**Reasonable and Necessary – Special Election Series**

**Interview with Senator the Hon Linda Reynolds CSC, Minister for the National Disability Insurance Scheme**

**George:** Hi I’m Dr Geroge Taleporos and welcome to our special election series of Reasonable & Necessary.  You’ll hear what Australia’s NDIS portfolio leaders have planned for our NDIS.

And what a line up!!! Linda Reynolds, Bill Shorten and Jordan Steele-John. And in our final episode, we’ll bring together Australia’s leading disability advocates to analyse everything that’s been said.

The questions that I’m asking, have come from you. Sourced from advocacy organisations who have partnered with me to bring you this very important series.

First up, the current Minister for the NDIS, Senator Linda Reynolds.

Check it out!

**George:** Hi, Linda. Welcome to the show.

**Linda:** Hi, George. It’s great to be back. Thank you for having me.

**George:** It’s really good to have you. I’m very excited to talk to you about your plans for the NDIS. If you’re in charge of the NDIS after the next election, what will be your priorities?

**Linda:** Well, George, thanks, it’s a great question. It’s something that I’ve been thinking a lot about obviously. First of all, we have to be re-elected and I have to be reappointed as the minister, but if that does happen, not only would I be very proud to continue on as the minister for the NDIS, but it’s clear to me now that we need to continue at a sustainable paced reform of the scheme. Because obviously, the last few years were all about bringing in 250,000 people from very different state and territory schemes and also to bring in nearly 250,000 people for the first time receiving disability supports, while at the same time, setting up the NDIS, the procedures and a really complex social policy, which was somewhat constrained by the legislation. But now that we’ve got over half a million Australians into the scheme, the next 1, 2, 3, 4, 5 years is really, I think, about maturing the scheme.

We’ve had a lot of reviews and most notably, the Tune Review, which made it very clear that we need to do more reforms really with a focus on participants. So, I was very glad that on the last sitting day of the last parliament, in fact in the last few hours, we got, with the support of Labor and many of the crossbenchers, we got the first significant legislative reform of the NDIS through and I’m really proud of that because that implements into law the participant service guarantee and I’ve heard from so many people over the last 12 months that they want the scheme to be simpler, more easy to understand but also to be a much better participant experience across the board.

So, to answer the question, we have to now look at participants and what their needs are. So, I started - so, it’s not only the participant service guarantee but it’s also making the scheme more accessible for people from CALD communities, from First Nations communities but also for people with intellectual and cognitive disabilities, to make sure that the scheme really works for everybody. So, there’s a number of big areas. We need to do more work on early childhood interventions and work out how we do that more effectively. We’ve got reforms we still need to do on SDA, on SIL. So, there’s a lot of work to be done now to make sure that the scheme is a better experience but also that we mature the processes.

**George:** Will you make any changes to eligibility or to how funding allocations are made?

**Linda:** Well, George, there’s a couple of parts to that. Firstly, is that our commitment has absolutely been for the Morrison Government to fully fund the scheme and as you know, that’s what we’ve done so we’ve locked into the budget for the next 4 years, $157 billion to make sure that the scheme is fully funded. I think that in the legislation, they got it right. The Labor party, along with our support, got it right that decision-making should be done separately from politicians and that’s why there is an independent process by the NDIA. There’s also review processes in place separate from politicians, so I think it should still continue to be independent of politicians on the day, and decide on what is reasonable and necessary.

**George:** Thank you, Linda. How concerned are you about the sustainability of the scheme?

**Linda:** Well, George, I think that sustainability - I think that everybody should be concerned about the sustainability, and sustainability doesn’t mean cuts. Sustainability really means that it is affordable into the long-term. So, we have made sure that for the next 4 years in the budget, that it is fully funded but again, it’s important to remember that as the Federal Minister responsible, I’m also accountable to Australian taxpayers and we need to make sure that the money is being spent for the purposes that the Australian taxpayers are investing in this scheme. So, it’s not about cuts. It’s actually now about making sure that the scheme survives and sustains into - for many generations to come.

**George:** So, where will you be looking for cuts if you were to look for cuts?

**Linda:** I absolutely am not looking for cuts. Can I just say, this is one of the really mischievous messages that’s gone out by some, is there are no cuts. There have been no cuts to the scheme. In fact, we’ve put over $40 billion extra into the scheme over the next 4 years to make sure that the scheme is fully funded, so I am absolutely not looking at cuts and again as a politician, I don’t have any say in decision-making for people’s plans and I shouldn’t and nor should any politician.

**George:** Just looking at workforce now, workforce is a real concern, particularly for participants who rely on a workforce to turn up to deliver services. What will you do to address the increasing shortages in the workforce that we’re seeing?

**Linda:** George, that’s another really good question and it’s something that I’ve spent a lot of my time focusing on because when you think about this, we’ve done a pretty extraordinary thing with the NDIS, together as a parliament and as a nation. We’ve taken what was an $8 billion industry before the NDIS and that was the total investment in disability supports and services right across the nation by all states and territories under the Commonwealth government and again, around about 250,000 Australians were receiving those sorts of supports.

Now, you roll forward 8 years and we now have half a million people who are funded for disability supports and as you and I both know, it’s not health support, it’s not aged care support, it’s not mental health support because we have sectors to provide that support more generally. This is for disability support, so we’ve taken that $8 billion market and in the space of less than 8 years, have turned it into a 30 plus billion dollar a year market and with 250,000 more people receiving disability supports, the workforce has had to grow really rapidly. So, the workforce has grown rapidly and we’ve got thousands more providers, large and small but that’s still not enough.

So, what we’ve done in the last budget, we’ve invested nearly $250 million into a care and support workforce because it’s not just in the disability sector. We’re providing more and more supports in the aged care sector and obviously, we’re an aging population as well, and for veterans, so we really do need to increase and find more people and recruit them into the sector. As you well know, we don’t just want anybody. We want people who want to be there and who are really suited to the caring profession.

So, we’ve got a very comprehensive workforce plan that we delivered as you would’ve seen, for a 5-year workforce, NDIS specific workforce plan, so we’re doing a lot of things but ultimately, we need to recruit more people as support workers, but also for allied health services as well because we’re now providing more people with those supports than ever before.

**George:** I have a friend who recently said to me that her support worker, who was one of her best support workers, had to leave the country because of visa issues and the fact that we don’t currently have a visa program that supports the disability workforce. Do you think there is a need to look at our visa offers and look at that as an option?

**Linda:** I think we need to do 2 things, George. One is we need to create or train and interest more people into the profession here in Australia, which is why we launched the Lifechanging Life campaign, which has had quite a lot of success in actually bringing people into the sector to have a look at the sector, how they can get trained and what are the opportunities. So, we need to make it more attractive for people in Australia to want to go into the care and support sector. But I think you’re right, and it’s something that I had been discussing, and I have been discussing with the Minister for Immigration and also the Minister for Foreign Affairs, is now that our borders are open again to the rest of the world, how do we attract more people in? So, it’s getting the balance right between them both.

**George:** That’s right. I’d like to turn now to an issue that’s very close to my heart. I recently did an interview with a woman who’s been stuck in hospital for almost a year, waiting for an NDIS plan. You know that there’s a call for faster decisions around housing and support. How long do you think that these decisions should be taking?

**Linda:** I absolutely agree that we need to reform processes to make sure that decisions are made faster but also, I want to make sure that we’re still making the right decisions. So, we’ve got the PSG now in legislation.

**George:** What’s that? Oh, the participant -

**Linda:** Participant service guarantee. So, I had started a lot of work with the NDIS about red tape reduction and reform, so one of the things to help with that is in the legislation that has just passed, so that people can have much quicker variations to their plans without having to go through a full plan review. So, if something happens where someone has got a plan, something unexpected happens, they can now go to the NDIA and ask for a quick plan variation to meet their needs, so I think that is one practical measure that we’ve implemented.

So, the NDIA to their credit, have been reporting even without it being legislated, the participant service guarantee metrics and they’ve been doing that for pretty much as long as I’ve been the minister and if you have a look at their quarterly reports, the majority of those time frames are being met but I think there is no question that part of the reforms that - the journey that we’ve got to continue on with is how can we keep reducing those decision times down but also making sure that people are getting the right plan and that the right decisions are being made. So, it’s a bit of a balance but there is still definitely more work to be done on that.

**George:** I’d like to turn to a really serious issue and that’s the issue of violence, abuse, neglect and exploitation of people with disabilities. What do you believe that governments need to be doing more of in this area? And I say governments because it’s both state, federal, it’s at the local level as well.

**Linda:** All governments do have responsibility for this but for the Federal Government, we introduced - the Coalition Government, we introduced the Commission because that hadn’t been established by the previous Labor Government. So, the Commission itself has a significant responsibility in this area. I think they’ve done a fantastic job because don’t forget, they stood up from scratch just 4 years ago and created a new national regulatory framework because this was a sector - and people I think quickly forget that before the Commission and before the NDIS, this was pretty much an unregulated sector, so providers were not used to being regulated or being held to account for how they looked after and cared for participants. So, the Commission, I think, is an important part of that process but there are certainly areas of improvement.

I was really proud to have been able to take through the Ann-Marie Smith bill which did deal with a lot of the issues and the holes in the system that became very apparent from that unbelievably awful case and the way that Ann-Marie Smith was neglected and eventually died. The Commission is an important part of that, but the Commission is responsible not just for ensuring quality and safeguarding, but they’re also important stewards of the market itself because we’ve got to find a balance between ensuring that standards continue to improve in terms of safeguarding our participants and also providing really quality care options but we’ve also got to make sure that the market is viable, that people can - still want to and still earn a living effectively in the sector.

So, there’s more work to be done for the Commission and the new Commissioner has certainly hit the ground running. Having a look at the issues of registration and how we can strengthen quality and safeguards, but how we can also make it more effective for the sector as well and again, states and territories also have a responsibility. Because don’t forget, the National Disability Agency itself is administering an insurance scheme, so states and territories also have a responsibility in terms of their own areas of responsibility, so the criminal justice system but also for guardianships and other areas of responsibility. So, it’s a shared responsibility, George.

**George:** I was really shocked, Linda, when I saw that the provider for Ann-Marie Smith, who was actually a registered provider, her provider was only fined $13,000. Surely that’s not good enough.

**Linda:** Well, George, I certainly don’t want to comment on any particular decision but I think that there are certainly improvements that must keep being done. I think a lot of improvements will come - as you know, we set up the Royal Commission into the Abuse, Neglect and Exploitation of People with Disability and we’re hearing some pretty shocking things being exposed through the Royal Commission that we’ve established, so we’ve invested in that Royal Commission, half a billion dollars and we haven’t been waiting for the final report.

So, we have been constantly looking at the evidence that’s going into the Royal Commission and also, what are some of the things that we can do to improve but certainly after their final report, I think there is no doubt that the Australian parliament, and states and territory governments as well, will have to look at what more we need to do to improve the quality of service but also the safeguarding.

**George:** Yeah, I also think when we look at the issue of neglect, it’s very - it’s everywhere. I think that being stuck in a hospital for a year, to me, feels like a neglect issue.

**Linda:** So, George, just on the hospital issue, you raised that before. It is something that I have been - at all 6 meetings that I’ve had with the state and territory ministers over the last just over 12 months, the issue of YPIRAC and how we actually -

**George:** Can you just tell people what that means? Young people -

**Linda:** Yeah, Young People in Residential Aged Care. So, we’ve got people both in aged care that we need to actually - for those who want to have another housing option and support option, how do we stop younger people going inappropriately into aged care? But we’ve also got people in hospitals as you said who either are waiting for an NDIS housing decision, so SDA, or they’re waiting for public housing.

It’s something that I’ve been discussing extensively with state and territory ministers and also raising with the state and territory housing ministers because again, in our wonderful federation, it’s a shared responsibility, so we’ve got some responsibility through specialist disability accommodation for about 5% of NDIS participants and the states and territories have a responsibility to provide affordable and accessible public housing. So, neither one of us can solve it alone and we have to keep working together to find a solution for that. The other thing with hospitals is that -

**George:** I agree with you, Linda. I agree with you.

**Linda:** So, with hospitals, again, it’s a shared responsibility because the NDIA doesn’t necessarily know if a participant is in hospital, if they’re already a participant, and each state and territory has very different record-keeping processes. And I’ve been working with states and territories to get a consistent approach to reporting.

So, the NDIA now has hospital liaison staff in every state and territory to work with the state system, so that we can identify NDIA participants, because we have to be notified by someone that people are in hospital, so that we can start looking for arrangements for them for post-hospitalisation support. And also, if we’ve got somebody in hospital who doesn’t yet have a plan, the state system has to tell us that they’re there early enough, so we can actually start working with them to assess them for a plan, but also for many people to actually find them a state public housing option if that’s what they need. So, again, it’s a shared responsibility and we are making progress in our discussions but we haven’t quite cracked it yet.

**George:** Yeah, we definitely do. That’s why I said at the start that it’s all parts of government need to be really focused on this, absolutely.

**Linda:** They do.

**George:** I’d like to turn to the issue of appeals now, Linda, NDIS appeals. We have - I recently saw some statistics around the NDIS appeals and I was very, very shocked by how these numbers are going up and up. We know that these appeals processes are very, very traumatic and also quite expensive. What will you do to address the growing number of people going to the courts so that they can get the support that they need?

**Linda:** Yeah. Actually, George, this is an interesting question and it’s obviously very topical at the moment but I think the context of this is really important. Overall, the number - remembering that we’ve got half a million people now on the scheme - so the overall percentage of people who are going through to the AAT appeals process is still miniscule and most of those people who do go to the AAT, well over 90% of those are settled before - as part of the early AAT process. So, it’s important that people have an avenue to appeal to the AAT, so I think the context on this is really important, George.

Most are settled and again, it’s a tiny fraction still but because the numbers have gone up to over half a million now. Proportionally, you’d expect the numbers going to the AAT would correspondingly increase and the caseload has changed over time because there’s not so many access cases now because we’ve got over half a million people on the scheme. But it is evolving into making appeals about their package or some element of their package itself, but again, there is funding available through DSS to assist people who are in financial hardship to go through that process. And in fact, in the last budget, we’ve just put $100 million more into that appeals process to make sure that people on the scheme do actually have access to funds for the very small percentage of people who actually do go through to an appeal.

**George:** Okay, let’s turn to that then. On the issue of assistance and advocacy, what I’m hearing on the ground is that advocacy services are quite overwhelmed by work around NDIS appeals. Do you think that we need to really look at that and actually look at meeting that unmet need?

**Linda:** Well, some of this actually sits within Anne Ruston’s policy portfolio, so we’ve been working on this issue together which is why we’ve increased by 88 million, baseline funding for both the NDAP and NDIS appeals program over the last 3 years. So, we do know that people do require support and again as I’ve said, we’ve also had the $100 million for the next 4 years in baseline funding for NDIS appeals in particular. So, it is important that all participants have access and support where they need it to merit reviews in the system and that’s exactly obviously what the AAT is.

**George:** Okay, let’s turn to one of the final topics and that’s choice and control. I’m very passionate about choice and control. You’ll know that, Linda.

**Linda:** I do.

**George:** What will you do to build the capacity of participants to exercise choice and control?

**Linda:** It’s something that I’ve learnt a lot about in the last 12 months in this job and it’s something that again, I’ve been thinking very deeply about, and choice and control has always been and will always remain a key pillar or principle on which the NDIS operates. It has to, because it is all about empowering people who are on the scheme to take more control of their own lives and how they live their lives and how they’re supported to live your life. So, I think it’s an important issue not just for me or for the minister of the day or the ministers across all states and territories but I think it’s a really important discussion for all of us to have.

What does choice and control actually mean? And choice and control might mean something a bit different for you as it does for other participants but one of the things I think that it’s been very interesting for me to explore choice and control with people for example, with a cognitive or intellectual disability, and are we doing enough to ensure that they truly can exercise their own choice and control. Or do people have other people acting on their behalf who are making decisions for them that perhaps don’t really reflect their own choice and control. So, I think in a practical sense, it’s still a discussion we have to have as a nation but I think it’s also important too, in terms of co-design.

It’s something that I know the first conversation that you and I had about co-design and I’m still a bit nervous to actually try and define because every time I do, I seem to get into trouble. Because different people have different perceptions of co-design but for me, I really got that people who are impacted by the scheme or people who have a stake in the scheme must be consulted on the future directions of the scheme.

**George:** It’s more than consulted, right? This is what we’re on about, where we’re saying that we make decisions together and we do that because if we involve people from the outset, they’re going to make the decision a lot more informed and a lot higher quality.

**Linda:** I think you’ve just made my point for me, George (laughs). In the amendments to the NDIS Act that have just gone through, we’ve enshrined in the legislation now that co-design has to be considered when making changes to the scheme and how it’s governed. It also puts in legislation the need to have people with lived experience of disability on the board and as you know, I appointed 2 amazing women with disability onto the board.

So, it’s a change in direction but again, I think coming back to your first question about if I was the Minister after the election, what I would like to do. I would like to keep working on, how do we live and breathe the principles of co-design? We’re doing that now with the IAC I think more effectively and with the consultations the NDIA is now doing about SIL, about early childhood interventions, about SDA, that is all actually doing things in consultation and collaboration with the right stakeholders.

**George:** Linda, this is my last question.

**Linda:** Should I be scared, George? (laughs)

**George:** No, no, it’s your chance to tell people why they need to look for you as our NDIS leader post the election. Why should they vote for you?

**Linda:** Well, George, that is a very, very good question. And I think that what I have brought to the portfolio and what I’ve tried to bring to the portfolio is a genuine spirit of collaboration and consultation, but also action, because there have been - as a minister, you’re only a custodian of your portfolio for a particular - for a slice of time. And I think over the last 12 months, I listened, I heard, I acted on independent assessments, I’ve put in place a collaborative approach on new participant-centred assessment processes, again to be co-designed with the IAC and the sector. I’ve had many meetings with the states and territories, I said 6 and we are collaborating. I heard about SIL and we’ve acted. I heard about Ann-Marie Smith and the circumstances and I not only introduced legislation, I got that passed.

I got the participant service guarantee and other important reforms for participants through the Parliament but that only happens when you work together. I respect the sector, people like yourselves who are very strong and passionate advocates, but we can only do things together. And I learnt that through the COVID vaccination process, is that the reason we now have the highest vaccination rates in the world for people with disability and particularly those on the NDIS, is because I worked together with the states and territories, I worked together with Greg Hunt, I worked together with the sector and took their advice on what some of the barriers were and how we could collectively work to deal with that. So, funding is not an issue.

Both sides have committed to fully funding the NDIS. We’ve put $157 billion into doing that but the real issue now is how do we make the scheme better and better? We’ve had so many reviews. We know what we need to do and I believe that over the last 12 months, I have demonstrated to the sector that I can work with the sector, I can work with states and territories, I worked with the opposition to get the legislation through and none of us could do this together but I fervently and passionately believe in this scheme. I think it says so much about Australians that no other country has a scheme like it and that we are willing to provide that support to half a million Australians so that they can live a wonderfully ordinary life and a life of their choice.

So, it is not perfect but it’s on its way to improving and again, just seeing and hearing the stories of so many people whose lives have been transformed, I know that it’s a great scheme, this Government knows that it’s a great scheme and if I am still the Minister after the election, I will certainly be continuing to work with everybody who has a stake in the scheme to improve it. That’s what I offer, George.

**George:** Linda, I can vouch for that, you are a collaborator. I know you’ve always made yourself available to talk to me and I thank you for that and I wish you the best of luck on the 21st of May.

**Linda:** Thank you very much, George. Can I just say, I have so valued your frank and fearless advice but also, your very constructive approach because ultimately, identifying problems is really easy. Actually finding the solutions and then being able to implement them together, that is the real knack of government but also people like yourself in how we work together to keep making it better.

**George:** Thanks, Linda. Good night.

**Linda:** Thanks, George.

**George:** That’s all we have time for on today’s episode of Reasonable & Necessary. Remember that this is just one of a series of episodes for the Federal Election so make sure you check them all out. Including our final analysis episode, which is a ripper. To be notified of all future episodes don’t forget to hit the subscribe button and the notification bell. You can also follow me on Twitter at drgeorgethecrip. Thanks for listening and until next time, stay well and reasonable.