

NSW DISABILITY NETWORK FORUM

This Update is designed to provide information on the activities of the NSW Disability Network Forum (DNF). Updates are produced regularly after scheduled DNF meetings. Contact the DNF through the NCOSS secretariat at the contact details listed below.

In August, the group heard from two guest speakers, whose presentations are outlined below.

The NDIS Review Process — Suzanne Parker, Disability Advocate External Merits Review from Disability Advocacy NSW

Disability Advocacy NSW was funded to provide support for reviews in each NDIS trial site. From her experience in the Hunter region of NSW, Suzanne described how internal and external review processes work in relation to NDIS decisions. In summary:

- There is a 3 month time limit in which to lodge an internal review. In an internal review, someone other than the original decision maker reviews the original decision. Additional evidence can accompany internal reviews and this can help the review to be successful (for example, more evidence provided or the correct terminology used).
- From the following day that written notice of the internal review decision is received, there is 28 days to lodge an external review application. However, if the 28 day time limit is exceeded, an extension of time request can be lodged with the Administrative Appeals Tribunal (AAT).

Suzanne outlined some systemic issues that she had observed from assisting with reviews:

- The knowledge of planners is variable, and some are insisting on exact terminology before supports will be funded. For example, people need to refer to respite as 'support for sustaining informal support' so it is clear that it is a service for the participant-not the carer.
- Complaints were not counted as review requests, even if they related to the adequacy of supports. It seems that the responsibility is on the person complaining to request a review in addition to making a complaint as there is no internal process to make this happen.

Members decided to write to the NDIA addressing these issues, and encouraging the NDIA to improve its communication strategies, for example, by sending communications in alternative formats or by ensuring the person's preferred communication methods are used.

Review of the Guardianship Act: Alan Cameron AO, Chairperson: NSW Law Reform Commission

Alan explained that the NSW Guardianship Act review is occurring in the context of change to guardianship laws at the international and national level.

Major issues for the review would be:

- The possible introduction of supported decision-making (based on Article 12 of the United Nations Convention of the Rights of People With Disability); and
- the interplay between the NDIS nominee provisions and the Guardianship Act.

The NSW Law Reform Commission has released a [background paper](#) and will periodically release eight Question Papers in coming months. The first Question Paper deals with pre-conditions for alternative decision-making arrangements.

All papers will be available on the [Inquiry website](#) and will include an Easy English version.

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About the NSW Disability Network Forum

The NSW Disability Network Forum comprises non-government, non-provider peak representative, advocacy and information groups whose primary purpose is to promote the interests of people with disability. The aim of the DNF is to build capacity so that the interests of people with disability are advanced through policy and systemic advocacy.

NSW Disability Network Forum Member Organisations:

- Being Mental Health and Wellbeing Consumer Advisory Group
- Blind Citizens NSW
- Deaf Australia NSW
- DeafBlind Association NSW
- Deafness Council (NSW)
- First Peoples Disability Network
- Information on Disability and Education Awareness Services (IDEAS) NSW
- Institute for Family Advocacy
- Intellectual Disability Rights Service
- Multicultural Disability Advocacy Association of NSW
- NSW Council for Intellectual Disability
- NSW Council of Social Service (NCOSS)
- NSW Disability Advocacy Network
- People with Disability Australia
- Physical Disability Council of NSW
- Positive Life NSW
- Side by Side Advocacy Incorporated
- Self Advocacy Sydney
- Synapse (Brain Injury Association NSW)