

Memorandum of Understanding

Between

Name	National Disability Insurance Scheme Launch Transition Agency
Address	GPO Box 700, Canberra ACT 2601
Agency Representative	
Phone	
Email	
Short name	NDIA

and

Name	Department of Communities, Child Safety and Disability Services (DCCSDS), Queensland
Address	Level 12, 111 George St, Brisbane Qld 4000 (Postal Address GPO Box 806, Brisbane Qld 4001)
DCCSDS Representative	
Phone	
Email	
Short name	DCCSDS

1. Background

From July 2016, the National Disability Insurance Scheme (NDIS) will progressively roll out in Queensland and by July 2019, all eligible Queensland residents will be covered. The NDIS will bring significant benefits for people with disability, their families and carers and the broader community. However, radical and transformational change of this scale in Queensland, with geographical differences distributed across urban, regional and remote areas, will require careful preparation to maximise the opportunities and minimise the risks for people with disability, the disability sector and governments.

2. Term

This memorandum of understanding (MoU) commences on the date it is signed by both parties and continues until the Bilateral Agreement is signed unless earlier terminated or extended by agreement of the parties.

3. Intention not to create a legal relationship

This MoU is not intended to be legally binding but reflects a serious intention by the parties to undertake their responsibilities and obligations under this MoU.

4. Role and purpose of this MoU

The DCCSDS and the NDIA are committed to enabling greater choices and better opportunities for Queenslanders with disability, and their families and carers, through the NDIS.

Both parties are committed to the successful preparation, introduction and transition of Queensland into a strong, sustainable and efficient NDIS.

This MoU sets out a shared agenda and actions to give effect to this commitment.

5. Objectives of the MoU

The objectives are to:

- Get the Queensland community as NDIS-ready as possible for the commencement and roll out of the NDIS from 1 July 2016
- Make the Queensland disability system as consistent as possible with the NDIS, including adopting NDIS-like policies and processes wherever possible, and
- Facilitate a smooth and effective transition in Queensland as part of the NDIS roll-out from 2016.

This will be achieved by

- the DCCSDS and the NDIA working closely and cooperatively to plan, engage, prepare and implement practical measures to be NDIS-like and NDIS-ready
- the NDIA establishing a presence in Queensland, commencing by July 2014
- learning from innovation and trials in Queensland and in NDIS sites in other jurisdictions
- the NDIA building on and leveraging the skills, capabilities, people, knowledge, relationships and other assets of the DCCSDS

6. Role of the NDIA

From July 2014, the NDIA will locate NDIA officers in Queensland. This will include up to two (2) officers based in Brisbane and two (2) in Townsville.

The NDIA will continue to progressively build its Queensland-based capability.

The NDIA will nominate a senior NDIA head office executive taking responsibility to lead the NDIA planning for the commencement of the NDIS in Queensland.

The NDIA will have financial responsibility for the cost of the NDIA staff located in Queensland.

The parties acknowledge that the NDIA may undertake activities under this MOU only to the extent permitted by its functions and powers under the *National Disability Insurance Scheme Act 2013* (Cth) (**NDIS Act**).

7. Role of the Queensland Government

The Queensland Government will implement the Queensland Disability Plan, a five year plan to:

- prepare Queensland for the NDIS
- support Queensland to be ready, willing and able to take up the social and economic opportunities available to people with disability
- enhance services and sectors, such as education, health, transport, tourism and housing, to enable genuine choice and participation of people with disability, and
- inform the NDIS design and development work for full scheme and its implementation in Queensland.

DCCSDS will keep the NDIA informed of decisions in relation to the transition by the Queensland Government from direct service delivery and work with the NDIA to consider the implications for full scheme transition and operations.

8. Areas for cooperation

The parties will actively maintain a co-operative relationship (including by sharing relevant information to the extent permitted by Commonwealth and Queensland laws). The NDIA and DCCSDS will cooperate in the areas set out below. A schedule of activities for each of the financial years is set out in attachment 1.

Timely adoption of NDIA tools and processes

Improve consumer and provider readiness for transition to the NDIS

- Following the redesign of NDIA assessment tools and processes, the Queensland Government and NDIA will develop a coordinated approach to disability assessment in Queensland prior to commencement of the NDIS.
- The NDIA and DCCSDS will give consideration to a joint approach to the assessment of what are reasonable and necessary supports prior to and during the transition to the NDIS in Queensland, with due regard being given to the relevant provisions of the *National Disability Insurance Scheme Act 2013* (NDIS Act) and the NDIS rules which are legislative instruments.
- The NDIA and DCCSDS will collaborate to design and deliver training which improves the awareness and readiness of Queensland Government staff for transition to the NDIS.
- Each party undertakes to provide to the other copies of any training material related to the Queensland roll-out produced by it.

System planning

NDIS systems development and analysis

- Exchange of information on topics such as funding, data, reporting framework, phasing, client record creation and process for transfer to NDIA.
- Establishing working relationships between the NDIA and relevant Queensland Government mainstream agencies.
- Joint planning for implementation in Queensland including operational plans for phasing.

Communication

Community and sector engagement and other communication activities for NDIS readiness

- Joint and coordinated separate communication and community engagement activities with stakeholders in Queensland.
- Joint use of existing consultative forums involving people with disability, families, carers and sector and community representatives to advise on planning for and coproducing elements of the implementation of the NDIS in Queensland.

Consumer readiness

Consumer capacity building

- Building capacity of people with disability, their family and support network to undertake planning and exercise choice and control as consumers.
- Develop client's awareness of the type and amount of support they currently receive and how this support maps to the supports under the NDIS.
- Developing in Queensland persons with disability and their carers and representatives an understanding of the proper role and limitations of the NDIS, especially as regards the reasonable and necessary supports it provides and what is provided by systems other than the NDIS.

- Understanding and building responses to the unique challenges relating to the supply and demand for disability supports in Queensland.
- Understanding and building responses to rural and remote consumers' needs in Queensland.
- Development of culturally appropriate assessment and models of support for Aboriginal and Torres Strait Islander people and people from culturally diverse backgrounds in Queensland.

Sector readiness

Provider capacity building

- Building sector awareness of the NDIS and its tiered elements.
- Understanding of the current level of provider capacity and developing effective strategies to enhance capacity.
- Developing and utilising provider capacity building resources to increase providers readiness to develop supports under the NDIS.
- Consideration of pricing strategy within the Queensland context.
- Identifying and responding to the challenges in delivering supports in Queensland including specific rural, remote and very remote initiatives.
- Commencing registration of providers in Queensland.

Workforce readiness

Queensland workforce strategy and transition preparation for the sector and Queensland Government staff

- Understanding and addressing unique workforce challenges in Queensland
- Coordination between state and federal workforce development activities including joint strategies to meet the workforce needs of the sector in Queensland
- Strategies to assist Queensland Government staff to transition to the NDIS environment including strategies to implement Clause 38 of the Heads of Agreement between the Commonwealth and Queensland Governments.

Data exchange

Good quality data to support the transition to the NDIS

- Identify data required and jointly work to identify strategies and mechanisms for transfer of data.
- As far as is practicable, ensure comprehensive data is held on the current range of supports provided to each client through development of individual support plans.
- Development of an information protocol between NDIS and Queensland Government to direct the data management approach including data collection, storage and transfer with appropriate reference to data protection regimes in legislation such as the NDIS Act, the *Privacy Act 1988* (Cth), the *Information Privacy Act 2009* (Qld) and the *Disability Services Act 2006* (Qld).

Actuarial analysis

Actuarial analysis to understand and monitor client information and costs of the scheme in Queensland

- Finalising the funding arrangements for the NDIS in Queensland.
- Informing the approach to phasing of people with disability into the NDIS.
- Data analysis to inform decisions to finalise cashing out and in kind arrangements

9. Project governance

Each party agrees to nominate a senior representative to a Project Board, that will convene at least quarterly, to oversee and facilitate cooperation in the areas above.

The Project Board reports on progress and issues to the Chief Executive Officers of the NDIA and DCCSDS at least quarterly or as required by agreement.

10. Privacy and confidentiality

Data collection, use, disclosure and management will take account of the interests of people with disability and must comply with all relevant legislation including the NDIS Act, the *Privacy Act 1988* (Cth), the *Information Privacy Act 2009* (Qld) and the *Disability Services Act 2006* (Qld).

11. Termination

Either party may terminate this MoU with thirty (30) days' written notice to the other party. The termination will take effect on expiry of the notice or such later date as is agreed by the parties.

12. General

Neither party may, except as expressly provided in this MoU, act on behalf of, represent itself as an agent for, or otherwise bind, the other party.

EXECUTED as a memorandum.

SIGNED for and on behalf of the
National Disability Insurance Scheme
Launch Transition Agency by:



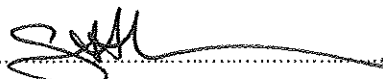
sign here

ANNE SKORDIS
print name of authorised officer

GENERAL MANAGER, NDIA
print title of authorised officer

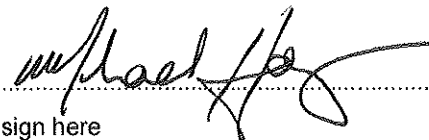
in the presence of:

SCOTT MCNAUGHTON
print name of witness



witness sign here

SIGNED for and on behalf of
Department of Communities, Child
Safety and Disability Services by:



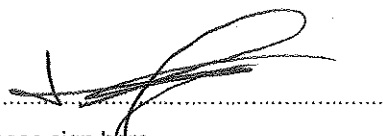
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MICHAEL HOCIATIN
print name of authorised officer

DIRECTOR - GENERAL
print title of authorised officer

in the presence of:

KATHERINE FRASER
print name of witness



witness sign here

Proposed timing of key activities

2014

- Key policy positions for the NDIS full scheme agreed and implemented nationally.
- Negotiate Bilateral Agreement between Queensland and Australian Government and NDIA.
- Broad communication and engagement activities undertaken across Queensland.
- Resources to build capacity of people with disability their family and support network developed and rolled out.
- Resources to support providers to build their capacity to operate under the NDIS developed and workshops for providers run across the state.
- Queensland Government commences transition of funding for specialised disability services, where practicable, to more individualised approaches and self-directed and direct payment funding approaches expanded in Queensland.
- Workforce development strategies identified and commenced.
- Data required by NDIA for transition identified and mapped to existing state government data collection systems. If required method for collecting additional data considered.
- Discussions between NDIA and key state government agencies on ongoing working relationship commenced.
- Commence project to consider and develop strategies to address future housing needs of NDIS participants in Queensland.
- Commence planning for the implementation of the interface principles between the NDIA and mainstream services delivered by the Queensland Government.

2015

- Targeted activities to support people with disability, families and carers and providers to prepare for the NDIS continue.
- Phasing of participants into the NDIS in Queensland agreed and comprehensively mapped.
- Process for participant notification and consent (where needed) agreed.
- Alignment of DCCSDS assessment processes to the NDIA assessment and planning process, completed as far as practicable.
- Development of culturally appropriate assessment and models of support for Aboriginal and Torres Strait Islander people progressed.
- Information protocol on transfer of data between NDIA and Queensland Government finalised.
- MOUs developed between NDIA and state government agencies that will interface with the NDIS, where relevant.
- Legislative changes required to Queensland legislation identified and progressed.
- Legislative changes required to NDIS legislation and rules specifically for Queensland identified and progressed.
- National pricing strategy and approach finalised and prices for Queensland determined, if required.

January – June 2016

- NDIA commence registration of providers.
- Data on people transitioning to the NDIS in first six months transferred to the NDIS.
- Consent from participants is sought (where required).
- Participants and providers transitioning in the first year advised of the timing and approach.
- Intensive participant and provider readiness activities undertaken for those who will transition in the first six months.