****

**NDIS Savings Fund Special Account Bill - Senate Standing Committee on Community Affairs, Legislation Committee Inquiry**

14 October 2016

Statement

Thank you to the members of the Committee for inviting PWdWA to give evidence today on the inquiry into the NDIS Savings Fund Special Account Bill. This a brief statement in support of our submission and our position that we do not support this Bill.

In our submission we made the following statements:

* PWdWA does not see the necessity for the Bill and therefore recommends that this bill is not enacted.
* PWdWA recommends that should this Bill proceed further accountability is required such as oversight by the Joint Parliamentary Standing committee of the NDIS, and some form of parliamentary agreement on where credits to the fund are obtained.
* PWdWA recommends the Social Services portfolio is NOT seen as the main source of funding and ‘savings’.
* PWdWA recommends that the DisabilityCare Australia fund should be used for all NDIS funds.
* PWdWA supports the recommendation that any fund set up for holding money for the NDIS should not allow funds to be used for anything other than the NDIS.

Is the Bill required? Our first statement is based on the fact that there is already an account set up to fund the NDIS, and if it requires change to increase the variety of sources that can put credits into that account, then why not amend that legislation? We don’t understand why multiple legislative instruments are required for essentially the same purpose. To be able to put under spends and savings from the NDIS back into the NDIS fund again should be part of the original fund that was setup or a change made to that fund for that to be able to happen.

Our second and third statements are our main concern. This legislation is geared towards a fund based on bringing in money from ‘savings’. As an advocacy organisation we have seen a sharp increase in advocacy cases related to people being reassessed for the Disability Support Pension as a direct result of direction to cut that budget and review people previously accepted on DSP. This change occurred in July 2016 as a way to make savings within the social services portfolio and has put incredible stress on a group of people who are already disadvantaged.

Some of the case studies that we are currently experiencing through our advocacy are:

* Megan is applying to have a DSP. Despite her Doctor and Psychiatrist letters explaining that Megan's various physical and mental health conditions were not going to improve in the next two years, her application was not accepted on the grounds that she needed to be rehabilitated.
* Client X has been on the DSP for a period of 15 years due to a chronic lower back injury which restricts her movement and gives her severe pain. Doctors have advised her that it would be extremely risky to perform an operation to correct the condition. Client X also has depression as recognised by her GP. Client X had her DSP removed by Centrelink in June 2016. Centrelink staff referred to the Social Security (Tables for the Assessment of Work-related Impairment for Disability Support Pension) Determination 2011 and Client X’s job capacity assessment, which indicated that Client X has not provided sufficient and appropriate evidence that her conditions are fully diagnosed, treated and stabilised. PWdWA advocates are currently working with Client X to gain appropriate medical documentation for Centrelink to consider in appealing the removal of her DSP.
* Joe has been deemed legally blind, and told that his vision is that of some one that should be registered with the blind Association and he was referred to the Visability team. Joe lives in a rural town. He was sent a letter from the DSP and told that he was being taken off DSP and he could work 30 hours a week. He has a degenerating bone disorder in the hips with his visual impairment. Walking is very difficult as is sitting or moving around. He had to find extra money to access doctors and professionals to get reports written and this took time as visiting specialist only come to town monthly and it take time to access the services as they are booked out for months. He went through the process of appealing and now the DSP has been re-instated with much stress for the client.
* Jack has cerebral palsy. Jack is a 16-year-old boy and has a typically developing twin brother. Veronica's husband works away in order to support the family and in particular Jack's needs. They have no other family here. Jack is in a wheelchair and needs significant help with personal assistance. In November last year Veronica applied with Centrelink for Jack to receive a disability pension when he turned 16 years old. Veronica and Jack have attended numerous meetings in the last 6-7 months with Centrelink in order for Jack to receive the disability pension himself. Veronica receives the Disability Allowance of approx. $66.00 per week. Centrelink have paperwork pertaining to his diagnosis of a disability on file from many years ago. Veronica feels bullied by this process and suffers anxiety herself. She's on anti-anxiety medication as she's been told by her doctor that if she doesn't gain control over her health she will have a stroke.

It is extremely concerning for us that people are being disadvantaged and going through a lot of stress, as well as the amount of money being spent on doing these reassessments, all in an effort to try and scrape together savings from within the social services portfolio. The dividend from the support that the NDIS provides in terms of more people participating socially and economically will not happen in a six-month or even three-year period. We are also very concerned that there are groups of people who are considered more able to get support than others and this perpetuates the myth of the undeserving poor. This is particularly relevant given that income support and disability support at two very separate needs that address different issues for people.

Competition between programs under the one portfolio we believe is inappropriate.

We are also very concerned about monitoring and oversight of this legislation given that it is controlled by one Minister. Regardless of whether this may be a common practice or not we do not think that it shows accountability in decision-making. Again it also emphasises that the savings should come from within the one portfolio area.

We support the submission by Young People in Nursing Homes Alliance which references the original productivity commission document stating:

*The costs of supporting people with a significant disability from year to year through the NDIS should be viewed as a core funding responsibility of government and met from claims on general government revenue.*

*And*

*The Commission proposes several options for providing certainty of future funding. Its preferred option is that the Australian Government should finance the entire costs of the NDIS by directing payments from consolidated revenue into a ‘National Disability Insurance Premium Fund’, using an agreed formula entrenched in legislation.*

*And*

*…the Commission has recommended that the NDIS would effectively lock in tax revenue to meet its annual liabilities, without a yearly battle through the budget process to secure sufficient funding in competition with other government spending initiatives.*

If the Bill were to be introduced we believe there would need to be substantial amendments made to ensure that it was independent of any one Minister, and that credits and savings could come through a formula agreed that took money from general consolidated revenue that is a percentage of gross domestic product.

It is important that the NDIS is funded appropriately and that money for the NDIS into the future is quarantined however we do not see that this Bill actually contributes to that end goal. It does not contribute to that goal because it is not independent, it is subject to budgetary cycles, and it is reliant on pushing for savings within the same portfolio area.

Samantha Jenkinson

Executive Director