



Getting the NDIS Back – new NDIS Rules

Engagement Strategy

DSS February 2025

NDIS rules design and development

This document outlines the engagement strategy for the development of new rules enabled by the *National Disability Insurance Scheme (NDIS) Amendment (Getting the NDIS Back on Track No. 1) Act 2024* which commenced on 3 October 2024.

This strategy is underpinned by the Department of Social Services' (the department) Stakeholder Engagement Policy and Strategy documents.

Information about planned engagement activities will be updated and published alongside the engagement strategy on the department's website.

Enabling NDIS reforms

This document outlines the approach to working with representatives from the disability community, State and Territory governments and other stakeholders for the following Tranches of new rules enabled by the *National Disability Insurance Scheme (NDIS) Amendment (Getting the NDIS Back on Track No. 1) Act 2024*:

- Tranche 2.2: New planning framework (needs assessment, and budget setting)
- Tranche 2.3: Access and eligibility reassessments
- Tranche 3: NDIS Supports and plan management decisions

Engagement

Engagement will be delivered with a range of stakeholder groups to build awareness and understanding of the proposed NDIS reforms and seek state and territory agreement to new NDIS rules. The engagement approach has been developed based on the following engagement types and objectives:

Engagement type	Objective
Inform	To provide stakeholders with information to increase their understanding of proposed legislative reforms, implementation and associated timeframes.
Consult	To provide stakeholders with an opportunity to review information, provide feedback, and consider their advice and how it is best reflected in legislative reforms.
Co-design	To provide stakeholders with an opportunity to input into decision making processes.

Approach

The Strategy builds upon the NDIS Review's comprehensive consultation and engagement activities involving NDIS participants, families, carers, the disability sector, and researchers, to ensure that the voices of people with disability (PWD) and the community are heard and actioned as much as possible. In addition, consultations will leverage co-design work being undertaken by the National Disability Insurance Agency (NDIA).

The department has identified key stakeholders to ensure the engagement approach is fit-for-purpose and responsive to the varying needs of different stakeholder groups. While different engagement activities will be undertaken to suit diverse audiences, consistent overarching aims include:

- providing stakeholders with an opportunity to review information, provide feedback, and consider other stakeholder perspectives,
- providing clear messaging and information on government decisions and priorities,
- demonstrating how the legislative changes fit with the broader reform agenda,
- promoting the benefits of the proposed reforms and,
- building support for staged and sustainable long-term implementation of the new rules.

As outlined in this strategy, the department and the NDIA will conduct further engagement activities with state and territory government officials and the disability sector to gather feedback and shape the development of the rules. Consultation with the disability community will continue beyond April focused on shaping communication materials and implementation in this second phase from April to September, when the detail of the rules and operational arrangements are expected to be developed to commence operation.

Disability community

Effective engagement with the disability community is essential to ensure reforms to the NDIS are informed by people with lived experience of disability. Ongoing engagement with NDIS participants, their families and carers, as well as representative organisations reflects our collective commitment across governments to co-design.

The current environment of high-volume disability policy reform activity, as well as broader reform across other government systems that impact people with disability, puts significant pressure on disability stakeholders and advocates to engage with reform processes.

Communication products

Inclusive and accessible communication products will support the understanding of disability reforms and support stakeholders to provide feedback. Clear, timely and easy to engage with information about the proposed changes including the new planning framework and how it will impact participants, their families and carers, and service providers, will support a better understanding of the need for the proposed changes.

To ensure information assists stakeholders to be fully informed about the reform agenda, communication and stakeholder engagement aims to be:

- timely, clear and consistent
- inclusive and accessible
- respectful and trauma-informed
- distributed through multiple channels.

The communication products that we will produce with disability representative organisations include (but not limited to):

- newsletters to subscribers with updates and planned activities
- plain English summary document(s)
- easy read summary document(s)
- Frequently Asked Questions (FAQs)
- a stakeholder resources pack, and
- web content and NDIS participant stories.

Information about consultation opportunities and outcomes will also be shared through established sector and community communications channels.

State and territory governments

The Commonwealth is engaging and seeking input from states and territories on the policy intent of the new rules and will be seeking agreement on the rules through a new rule making process set out in Part 5 of the *National Disability Insurance Scheme Act 2013*.

States and Territory governments will support the engagement through existing relationships with key stakeholders in their jurisdictions. This will include, but not limited to, State and Territory based peak advocacy organisations, individual advocates and networks, service providers and associations.

Where possible, the Department will use existing channels and forums hosted by State and Territory governments to engage with their key stakeholders. If timely access to stakeholders is not available through existing forums, then the Department will host online engagement forums to ensure the voices of State and Territory stakeholders are heard in the development of the rules.

Key Risks and mitigations

Sector fatigue: Over the last year, there has been significant community engagement on policy reforms including the Disability Royal Commission, NDIS Review, National Autism Strategy, Disability Employment Services, Senate inquiry into school refusal, state and territory engagements, and other Commonwealth engagements.

The department will provide support to the disability community to engage in the reforms through information and capacity activities, providing advanced notice of engagement activities, prioritising reforms for input and developing easy to understand communication products. The department will also continue to communicate how input from the community is influencing decision making and provide comprehensive reports of feedback received and how it has been actioned.

Misinformation: These reforms are complex and there is scope for misinformation to create concern in the disability community about the impact of the proposed changes.

To address this, this strategy outlines a number of approaches to provide factual and timely information to the community, including FAQs and other accessible materials.

Engagement approach: Community expectations relating to consultation and co-design are high. Co- design will not be possible in all instances.

Clarity about the nature of different engagement processes with the community is critical to set clear expectations about how and the extent to which input will shape the final rules.

Engagement approach

Engagement topics

- Improving the access pathway
- Participant journey for new framework planning
- Spending flexibility (including Stated supports, Restrictions on flexibility and Requirements on spending)

Engagement approach

Feb – Mar 2025 – Inform

- Prepare and test communication materials with stakeholders from the disability community
- Publish information for participants, families and carers and service providers about the proposed rules and engagement approach

Mar – May 2025 – Consult and co-design

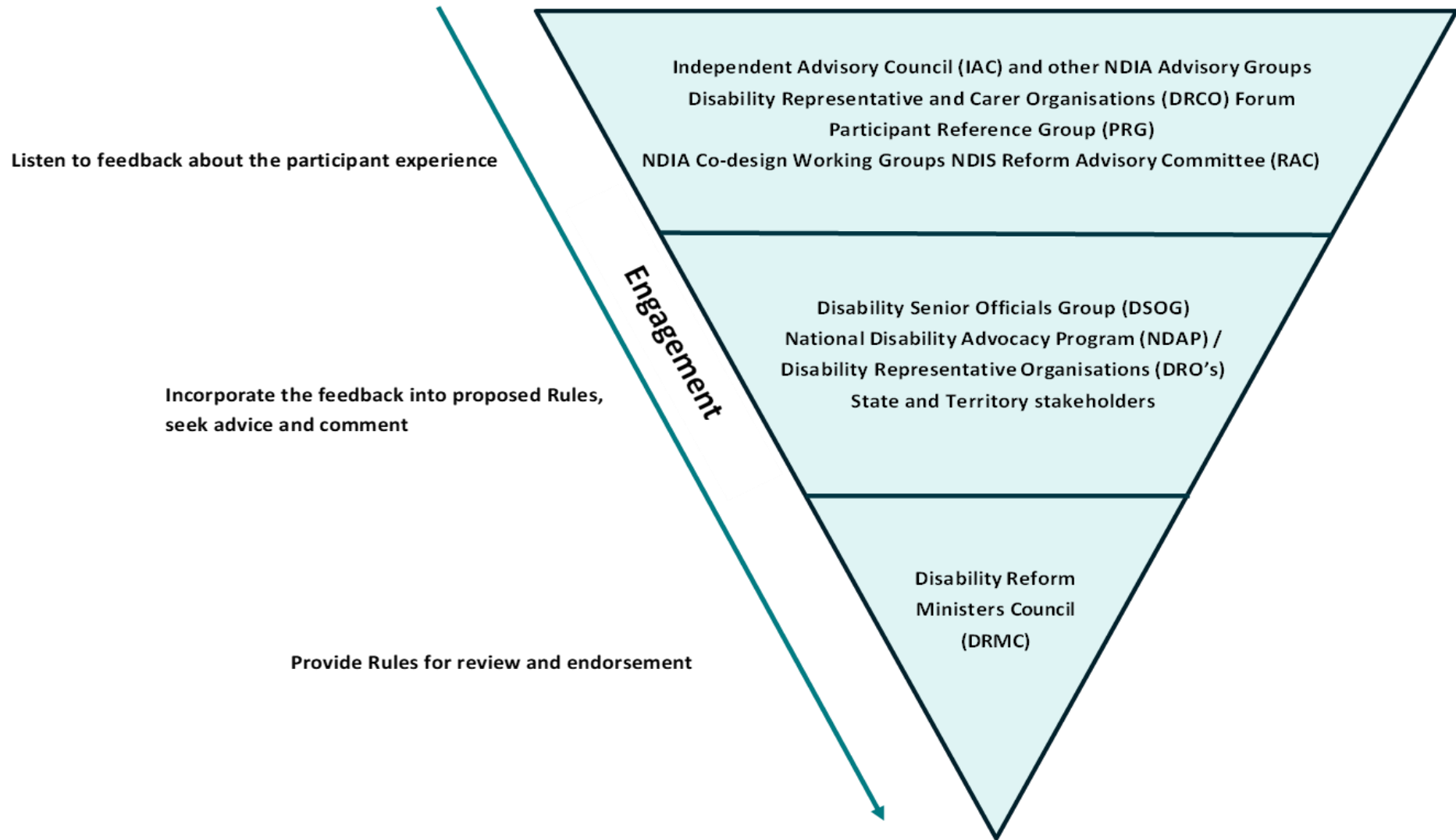
- Consultation and co-design activities being led by the NDIA
- Lead consultation activities at DRO, DRCO and other key stakeholder forums
- Work with State and Territory governments to commence consultations with their disability stakeholders and communities on new rules
- Design fit-for-purpose engagement activities for other key stakeholders (i.e. industry/providers) from the disability community
- Design public consultations and webinars to listen to the feedback from the disability community
- Regularly update information and Frequently Asked Questions on NDIS Reforms section of the DSS website

May – Sept 2025 – Inform

- Continue consultation on the communication materials and implementation
- Continue to listen to feedback from the disability community on the new rules
- Understand and share with the NDIA how the feedback may influence implementation of the rules
- Regularly update information and Frequently Asked Questions on NDIS Reforms section of the DSS website
- NDIA led community, sector and provider engagement and education activities, which will include communications to participants and providers about impacts of implementation of rules through direct outreach such as emails, online information sessions, website updates, newsletter and social media content.

Governance forums and engagement

Existing governance forums and channels to be utilised in the engagement approach.



Evaluation approach

The evaluation of this strategy and its components will be delivered using an Evaluation Framework. The framework is a four-step approach to evaluating engagement and participation.

Evaluation framework

- Step 1: Plan and design
- Step 2: Implement
- Step 3: Analyse
- Step 4: Communicate.

Step 1: Plan and design the evaluation using a clear description of the engagement outcomes and impact, identify key questions the evaluation will answer, criteria to measure the evaluation by and tools to be used to collect the data.

Outcomes of the Engagement Strategy:

- Information provided to stakeholders and the disability community is clear and accessible, to support engagement activities.
- A range of engagement activities and channels to engage were provided to stakeholders and the disability community in which they could provide feedback.
- The feedback received was acknowledged and, where possible, influenced the development of NDIS Rules.

The aims outlined in the strategy will form the basis of key questions and criteria for the evaluation. A range of data collection tools will be used, aligned to the engagement activity.

Step 2: Implement the planned evaluation activity that aligns to the engagement activity. These may be dynamic and adjusted as needed throughout the engagement process.

Step 3: Analyse the data to develop findings against the planned engagement activities and evaluation criteria. Reflect on insights from the data and look for opportunities to adjust your engagement activities to support better outcomes.

Step 4: Communicate the outcomes and findings of the evaluation to key internal and external stakeholders.

An evaluation plan will be developed that aligns and supports the delivery of each engagement activity.