of the NDIS in remote and very remote communities. The program recognises that people with disability in remote communities, including First Nations people, may need</p>	<p>Note This recommendation is directed at the Australian Government.</p>

additional support to access the NDIS, build their NDIS plan, and use their funded supports.

The NDIA provides funding of over \$11.8 million per annum for a network of approximately 200 Remote Community Connectors to support more than 430 remote communities. Remote Community Connectors fulfil a critical function in First Nations communities promoting awareness, understanding and connection between NDIS participants, providers, and the NDIS, and have an important role in participant wellbeing. Remote Community Connectors are employed through local service partners, primarily Aboriginal Community Controlled Organisations or Aboriginal Community Controlled Health Organisations.

The introduction and implementation of the NDIA's Remote Service Delivery Model will see an expansion of Remote Community Connector roles. The direct service delivery model is designed to provide a nationally consistent pathway for remote and very remote Australia, incorporating community connector roles into NDIA Remote Service Delivery teams. Remote Community Connector roles will be both outsourced through NDIA Service Partners and supplemented with directly sourced roles to the NDIA.

Accept in principle

Note
This recommendation is directed at the Australian Government.

NDIS Return to Country and family supports policies and funding (Recommendations 9.8 - 9.9)

Recommendation 9.8 Return to Country

In consultation with the First Nations Advisory Council, the National Disability Insurance Agency (NDIA) should:

- create a new line item in the Pricing Arrangements recognising cultural supports and return to Country trips
- develop guidelines for NDIA staff on including cultural supports and return to Country trips as reasonable and necessary supports in plans
- educate First Nations participants about the availability of cultural supports and return to Country trips included in their plans.

Recommendation 9.9 Criteria for funding family supports

The National Disability Insurance Agency (NDIA), the First Nations Advisory Council and First Nations Community Controlled Organisations should co-design policy guidelines on funding for First Nations family members to provide supports to participants in remote communities. Any policy guidelines should consider:

- the risk of financial exploitation, the need for a regulatory framework and oversight, and whether a similar approach would apply to non-First Nations carers in remote communities in similar situations
- the availability of suitable services, including culturally safe services
- training for NDIA staff on how to apply the policy guidelines, including how staff can support family to apply to be paid for the care provided

additional support to access the NDIS, build their NDIS plan, and use their funded supports.

The NDIA provides funding of over \$11.8 million per annum for a network of approximately 200 Remote Community Connectors to support more than 430 remote communities. Remote Community Connectors fulfil a critical function in First Nations communities promoting awareness, understanding and connection between NDIS participants, providers, and the NDIS, and have an important role in participant wellbeing. Remote Community Connectors are employed through local service partners, primarily Aboriginal Community Controlled Organisations or Aboriginal Community Controlled Health Organisations.

The introduction and implementation of the NDIA's Remote Service Delivery Model will see an expansion of Remote Community Connector roles. The direct service delivery model is designed to provide a nationally consistent pathway for remote and very remote Australia, incorporating community connector roles into NDIA Remote Service Delivery teams. Remote Community Connector roles will be both outsourced through NDIA Service Partners and supplemented with directly sourced roles to the NDIA.

Accept in principle

Note
This recommendation is directed at the Australian Government.

The NDIA, with the First Peoples Disability Network, is co-designing a NDIS First Nations Strategy with participants, First Nations disability community, families, carers, and sector stakeholders, to improve access and outcomes for First Nations people with disability in the NDIS.

The NDIS First Nations Advisory Council has been established as the co-design group to ensure that the voices and perspectives of First Nations people with lived experience, and their families, carers and communities are central to the development of the First Nations Strategy.

The NDIA, First Peoples Disability Network and the First Nations Advisory Council are working together to develop goals and initiatives to best support First Nations NDIS participants and to ensure that all decisions that affect First Nations participants:

- are informed by First Nations voices and experiences;
- reflect the goals and hopes of First Nations communities;
- embed principles of self-determination; and
- are culturally informed, safe, accessible and inclusive.

This work includes consideration of the initiatives suggested by the Disability Royal Commission in Recommendations 9.8 and 9.9, including in respect of a potential 'Return to Country' policy and criteria for funding family supports.

Recommendation

Australian Government response

NSW Government response

- building awareness of the circumstances in which participants and their families can apply to be paid
- how to build the capacity of family and community members to become part of the local workforce, such as trained support or community workers, which may include connecting family members with a First Nations Community Controlled Organisation.

Volume 10: Disability Services

Volume 10 examines how disability service providers and the National Disability Insurance Scheme Quality and Safeguards Commission (NDIS Commission) can do more to prevent, identify and respond to violence, abuse, neglect and exploitation in disability services.

Part A – Disability Service Providers

Recommendation

Australian Government response

NSW Government response

Recommendation 10.5 Advocacy

Accept in principle

Note

- a) The National Disability Insurance Agency (NDIA) should develop a program to connect National Disability Insurance Scheme (NDIS) participants living in supported accommodation with an appropriate disability advocacy organisation. The program should be co-designed with people with disability, disabled people's organisations, disability representative organisations including member-led First Nations Community Controlled Organisations, and peak bodies.
- b) The program should:
- promote advocacy in the course of NDIS planning processes
 - increase awareness of the role of advocacy in disability services among NDIS participants and their families and supporters
 - strengthen advocacy referral processes when participants and their families and supporters raise concerns, make complaints or report incidents
 - foster relationships between NDIS participants, their families and supporters, and disability advocacy organisations
 - strengthen collaboration between disability service providers and disability advocacy organisations to enable advocates to maintain periodic contact with people with disability so they can identify potential or emerging issues.
- The program should commence by January 2025.
- Following an evaluation of the program's impact and outcomes, the NDIA should consider expanding the program to reach other groups of people with disability who are identified as being at heightened risk of violence, abuse, neglect or exploitation.
- b) The NDIS Quality and Safeguards Commission, when reviewing complaints and reportable incidents, should also actively promote the value of independent advocacy for NDIS participants identified as being at heightened risk of violence, abuse, neglect or exploitation, and/or those who live in supported accommodation.

The Australian Government is committed to strengthening safeguards for NDIS participants. Free advocacy supports are already available through the National Disability Advocacy Program. NDIS support coordinators and providers can refer NDIS participants to these advocacy organisations directly to request individual disability advocacy services or participants can approach these services directly for assistance.

The NDIS Commission is also committed to continuing to promote the value of independent advocacy for NDIS participants who require it.

The NDIS (*Complaints Management and Resolution*) Rules 2018 require that the NDIS Commissioner take reasonable steps to ensure that a person making a complaint, and people with disability affected by the complaint, are provided with information about accessing an independent advocate.

This recommendation is directed at the Australian Government.

Recommendation	Australian Government response	NSW Government response
<p>Supported decision-making in disability services (Recommendations 10.6 and 10.7)</p> <p>Recommendation 10.6 Supported decision-making in disability services</p> <p>The NDIS Quality and Safeguards Commissioner should amend the <i>National Disability Insurance Scheme (Quality Indicators for NDIS Practice Standards) Guidelines 2018</i> (Cth) to reflect that each participant:</p> <ul style="list-style-type: none"> is entitled to support to make everyday life decisions including what services they receive, in what way and from whom has opportunities to make decisions about their goals and aspirations is supported to develop their decision-making skills is supported to communicate their will and preferences has the right to choose their own supporter. <p>Amendments should be completed by 30 June 2025.</p>	<p>Accept in principle</p> <p>The Australian Government agrees that NDIS participants accessing disability services should have access to the supports they may require to make decisions about those services.</p> <p>The NDIS Commission's NDIS Practice Standards and Quality Indicators include independence and informed choice, and support planning as core components of quality service provision. The NDIS Commission commissioned Flinders University, the Council on Intellectual Disability, and the University of NSW to develop <i>Deciding with Support</i>, a new toolkit of co-designed resources for everyone involved in positive behaviour support.</p> <p>The NDIS Commission will continue to work with the NDIA, First Nations community controlled organisations, and build connections with advocacy groups and other parties to design resources that provide guidance to providers in supported decision making where appropriate.</p>	<p>Note</p> <p>This recommendation is directed at the Australian Government.</p>
<p>Recommendation 10.7 Practical guidance on supported decision-making</p> <p>The NDIS Quality and Safeguards Commission should co-design – with people with disability, disabled people's organisations, disability representative organisations including member-led First Nations Community Controlled Organisations, and peak bodies – a practice guide on supported decision-making for service providers. This should be consistent with the NDIS Supported Decision Making Policy and the supported decision-making principles outlined in Recommendation 6.6.</p>	<p>Joint Response: <u>Accept in principle</u></p> <p>The Australian Government and State and Territory governments acknowledge that there are gaps when a NDIS provider or the NDIS market fails which can prevent a person with disability in certain areas or with certain needs from accessing the supports and services they need, when they need them.</p> <p>A provider of last resort scheme could be one mechanism to address failed and critically thin markets, particularly for First Nations people in remote communities, as well as regional and remote communities more broadly, and participants with complex needs.</p> <p>It could also be a mechanism to support people in crisis situations, such as those at risk of losing their accommodation, or access to disability supports.</p> <p>All governments support the policy intent of this recommendation and are committed to working together through the Disability Reform Ministerial Council to consider reform options alongside Recommendation 13 and Action 13.4 of the NDIS Review, in consultation with people with disability, their families, carers, representative organisations, First Nations Community Controlled Organisations, peak bodies, and other key stakeholders.</p>	<p>Joint Response: <u>Accept in principle</u></p> <p>The Australian Government and State and Territory governments acknowledge that there are gaps when a NDIS provider or the NDIS market fails which can prevent a person with disability in certain areas or with certain needs from accessing the supports and services they need, when they need them.</p> <p>A provider of last resort scheme could be one mechanism to address failed and critically thin markets, particularly for First Nations people in remote communities, as well as regional and remote communities more broadly, and participants with complex needs.</p> <p>It could also be a mechanism to support people in crisis situations, such as those at risk of losing their accommodation, or access to disability supports.</p> <p>All governments support the policy intent of this recommendation and are committed to working together through the Disability Reform Ministerial Council to consider reform options alongside Recommendation 13 and Action 13.4 of the NDIS Review, in consultation with people with disability, their families, carers, representative organisations, First Nations Community Controlled Organisations, peak bodies, and other key stakeholders.</p>
<p>Recommendation 10.10 Provider of last resort</p> <p>The Australian Government should urgently engage with State and Territory governments about funding and arrangements for a provider of last resort scheme. It should also consult with people with disability, disabled people's organisations, disability representative organisations including member-led First Nations Community Controlled Organisations, and peak bodies about how such a scheme could operate. The scheme should be designed to address:</p> <ul style="list-style-type: none"> failed or thin markets, particularly for First Nations people with disability in remote or very remote areas, and consider the use of block funding to guarantee service provision in those communities access to services for: <ul style="list-style-type: none"> people in crisis situations people at risk of losing their accommodation and disability services people whose needs cannot be adequately met by existing services. access to case management for people with disability at heightened risk of violence, abuse, neglect or exploitation clarity about which agency has the lead coordinating role. <p>The Australian Government should put forward a proposal for discussion to the Disability Reform Ministers Council in 2024.</p>	<p>Joint Response: <u>Accept in principle</u></p> <p>The Australian Government and State and Territory governments acknowledge that there are gaps when a NDIS provider or the NDIS market fails which can prevent a person with disability in certain areas or with certain needs from accessing the supports and services they need, when they need them.</p> <p>A provider of last resort scheme could be one mechanism to address failed and critically thin markets, particularly for First Nations people in remote communities, as well as regional and remote communities more broadly, and participants with complex needs.</p> <p>It could also be a mechanism to support people in crisis situations, such as those at risk of losing their accommodation, or access to disability supports.</p> <p>All governments support the policy intent of this recommendation and are committed to working together through the Disability Reform Ministerial Council to consider reform options alongside Recommendation 13 and Action 13.4 of the NDIS Review, in consultation with people with disability, their families, carers, representative organisations, First Nations Community Controlled Organisations, peak bodies, and other key stakeholders.</p>	<p>Response to research request</p>

Volume 10: Disability Services

Volume 10 examines how disability service providers and the National Disability Insurance Scheme Quality and Safeguards Commission (NDIS Commission) can do more to prevent, identify and respond to violence, abuse, neglect and exploitation in disability services.

Part B – NDIS Commission

Recommendation

Recommendation 10.24 Improved access to behaviour support practitioners

The NDIS Quality and Safeguards Commission should, by December 2024, improve access to behaviour support practitioners by:

- providing incentives for practitioners and National Disability Insurance Scheme providers to provide behaviour support services, including in regional and remote areas in which 'thin markets' operate
- forming a partnership with First Nations leaders from the disability and employment services sectors to develop a recruitment strategy targeting First Nations people and others with experience in working with First Nations communities to address behaviour support shortages in regional and remote areas
- exploring with behaviour support practitioners, service providers and people with disability, the merits of an 'on-the-job' professional development and accreditation model for behaviour support practitioners
- creating a publicly accessible list of all individual behaviour support practitioners.

Australian Government response

Accept in principle

The Australian Government is committed to improving access to behaviour support practitioners. The NDIS Commission has an existing Provider Finder through which individual Behaviour Support Practitioners can be identified here

www.ndiscommission.gov.au/find-ndis-behaviour-support-practitioner. The search tool will help identify whether a behaviour support practitioner is considered suitable. Only behaviour support practitioners who have consented to publish their details are included in the search results. A number of provisionally suitable behaviour support practitioners awaiting an outcome on their application will not appear until their application is approved and they have been considered suitable.

The NDIS Commission will explore potential approaches and feasibility of the options outlined in this recommendation to improve access to behaviour support practitioners. Ongoing work beyond the 2024 timeframe will be required, particularly in respect of access to behaviour support practitioners in rural and remote locations.

NSW Government response

Note

This recommendation is directed at the Australian Government.

Recommendation 10.29 Establishing a First Nations Unit

The NDIS Quality and Safeguards Commission should establish a dedicated First Nations Unit to develop its engagement with and understanding of the issues facing First Nations participants in the National Disability Insurance Scheme, particularly in regional and remote communities.

Accept in principle

In 2023, the NDIS Commission established an Indigenous and Remote Operations team to support active engagement with First Nations communities on country. The NDIS Commission has taken active steps to increase engagement with First Nations people with disability and their representatives to encourage and improve their interactions with the NDIS Commission and their experiences of NDIS services and supports more broadly. The NDIS Commission has commenced visits and engagements with First Nations people through its place-based campaigns process, including engagement in remote areas (for example, the Barkly Tablelands in the Northern Territory).

The NDIS Commission continues to work closely with First Nations people and their representatives through a range of strategies including the representation of the First Peoples Disability Network on the NDIS Commission's consultative committee.

Note

This recommendation is directed at the Australian Government.

Volume 12: Beyond the Royal Commission

Volume 12 considers monitoring and reporting on action in response to the Disability Royal Commission's recommendations, and disability data improvements.

Recommendation

Data Improvements

(Recommendations 12.5 – 12.7)

Recommendation 12.5 A nationally consistent approach to data collection

The Australian Government and State and Territory governments, through the Disability Reform Ministerial Council, should address the lack of consistent disability data by developing a nationally consistent approach to collecting disability information.

By December 2024, the Australian Government and State and Territory governments should agree to a core set of questions to identify disability status to be used across all mainstream services and population surveys. This should be led by the Australian Bureau of Statistics and the Australian Institute for Health and Welfare. The questions should be co-designed with people with disability and their representative organisations, and with First Nations subject matter experts.

Recommendation 12.6 Disability flags in data collection for mainstream services

The Australian Government and State and Territory governments, through the Disability Reform Ministerial Council, should address the lack of available disability data by implementing disability flags in data collections for key mainstream services.

By June 2025, the Australian Government and State and Territory governments should publish an implementation plan outlining how the core set of questions will be integrated into data collections of priority mainstream services. This should be led by the Australian Bureau of Statistics and the Australian Institute for Health and Welfare.

Recommendation 12.7 Improving disability data collection

The Australian Government and State and Territory governments should support a strategy, led by the Australian Bureau of Statistics and the Australian Institute of Health and Welfare, to extend disability data collection:

- a) to include people with disability in closed and segregated settings and those with communication support needs
 - b) to improve data on types of impairment
 - c) to improve data for intersectional analysis by enhancing data on women with disability, children and young people with disability, and First Nations, culturally and linguistically diverse, and LGBTIQ+ people with disability.
- This strategy should form part of the Australia's Disability Strategy 2021 – 2031 Data Improvement Plan.

Recommendation 12.8 Long-term support for the National Disability Data Asset

The Australian Government and State and Territory governments, through the Disability Reform Ministerial Council, should commit to long-term support to the National Disability Data Asset (NDDA). All governments should:

- a) by June 2024, commit to continuing funding to establish the NDDA as a national resource for longitudinal analysis of linked data across service systems

Australian Government response

Joint Response: [Accept in principle](#)

Australian Government and State and Territory governments acknowledge the importance of data collection and publication and its role in safeguarding against violence, abuse, neglect and exploitation and informing an evidence-based approach to ongoing reform to support better outcomes for people with disability.

In January 2024, Disability Ministers agreed Commonwealth, State and Territory officials focus and accelerate work to resolve data gaps in relation to the reporting requirements under Australia's Disability Strategy 2021-2031 Outcomes Framework by the end of 2024. All governments are also working together to develop an action plan, with agreed timeframes, to drive data collection (including gender disaggregated data) and reporting on data-related Disability Royal Commission recommendations. The action plan is expected to be published in 2024.

All governments have also committed to deliver the enduring National Disability Data Asset and contribute to ongoing costs through the National Disability Data Asset Memorandum of Understanding, signed by Disability Ministers in mid-2023. Ongoing work to deliver the National Disability Data Asset will also support implementation of these recommendations over time.

Australian Government – additional information

All levels of government are committed to collecting and sharing data to better monitor and report outcomes for people with disability under Australia's Disability Strategy 2021-2031 in order to drive change. The Outcomes Framework is a key part of Australia's Disability Strategy 2021-2031. It tracks, reports and measures the outcomes for people with disability across all 7 Outcome Areas. Progress made under the Outcomes Framework is reported quarterly and via annual reports on the [Outcomes Framework webpages](#), since its launch in December 2022.

As part of Australia's Disability Strategy 2021-2031, governments also agreed to work collaboratively to develop a comprehensive Data Improvement Plan. The initial [Data Improvement Plan](#) was endorsed by Disability Reform Ministers in December 2022, and published on Australia's Disability Strategy Hub in January 2023. It sets out how to improve the data needed to track progress against Australia's Disability Strategy 2021-2031 Outcomes Framework, with a focus on collecting data for future measures. As part of the broader Australia's Disability Strategy Review work, the Government will produce and publish a revised Data Improvement Plan in December 2024. It will provide a progress update on the data gaps that are being addressed and outlines areas for ongoing data development, collection and reporting.

Joint Response: [Accept in principle](#)

The Australian Government and State and Territory governments have committed to deliver the enduring National Disability Data Asset and contribute to ongoing costs through the National Disability Data Asset Memorandum of Understanding, signed by Disability Ministers in mid-2023.

The National Disability Data Asset will be in operation in 2024-25. All governments are working together to determine costs and funding arrangements beyond 2025.

Recommendation

b) commit to publishing an annual statistical summary of the analyses of the NDDA's linked data. This should focus on data insights not available from other sources and provide transparency on projects underway.

All reported data should be disaggregated as far as possible to enable intersectional analysis

c) by December 2024, commence specific data projects using the NDDA that:

- identify the factors that put people with disability at greatest risk of violence, abuse, neglect or exploitation
- demonstrate the outcomes and experiences of people with disability transitioning between systems, including:
 - education and employment, child protection and justice systems, and housing and health
 - the National Disability Insurance Scheme and mainstream services
- evaluate the accuracy of disability status collection in various service settings.

NDIS Review recommendations

This table includes recommendations relevant to the scope of this inquiry's terms of reference. See the [final report](#) for a full list of recommendations.

Table. Relevant NDIS review recommendations and actions
Theme: Develop a unified system of supports for people with disability

Recommendation	Actions
Recommendation 1: Invest in foundational supports to bring fairness, balance and sustainability to the ecosystem supporting people with disability	1.1. National Cabinet should agree to jointly design, fund and commission an expanded and coherent set of foundational disability supports outside individualised NDIS budgets.
	1.2. The Department of Social Services, with state and territory governments, should develop and implement a Foundational Supports Strategy.
	1.3. National Cabinet should agree to jointly invest in and redesign information and advice and capacity building supports.
	1.4. National Cabinet should agree to jointly invest in navigation support for people with disability outside the NDIS.
	1.5. National Cabinet should agree to jointly invest in achieving nationally consistent access to individual disability advocacy services.
	1.6. All Australian governments should fund systemic advocacy of LGBTQIA+SB people with disability to strengthen representation at all levels.
	1.7. The Department of Social Services and the National Disability Insurance Agency should improve linkages between the NDIS, Disability Employment Services and related initiatives targeting improved employment outcomes for all people with disability, including NDIS participants.
	1.8. National Cabinet should agree to jointly invest in a capacity building program for families and caregivers of children with development concerns and disability.
	1.9. National Cabinet should agree to jointly invest in state and territory home and community care support programs to provide additional support to people with disability outside the NDIS.
	1.10. The Department of Social Services, with states and territories, should develop a nationally consistent approach for the delivery of aids and equipment outside the NDIS.
	1.11. National Cabinet should agree to jointly invest in psychosocial supports outside the NDIS to assist people with severe and persistent mental ill-health currently unable to access supports.
	1.12. National Cabinet should agree to jointly invest in early supports for children with emerging development concerns and disability.
	1.13. National Cabinet should agree to jointly invest in programs and initiatives to support adolescents and young adults with disability aged 9 to 21 to prepare for and manage key life transition points, such as secondary school, employment and living independently.
Recommendation 2: Increase the scale and pace of change in mainstream and community inclusion and accessibility and improve the connection between mainstream services and the NDIS	2.1. The Attorney General's Department, with the Department of Social Services and the states and territories, should develop a unified and contemporary approach to disability rights, discrimination and inclusion legislation.
	2.2. All Australian governments should improve the recognition and responsiveness of government services to culturally and linguistically diverse concepts of disability and care by investing in targeted research, education material and capability building for government organisations and staff, professionals and providers who deliver government services.
	2.3. The Department of Social Services with relevant agencies should develop and trial a mechanism to publicly communicate the performance of current Disability Standards under the Disability Discrimination Act 1992.
	2.4. All Australian governments should incorporate Disability Impact Assessments into new policy proposal assessment processes.
	2.5. All Australian governments should take steps to protect the right to inclusive education for children with disability and developmental concerns in early childhood education and care and schools.
	2.6. National Cabinet should agree to a multilateral schedule to a new Disability Intergovernmental Agreement that replaces the principles for determining the responsibilities of the NDIS and other service systems, including the Applied Principles and Tables of Supports to better clarify respective responsibilities.
	2.7. The Department of Social Services, working with other Commonwealth agencies, state and territory disability agencies and the National Disability Insurance Agency, should implement a priority work program to improve coordination between complex mainstream settings and the NDIS.
	2.8. The National Disability Insurance Agency and the Department of Education, with state and territory education and disability agencies, should develop a plan to better connect the NDIS and school education systems and improve educational outcomes for children with disability.
	2.9. The Productivity Commission should develop an NDIS transport policy that better meets the mobility needs of participants.
Recommendation 3: Improve the quality of the disability ecosystem for First Nations people with disability	2.10. The Australian Government should develop a national strategy to improve the quality of the disability ecosystem for First Nations people with disability.
	2.11. The Australian Government should implement legislative change to allow participants once they turn 65 to receive supports in both the NDIS and the aged care system concurrently and clarify when aged care supports are reasonable and necessary.
	2.12. The Australian Government should implement legislative or process change to allow access to the NDIS for Disability Support for Older Australians program participants.

Recommendation	Actions
2.13	All Australian governments should agree as a matter of priority to expand universally available child development checks, to ensure the early identification of children with developmental concerns and disability and enable early intervention.
2.14	State and territory governments should commit to and implement the general accidents stream of the National Injury Insurance Scheme.
2.15	The National Disability Insurance Agency and the Department of Social Services, working with state and territory governments and other relevant Commonwealth agencies, should update current arrangements governing the interaction between the NDIS and compensation schemes to reduce overlap and improve participant experiences.
2.16	The Disability Reform Ministerial Council should agree to cease the use of 'in-kind' arrangements in the NDIS.
Recommendation 3: Provide a fairer and more consistent participant pathway	<p>3.1 The National Disability Insurance Agency should introduce a more consistent and robust approach to determining eligibility for access to the NDIS based on transparent methods for assessing functional capacity.</p> <p>3.2 The National Disability Insurance Agency should introduce a new Access Request and Supporting Evidence Form and accompanying guidance to make the process of applying for NDIS access more transparent and simple.</p> <p>3.3 The National Disability Insurance Agency should change the basis for setting a budget to a whole-of-person level, rather than for individual support items.</p> <p>3.4 The National Disability Insurance Agency should introduce new needs assessment processes to more consistently determine the level of need for each participant and set budgets on this basis.</p> <p>3.5 The National Disability Insurance Agency should allow greater flexibility in how participants can spend their budget, with minimal exceptions.</p> <p>3.6 The National Disability Insurance Agency should adopt a trust-based approach to oversight of how participants spend their budget, with a focus on providing guidance and support.</p> <p>3.7 The National Disability Insurance Agency should reform the NDIS early intervention pathway to provide supports to individuals where there is good evidence the intervention is safe, cost effective and significantly improves outcomes.</p> <p>3.8 The National Disability Insurance Agency should implement reforms to the participant pathway using an iterative, inclusive approach to design and testing, and ensure participants experience a smooth transition to the new arrangements.</p> <p>3.9 The Australian Government should update and clarify legislation to support a more effective approach to determining access.</p>
Recommendation 4: Support all people with disability to navigate mainstream, foundational and NDIS service systems	<p>4.1 The National Disability Insurance Agency, through the joint commissioning process described in Action 4.3, should be the lead commissioner of a local navigation function to help people with disability find supports in their community and make the best use of their funding.</p> <p>4.2 The National Disability Insurance Agency, through the joint commissioning process described in Action 4.3, should be the lead commissioner of a Specialist Navigation function for participants who have more complex or specific needs that cannot be reasonably met by general navigation support.</p> <p>4.3 The National Disability Insurance Agency should ideally adopt a joint commissioning approach to deliver local navigation support within a nationally consistent framework developed in partnership with other relevant Australian government and state and territory government agencies.</p> <p>4.4 The National Disability Insurance Agency should design, test and implement the navigation function gradually, prioritising continuity of support for participants and their families and a smooth transition for the workforce and market.</p>
Recommendation 5: Provide better support for people with disability to make decisions about their lives	<p>5.1. The National Disability Insurance Agency should ensure participants receive accessible information and tailored advice to support informed decision-making.</p> <p>5.2 The Department of Social Services and National Disability Insurance Agency should both ensure those with cognitive disability or complex communication support needs are connected with capacity building support and other lifelong opportunities to build decision-making skills and experience.</p> <p>5.3 The National Disability Insurance Agency should include an assessment of participants' need for independent decision-making support as part of budget setting and ensure participants can use their NDIS budgets to access independent decision-making supports.</p> <p>5.4 The Department of Social Services, the new National Disability Supports Quality and Safeguards Commission and National Disability Insurance Agency should ensure decision-supporters have access to information, training and resources to assist them in providing best-practice support for decision-making.</p> <p>5.5 The National Disability Insurance Agency should reform the approach to appointing nominees, provide improved training and information to nominees, and increase oversight of nominee decisions.</p>
Recommendation 6: Create a continuum of support for children under the age of 9 and their families	<p>6.1 National Cabinet should agree to jointly invest in a continuum of mainstream, foundational and specialist supports to address the needs of all children with disability and developmental concerns.</p> <p>6.2 The National Disability Insurance Agency should reform the pathway for all children under the age of 9 to enter the NDIS under early intervention requirements.</p> <p>6.3 The National Disability Insurance Agency should introduce a more consistent and robust approach to assessing developmental delay.</p> <p>6.4 The National Disability Insurance Agency should change the basis for setting a budget to a whole-of-person level, and introduce a new needs assessment process to more consistently determine the level of need for each child and set budgets on this basis.</p>

Recommendation	Actions
6.5	The National Disability Insurance Agency, in partnership with the Department of Social Services and the National Disability Supports Quality and Safeguards Commission, should require early intervention capacity building supports for children be based on best practice principles and evidence.
6.6	The National Disability Insurance Agency should develop and implement an approach for ongoing monitoring and evaluation of the effectiveness of early intervention for children.
6.7	The National Disability Insurance Agency should implement reforms to support the continuum and pathway for children using an iterative, inclusive approach to design and testing, and ensure participants experience a smooth transition to the new arrangements.

Theme: Stewardship of the united ecosystem

Recommendation	Actions
Recommendation 20: Create a new compact between Australian governments	<p>20.1 National Cabinet should agree a new Disability Intergovernmental Agreement to underpin delivery of a comprehensive and unified disability support ecosystem.</p> <p>20.2 National Cabinet should agree new funding arrangements to align incentives and share costs in the disability support ecosystem.</p> <p>20.3 National Cabinet should establish a new permanent Disability Advisory Council reflective of the diversity of people with lived experience of disability to advise Disability Reform Ministers.</p> <p>20.4 National Cabinet should develop a dedicated First Nations Schedule under the new Disability Intergovernmental Agreement to embed a First Nations Disability Forum and an independent sector-specific accountability mechanism.</p> <p>20.5 National Cabinet should establish a Disability Outcomes Council to monitor and publicly report on the performance of all governments in meeting the outcomes, commitments and benchmarks outlined in the Disability Intergovernmental Agreement.</p>
Recommendation 21: Clarify accountability for sustainability and governance of the disability ecosystem	<p>21.1 National Cabinet should be accountable for the sustainability of the unified disability ecosystem, including the NDIS.</p> <p>21.2 The Department of Social Services, in consultation with state and territory governments, should review existing National Disability Insurance Agency operational guidelines to identify and prioritise opportunities to strengthen the National Disability Insurance Scheme Act 2013 and Rules.</p> <p>21.3 The Australian Government should ensure that the Minister responsible for the NDIS remains a Cabinet Minister.</p> <p>21.4 The Australian Government should clarify roles of relevant agencies for administration market stewardship, pricing, policy, regulation, commissioning and legislation.</p>
Recommendation 23: Measure what matters, build an evidence base of what works, and create a learning system	<p>23.1 National Cabinet should agree to replace the current NDIS Outcomes Framework with a new Disability Support Outcomes Framework.</p> <p>23.4 All Australian governments should agree to jointly invest in actions to improve disability data quality and sharing.</p> <p>23.5 The Australian Government should ensure that all disability reporting mechanisms facilitate the collection, analysis and publication of intersectional indicators.</p>

Comparison of early childhood intervention frameworks in similar jurisdictions

This table is adapted from C Imms et al. *Review of best practice in early childhood intervention: Desktop review full report*, The University of Melbourne, funded by and provided to the Australian Government Department of Social Services, 2024. Information about Ireland's [Progressing Disability Services for Children and Young People Programme](#) has been added by the Parliamentary Research Service.

	Aboriginal and Torres Strait Islander	Australia	New Zealand	UK - England	Ireland
Key document	<p>Framework to inform the development of a National Aboriginal and Torres Strait Islander Early Childhood Strategy</p> <p>National Aboriginal and Torres Strait Islander Early Childhood Strategy</p> <p>National Aboriginal and Torres Strait Islander Early Childhood Strategy</p>	<p>National Guidelines: Best practice in Early Childhood Intervention</p> <p>He Pikorua Practice Framework</p>	<p>Special Educational Needs and Disabilities (SEND) and Alternative Provision (AP) Improvement Plan 'Right Support, Right Place, Right Time'</p> <p>Early Years Foundation Stage Statutory Framework for Group and Schoolbased providers</p>	<p>Policy Framework for Service Delivery of Children's Disability Network Teams</p> <p>Progressing Towards Outcomes-Focused Family-Centred Practice</p>	
What is the aim of early childhood intervention?	<p>There is no definition of ECI in the Strategy.</p> <p>The strategy aims to positively impact all aspects of Aboriginal and Torres Strait Islander children's lives. It seeks to heal and respond to trauma – and to empower families and communities to bring children up strong and healthy in their cultures.</p>	<p>ECI is defined as the process of providing specialised support and services for infants and young children with disability and/or developmental delay, and their families, to promote development, wellbeing and community participation.</p>	<p>'Learning support' is sometimes used in preference to early childhood intervention.</p> <p>Aim is to enhance the learning outcomes and well-being of children by:</p> <ul style="list-style-type: none"> • Keeping mokopuna and their whānau at the centre of everything • Focusing on strengths and potential • Respecting and building on the diversity of teams: expertise and knowledge • Using evidence-informed strategies • Positioning learning supports as part of day-to-day teaching and learning. 	<p>There is no definition of ECI.</p> <p>The objectives of the programme are to:</p> <ul style="list-style-type: none"> • Provide a clear pathway and fair access to services for each child with a disability and their family based on their need, regardless of their diagnosis, where they live or go to school • Make the best use of available resources for the benefit of children and their families • Work in partnership with families and with education staff to support children with a disability to reach their full potential. 	
How is best practice defined?	<ul style="list-style-type: none"> • Adopting a holistic view of early development that place children at the centre. It encompasses physical, mental, cultural and spiritual health and addresses social, historical and political determinants including maternal and child health, housing, early education and care, disability, family, and parenting supports, ensuring child and family safety, and promoting cultural identity development. • Self-determination at all levels of parents and communities that recognise the strengths, knowledge, creativity and endurance of Aboriginal and Torres Strait Islander peoples • Culturally valid understandings and evidence-based approaches must 	<p>Evidence-based practice is a decision-making process that integrates the best available research evidence with family and professional wisdom.</p>	<p>Best practice is not clearly defined. The goal is to develop a system with national standards for health, care and education.</p> <p>An Early Years Foundation Stage (EYFS) statutory framework is available for all children.</p> <p>Child outcomes are identified according to typical developmental domains.</p>	<p>Best practice is not clearly defined. The application of an 'evidence-informed' approach involves ensuring that services keep up to date with ongoing research that informs new practices or techniques and the inclusion of agreed clinical guidelines, policies and protocol with inbuilt audit and review dates. Through clinical governance and supervision teams demonstrate that they deliver an evidence-based practice.</p>	

shape program design and service delivery.

- Recognising the centrality of Aboriginal and Torres Strait Islander family and kinship as well as the broader concepts of family and the bonds of reciprocal affection, responsibility and sharing.
- Respecting the human rights of Aboriginal and Torres Strait Islander people.
- Supporting strength-based, locally led trauma-aware and healing-informed approaches.

To what extent are universal principles identified?	8 principles under 4 quality areas:	7 guiding principles:	At a policy level:	12 principles and values:
<ul style="list-style-type: none"> Applying a child-centred approach to the design of policies, programs and service systems Protecting Aboriginal and Torres Strait Islander children's right to thrive in culture Building strong Aboriginal and Torres Strait Islander families Ensuring Aboriginal and Torres Strait Islander people are partners in shared decision making - Eliminating systemic racism Focusing on evidence-based design 	<p><u>Quality Area 1: Family</u></p> <ol style="list-style-type: none"> Family-centred and strengths-based practice Culturally responsive practice <p><u>Quality Area 2: Inclusion</u></p> <ol style="list-style-type: none"> Inclusive and participatory practice Engaging the child in natural environments <p><u>Quality Area 3: Teamwork</u></p> <ol style="list-style-type: none"> Collaborative teamwork practice Capacity-building practice <p><u>Quality Area 4: Universal Principles</u></p> <ol style="list-style-type: none"> Evidence base, standards, accountability and practice Outcome based approach 	<ul style="list-style-type: none"> Mokopuna & whānau-centred Collaborative Strengths-based Culturally affirming Inclusive Ecological Evidence informed <p>A 7-element process has also been developed to support an enquiry approach:</p> <ul style="list-style-type: none"> Building connections Gathering information Sense making Planning collaboratively Taking action with integrity Reflecting together Empowering others 	<ul style="list-style-type: none"> Service partnerships across education/ health and care Creation of local inclusion plans Creation of a 3-tier alternative provision system Assessment of functioning Establishment of a key person Family-centred/ partnerships with parents Child strengths Skilling up of early years workforce, outcomes, and SEND code of practice Development of national standards and accountability 	<ul style="list-style-type: none"> Accessibility Accountability and governance Bio-psychosocial model Clinical governance and evidence based practice Cultural competence Early identification of needs Equity of access Evaluation of outcomes Family centred practice Inclusion Interdisciplinary team Staff are valued and respected

What processes, indicators and tools to gather evidence of implementation are applied?

The aim is to develop programs and investments consistent with the National Agreement on Closing the Gap and collect data on developmental outcomes on the Australian Early Development Census. Closing the Gap reforms aim to have local data systems for early childhood outcomes (e.g., Connected Beginnings).

What are the perceived	Strengths	Strengths	Strengths
	The current guidelines do not provide resources to gather evidence of implementation.	Each practice principle has examples and reflective questions	A self-audit tool for Children's Disability Network Teams has criteria to be met under the 12 principles and is completed annually by the whole team to support ongoing consistency of the model of service delivery.

	Aboriginal and Torres Strait Islander	Australia	New Zealand	UK - England	Ireland
strengths, weaknesses, and challenges?	<ul style="list-style-type: none"> The strategy takes holistic perspectives that recognise social, historical and political determinants and which foster self-determination, service integration and collaboration, tailored and intersectional approaches, and are strength-based and healing-focused. At all times children, families and community and connection to culture are at the heart. Aboriginal and Torres Strait Islander ways of knowing, being and doing inform the framework and strategy. The framework and strategy are consistent with other frameworks that guide decision-making and service delivery for Aboriginal and Torres Strait Islander peoples. Frameworks such as the SEWB model are long-lived and remain fundamental and influential. Implementation is evolving over time, but has survived. There are existing indicators and systems for measuring and reporting progress against nationally established targets. 	<ul style="list-style-type: none"> Clear key best practices and rationale for each one Accessible for practitioners – free and online Online training modules available. <p><u>Weaknesses/challenges</u></p> <ul style="list-style-type: none"> Limited translation of resources for parents Lack of explicit links to Early Years Framework Implementation – lack of technical assistance and job embedded learning Changing policy context Integration with current reviews. Specific guidance on how to implement the principles. 	<ul style="list-style-type: none"> Clear practice principles Strong focus on embedding culturally affirming and responsive practice Situated in ecological model Examples of what principles look like in practice. <p><u>Weaknesses/challenges</u></p> <ul style="list-style-type: none"> Lack of clearly articulated child, family and community outcomes Translation of resources for families and educators Lack of plan to review and update. Implementation – technical assistance, and job embedded learning. 	<ul style="list-style-type: none"> Establishment of policy directions that include knowledge related to evidence-base practice. Focus on an integrated view of children's early years encompassing education, health and social care sectors. <p><u>Weaknesses/challenges</u></p> <ul style="list-style-type: none"> No evidence of evidence-based framework as such No clarity in the meaning of evidence-based practice. SEND supports focus on children. Family outcomes are not addressed. Development and implementation guidelines for a specific framework targeting children with disabilities in the early years are not available. 	<ul style="list-style-type: none"> Clear service principles Focus on an integrated, graduated model of supports for children across education, health, social, child welfare sectors. Articulates child and family outcomes Provides practice examples and processes for embedding family-centred practice <p><u>Weaknesses/challenges</u></p> <ul style="list-style-type: none"> Translation of resources for families and educators Unclear extent of technical assistance and job embedded learning, particularly for principles besides family-centred practice
	<ul style="list-style-type: none"> Moving from principles and evidence to practice requires additional investment in locally led co-design and in adapting implementation to local circumstances. Systems transformation is slow, and needs action at all levels Trauma-aware, healing-informed approaches require non-Indigenous services and their workforce to address the historical and contemporary injustice inherent in post-colonial Australia. This is uncomfortable, and seemingly unpopular. 				

