

FURTHER UNRAVELLING PSYCHOSOCIAL DISABILITY:

Perspectives from the NSW Hunter NDIS
Trial Site¹

July to December 2015

Tina Smith, Senior Policy Advisor

NDIS Trial Site Mental Health Analyst

(tina@mhcc.org.au)

Mental Health Coordinating Council in partnership with
the NSW Mental Health Commission

We are now in the final six months of the NSW National Disability Insurance Scheme (NDIS) trial in the Hunter. The learning and service delivery reforms that have occurred have been considerable. A strategic extension of learning began on 1 July 2015 through an early launch of the NDIS for young people in the Nepean-Blue Mountains area.

In late 2015, announcements began to be made about plans for full NSW NDIS implementation between July 2016 and June 2018. The targets for this to occur are ambitious. However, the situation for people affected by mental health conditions and those that provide services and support to them continues to lack clarity.

Early plans for national mental health reform directions announced in November appear to be impacting NDIS implementation for people with psychosocial disability. A potential risk in this is a possible slowdown in NDIS access for people affected by mental health conditions in NSW.

¹ The title of this article acknowledges the very important foundational work undertaken by the National Mental Health Consumer and Carer Forum in their 2011 publication 'Unravelling Psychosocial Disability'.

NSW NDIS and Mental Health Analysis Partnership Project Update

At an MHCC NDIS Organisational Readiness Forum held in Sydney in September a report describing the experiences of the first two years of the NDIS from a community managed mental health sector perspective was launched:

<http://www.mhcc.org.au/media/67408/mhcc-hunter-trial-site-2yr-report-aug2015.pdf>

The NSW Mental Health Commission subsequently released a companion summary document: <http://nswmentalhealthcommission.com.au/publication/s/the-nsw-ndis-and-mental-health-analysis-partnership-project> The Commission also developed a video sharing the experiences of two consumers who are NDIS participants and one of their carers: <http://nswmentalhealthcommission.com.au/news/our-news/developing-mental-health-perspective-on-the-ndis>

All three resources are recommended to you as people across NSW are asked to continue escalating their readiness for the NDIS.

During 2015/16, the NSW Mental Health Commission and MHCC have been reflecting a lot on how we might best support communities outside of the three LGAs that make up the Hunter trial site in their transition to the NDIS. This included MHCC workshopping NDIS readiness needs in Coffs Harbour, Ulladulla, Wagga and Sydney during our September and October Regional Forums.

At the Hunter NDIS and Mental Health Community of Practice (CoP) Forum in November, Mental Health Australia returned to present on national directions in NDIS implementation and mental health sector reform. We also consulted with participants about what they thought others needed to know in readiness for the NDIS and will be using this feedback to develop related resources for state-wide distribution from mid-2016.

At the July CoP Forum the NSW Ombudsman attended to consult about the experiences of NDIS participants with psychosocial disability. The forum was followed by targeted focus groups with NDIS participants with psychosocial disability and their carers. The focus groups were well attended with between 20-30 people at each event. This attendance contrasts greatly with that of focus groups planned for 2 November with the University of Sydney Centre for Disability Studies (part of the Flinders University NDIS evaluation consortium). They sought to consult with people who have experience of barriers in access to the NDIS. It proved very

challenging to access this group which may speak to their vulnerability and relationship/trust issues (ie, engagement issues).

As at 30 June 2015, there were 1,234 NDIS participants nationally with a primary psychosocial disability (401 in NSW) and 607 participants with a secondary condition of a psychosocial nature (ie, 1,841 in total and less than 1% of the 57,000 anticipated by full roll-out). The NSW figure had increased to 442 people at the end of September. This is considerably below the MHCC established benchmark of 1,300 with psychosocial disability expected to access the NDIS within the NSW trial site by the end of June 2016 (ie, at least 13% of 10,000 Hunter trial site participants).

The Commonwealth Joint Standing Committee on the NDIS state that:

“The lack of a final approach has not prevented people with psychosocial disabilities from entering the Scheme or receiving services.

However ... the committee is not in a position to assess the approach taken with regard to how mental illness as an issue is treated within the Scheme until there are some concrete decisions made.

The committee intends to consider the issue in significant depth throughout the next 12 months.”

(2nd report - November 2015, pp 88/89)

NSW NDIS Implementation

Despite the considerable learning occurring through the Hunter trial, there continues to be a lack of clarity about how NSW roll-out will occur from the perspective of people affected by psychosocial disability and those that provide services and supports to them.

MHCC predicts that NSW may observe a slowing down of access by people with psychosocial disability while trial site learning is further consolidated and scaled up.

The Commonwealth and NSW Bilateral Agreement for NSW NDIS implementation was made available on 16 September. It describes how and when people in NSW will enter the NDIS following the end of the trial in June.

The broad framework is for Local Health District (LHD) level population catchments to enter the Scheme as indicated below.

From 1 July 2016

- the remaining population of Hunter New England (ie, other than the three trial site LGAs)
- the remaining population of Nepean-Blue Mountains (ie, other than the early start from 1 July 2015 for young people)
- Central Coast
- Northern Sydney
- South Western Sydney
- Southern NSW
- Western Sydney

From 1 July 2017

- Illawarra Shoalhaven
- Mid North Coast
- Murrumbidgee
- Northern NSW
- South Eastern Sydney
- Sydney
- Western NSW
- Far West

An ‘Operational Plan Commitment’ between the National Disability Insurance Agency (NDIA), NSW Government and Commonwealth Government for transition to full implementation of the NDIS was made available in December 2015. It describes a range of ‘working arrangements’ and ‘working groups’ to be established/developed from 2016.

Both documents, and other NSW Government NDIS related information, can be accessed at a new website: <http://ndis.nsw.gov.au/>

Taken together the 2015 NSW Bilateral Agreement and Operational Plan Commitment indicate a NDIS implementation focus on the transition of existing NSW Department of Ageing, Disability and Homecare clients so that state funded disability services can cease by the end of June 2018. This is despite there being scope for more than 57,000 new entrants to the Scheme in NSW over the next three years.

National NDIS Policy Directions

While a range of oversight groups and agreements are being incrementally developed for NSW NDIS implementation there has been a continuing and parallel process of developing and refining national NDIS policy directions including:

July/August

- NDIS Integrated Sector, Market and Workforce Strategy
- NDIS Sector Development Fund Program Operational Guidelines
- NDIA National Assessment Centre
- NDIA Price Guide (replacing the previous Catalogue of Supports and linked to a forthcoming outcomes framework)

September/October

- NDIA Mental Health Webinar
- Review of the NDIS Act – see MHCC submission
- Co-design process to develop an Information, Linkages and Capacity Building (ILC) Commissioning Framework - see MHCC submission
- NDIS Outcomes Framework Pilot Study: Summary Report
- NDIS Quality and Safeguarding Framework Consultation Report

November/December

- Commonwealth Joint Standing Committee on the NDIS Report (2nd report)
- NDIS Independent Advisory Council (IAC) Report End of Year Update 2015: Supporting an Ordinary Life for People with Disability
- ILC Commissioning Framework Consultation Draft
- NDIS Principles to Determine the Responsibilities of the NDIS and Other Service Systems (2nd edition).

All of the above resources are available on the internet.

The new NDIA Price Guide includes three categories for 'coordination of supports'. Hunter NDIA have introduced a monthly forum to better understand these new items. The exploration and development of an enhanced support co-ordination function as a feature of recovery oriented practice, and of each NDIS participant's plan, will provide the necessary support to continually amend, update and reconsider plans as circumstances change and the participant's confidence in their goals and aspirations increases.

The mental health guidelines in the revised NDIS principles have been better operationalised and there is a reduction in the use of 'clinical' (ie, treatment) and 'non-clinical' (ie, support) language. There is also a more explicit statement about inclusion of family and carer support. A footnote explains that further consideration of early intervention is required. However, the health guidelines imply an enhanced role for public mental health services as a driver for access including a diagnostic reliance that is not part of the current NDIS Act.

The ILC Commissioning Framework Consultation Draft states that there will be further consultation about the framework in 2016. Also, commencement of the ILC will now be from 2017/18 (previously 2016/17). This will include \$132 million in new funds and the document provides some guidance as to the roll-out of this. With regard to the ILC and mental health:

"... the Agency does not consider there is sufficient clarity to be able to detail the exact role of ILC and the ways in which it will interact with the broader mental health system in this Consultation Draft. The Agency will continue to work closely with the Australian Government as these (national mental health sector) reforms progress".

ILC Commissioning Framework Consultation Draft (December 2015, p. 21).

The NDIS and Mental Health

NDIA Mental Health Expert Reference Group Meetings occurred on 17/8 and 4/12. Meeting Communiqués describe the deliberations undertaken at these meetings and are available at:

<http://www.ndis.gov.au/about-us/information-publications-and-reports/mental-health-sector-reference-group> These note that uncertainty remains about the implementation of the Scheme for people with psychosocial disability.

Through this group the NDIA has undertaken significant work to address issues of access to the NDIS for people with psychosocial disability. This includes development of a five year NDIA Mental Health Work Plan and annual reporting against it from October 2015. The Mental Health Expert Group reports to the NDIS Independent Advisory Council (IAC). The IAC has recently posted its views on the NDIS and mental health, and the NDIA's response to them, on the NDIS website. These identifying the following critical issues as the focus of the five-year plan:

- developing definitions and guidelines on what constitutes severe and permanent disability related to mental illness
- building a nationally consistent approach to reasonable and necessary supports for psychosocial disability
- predicting and influencing future demand and responding to variations in support needs
- funding of mental health specific support items, and
- building participant capacity and specific consideration of mental health in the design and implementation of the ILC.

The Mental Health Australia NDIS Capacity Building Project continues to undertake activities specific to the inclusion of people with psychosocial disability in the NDIS and also, more relevantly, in the context of national mental health sector reform. This has most recently included completion of a national Mental Health and NDIS Workforce Study undertaken by MHCC on behalf of Community Mental Health Australia. This highlights tensions related to the cost of skills required for psychosocial disability support work and NDIS pricing.

National Mental Health Reform and the NDIS

National mental health reform will further refine our understanding of the inclusion of people affected by mental health conditions within the NDIS. On 26 November the Commonwealth government released its initial response to the National Mental Health Commission's 2014 Efficiency and Effectiveness Review: <http://www.mentalhealthcommission.gov.au/media-centre/news/giant-steps-towards-building-the-mental-wealth-of-the-nation.aspx>

The new arrangements will include the commissioning of mental health services through Primary Health Networks (PHNs). This will be phased in over three years from early 2016/17, with initial trial sites to be identified before July 2016.

In December, much welcomed news of extensions for some Commonwealth mental health programs 'in-scope' for NDIS began to be announced (ie, Partners in Recovery, Personal Helpers and Mentors, Day to Day Living and Mental Health Carer Respite).

The announcement of NSW PHN trial sites for mental health reform in 2016 will help us to better understand, and engage with, the opportunities and risks presenting for mental health reform both within and outside of the NDIS.

"... the provision of quality clinical mental health services will be a key element of a good life for NDIS participants with mental ill health".

*IAC NDIS Report End of Year Update 2015
(p. 13)*

Next Steps and Concluding Remarks

The 2015 NSW NDIS Operational Plan Commitment describes that Continuity of Support Working Arrangements will be developed by June 2016. Ideally, this will include arrangements for Commonwealth funded mental health program clients that may not transition to the NDIS across the seven LHD areas in 2016/17 and beyond.

The situation for NSW Health 'Partnerships for Health' funded mental health programs reforms will continue to be monitored for congruence with NSW NDIS implementation. Increasingly, it seems likely that NSW Health funded community sector mental health programs will continue to organise themselves around integrated person-centred programs with social inclusion, improved physical health and employment as key outcomes. The next Hunter CoP Forums are being planned for March and June 2016. In planning these we continue to be mindful of the needs of people not accessing the NDIS and directions to facilitate the creation of structures outside of the NSW trial site that support NDIS implementation. These structures need to include consumer, carer and community sector voices about their experiences of both the NDIS and mental health reform.

As 2016/17 approaches we encourage people affected by mental health conditions and those that provide services and supports to them to continue thinking about opportunities presenting through the NDIS. For people in the seven LHDs to transition from July 2016 it is important that you begin to collect the functional information/ 'evidence' that will help to support people with a psychosocial disability in their access to the NDIS. This needs to include consideration of people's hopes and dreams for their future.

Keep Up-to-date

For more information about the NDIS and mental health/psychosocial disability including updates on activity from the Hunter trial site please visit: <http://www.mhcc.org.au/policy-advocacy-reform/influence-and-reform/ndis-and-mental-healthpsychosocial-disability.aspx>.