



# Summary report

Keeping school-aged children with  
disability safe

Queensland  
**Family & Child  
Commission**



## Acknowledgements

The Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence can ask the Queensland Family and Child Commission (QFCC) to undertake a review into the adequacy and effectiveness of agency responses. This report summarises the findings of one of these reviews.

This report does not comment on any individual children. This has been done out of respect for those children and their families, friends and communities.

The information in this summary report was current at the time of undertaking the review and does not reflect changes which have since occurred to policies, procedures or practices. The QFCC has also referred to the names of agencies as they were at the time the review was undertaken. Several of these agencies have different names or configurations as a result of government changes or decisions.

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## Message from the Principal Commissioner

There is no more important work for a community than caring for vulnerable children.

In most cases, the care is provided in an active partnership between a child's family and the wider community, with help sought and given. Where it is needed, government agencies are ready with the necessary resources to offer support.

Many aspects of our lives have been different recently, and we have all been challenged to do things differently to limit the spread of COVID-19. We continue to learn from this experience.

Some good things happened. For example, schools quickly developed learning resources and implemented new procedures so school-aged children could continue learning from their homes. They should be commended for this. Child Safety should also be recognised for rapidly implementing new procedures to make sure vulnerable children could continue to be monitored while social distancing restrictions were in place.

However, there were unintended consequences of the lockdown, such as the isolation of some families who needed help to meet the daily needs of their children when they stayed home from school. This compounded the vulnerabilities already experienced by children with support needs relating to disability, child protection and mental and physical health.

This review found there is more we can do to implement strong supports for school-aged children with disability, and that this is even more important during events like pandemics.



Cheryl Vardon  
Principal Commissioner  
Queensland Family and Child Commission

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# Executive summary

The Queensland Family and Child Commission (QFCC) was tasked with undertaking a review of how the child and family system (the system) protects vulnerable school-aged children with disability support needs.

While many families have the resources and capability to care for children with disability, not all do. The system must recognise the challenges experienced by some families in navigating the system and accessing services and supports.

From this review, the QFCC identified three areas requiring further consideration by relevant agencies, and these are included in the 'Issues for further review' sections of Chapters 2 and 3. The Principal Commissioner will write to the heads of relevant agencies<sup>1</sup> to advise of these.

## Meeting vulnerable children's needs during COVID-19

In early 2020, the Queensland Government progressively introduced restrictions to limit the spread of COVID-19, including closure of schools and a move to learning-from-home arrangements.

During this period, additional responsibilities were placed on parents, and supports for many school-aged children were reduced. This would have created additional challenges for children with disability and their families.

The QFCC believes that children with high support needs who are living in vulnerable circumstances, particularly if they are not receiving support from the National Disability Insurance Scheme (NDIS), should be identified to remain at school during lockdowns. School attendance and supports could

then be maintained and the safety and wellbeing of the child more closely monitored. This would also ease demands on struggling parents.

## Helping families to access the NDIS

The access processes for the NDIS place considerable responsibility on a parent in terms of understanding the evidence needed about their child's disability and working with professionals to gather this.

While professionals can assist parents to varying degrees, the complexity of engaging with multiple professionals to prepare and submit an application creates challenges for disadvantaged or vulnerable families who already face barriers in accessing services more generally.

It is challenging for the system to recognise and respond to those vulnerable families to support them to navigate the NDIS access process.

This review found that professionals do not receive enough guidance about how to share information to support NDIS applications for children in the care of their parents. There are also limited pathways for direct referrals to NDIS services by professionals on a family's behalf, such as a Local Area Coordinator.<sup>2</sup>

## Overseeing the use of funded disability supports

Children with disability rely on their parents to arrange supports under the NDIS. If parents are not able or willing to access those supports, their children miss out on vital services to meet their care and developmental needs.

<sup>1</sup> Several of these agencies have different names or configurations as a result of government changes or decisions. This report refers to the names of government agencies as they were at the time the review was undertaken.

<sup>2</sup> Local Area Coordinators are funded by the National Disability Insurance Agency to help families understand, access and navigate the NDIS and mainstream services.

There is no mechanism for responding when a child's NDIS funding package is not being used. If there was, further action could be taken to follow up with a family to help them to access the available supports. This would also provide an opportunity to help parents' prepare their child's NDIS application.

# 1 Introduction

This report identifies three systemic issues that need to be considered by responsible agencies.

The first is that, when situations like the COVID-19 lockdown occur, schools need to consider all circumstances when determining which children should continue face-to-face learning at school (Chapter 2).

The second relates to the challenges experienced by families in accessing the NDIS (Chapter 3).

The third is the lack of processes for identifying and responding to families who do not access the NDIS services or supports to which their children are entitled (Chapter 3).

## 1.1. Review findings and actions

To promote system improvements needed to further protect vulnerable children with disability,

the Principal Commissioner of the QFCC will provide this summary report to the Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence.

In order for immediate action to be taken to strengthen system responses to school-aged children with disability, the Principal Commissioner will also write to relevant agencies regarding key findings and areas for further consideration.

The QFCC has recently undertaken multiple reviews which have identified system improvements necessary to protect vulnerable children and support their families. The QFCC will consider the appropriateness of referring the findings of this review to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability.<sup>3</sup>

# 2 Meeting the needs of vulnerable children during COVID-19

## 2.1 Introduction

Like all children, children with disability rely on their parents for support and for helping them to access services to meet their needs.

In early 2020, the Queensland Government implemented restrictions to limit the spread of COVID-19, including school closures. With the implementation of restrictions, many face-to-face services were reduced. Parents had to take on increased caregiving responsibilities, as their

children were no longer physically attending school.

The impact of these restrictions on families with a child with disability varied, depending on the level of support each child required and the ability of their parents to meet those needs. Some families rely heavily on assistance from special schools to help care for their children. When the services are withdrawn, families need to meet the needs of their children on their own.

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<sup>3</sup> The Royal Commission was established in April 2019 in response to community concern about widespread reports of violence against, and the neglect, abuse and exploitation of, people with disability.

## 2.2 School supports for children with disability

All state schools (including special schools) are responsible for facilitating access to education for students with disability. The Department of Education's *Inclusive Education Policy* supports an inclusive education system, part of which involves designing accessible learning environments that enable students to fully participate.<sup>4</sup>

Special schools can provide additional supports for students through multidisciplinary teams of classroom teachers and support staff.<sup>5</sup>

In response to the COVID-19 restrictions, the Department of Education implemented several procedures and guidelines for Queensland state schools, including special schools. This was done to support children's learning and implement safeguards for children who were learning from home.

Resources were developed and published on the Department of Education's website, including advice for parents on how to set up learning spaces and routines and to use assistive technology.<sup>6</sup>

School support staff (such as teacher aides, therapists and guidance officers) were still available to work with classroom teachers and students needing help. This was limited to online support for most students, but was available on-site for students continuing to attend their school.<sup>7</sup>

The Department of Education's *Term 2 Operating Guidelines* (which also applied to special schools) were implemented during the COVID-19 lockdown. These guidelines did not identify whether home visits from school specialist or support staff were permitted.<sup>8</sup> There was also no dedicated procedure regarding staff visits to homes more generally.<sup>9</sup>

The Department of Education advised the QFCC that school staff could work with the National Disability Insurance Agency to coordinate necessary in-home NDIS supports for a student.<sup>10</sup> However, this relied on the student being a current NDIS participant, which is not the case for all children with disability.

For some children with high disability support needs, learning-from-home meant that the same level of supports and services that they received at school—such as access to specialists, assistive technologies and the daily care and supervision that schools provide— may not be accessible.

This is consistent with results from a recent survey in which parents identified a perceived reduction in support from schools (including supervision, access to specialist health services and assistance with personal care) during the lockdown.<sup>11</sup>

### 2.2.1 Keeping vulnerable children at school

Attending school is a protective factor for many vulnerable children. It provides them with an opportunity to receive support and engage with individuals outside of their family home. It also

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<sup>4</sup> The Department of Education 2020, *Inclusive education policy*, <https://ppr.qed.qld.gov.au/pif/policies/Documents/Inclusive-education-policy.pdf>

<sup>5</sup> The Department of Education 2019, *Queensland state special schools*, <https://education.qld.gov.au/students/students-with-disability/succeeding-with-disability/enrolment-criteria>

<sup>6</sup> Information received from the Department of Education on 10 June 2020.

<sup>7</sup> *Term 2 2020 Operating Guidelines for Queensland State Schools* (effective 20 April 2020), received from the Department of Education on 24 June 2020.

<sup>8</sup> *Term 2 2020 Operating Guidelines for Queensland State Schools* (effective 20 April 2020), received from the Department of Education on 24 June 2020.

<sup>9</sup> Information received from the Department of Education on 24 June 2020

<sup>10</sup> Information received from the Department of Education on 24 June 2020

<sup>11</sup> Dickinson H, Smith C, Yates S and Bertuol M 2020, *Not even remotely fair: experiences of students with disability during COVID-19*, Report prepared for Children and Young People with Disability Australia, Melbourne. [https://www.cyda.org.au/images/pdf/not\\_even\\_remotely\\_fair\\_cyda\\_education\\_report.pdf](https://www.cyda.org.au/images/pdf/not_even_remotely_fair_cyda_education_report.pdf)

allows school staff to monitor their wellbeing and identify those who may be vulnerable. Under the *Student protection* procedure, schools have a responsibility to act when it is suspected that a child has been harmed or is at risk of harm and comply with mandatory reporting obligations specified in legislation.<sup>12</sup>

During the lockdown, some children were permitted to continue attending school. They included children of essential workers and those identified as ‘vulnerable’. Vulnerable children were those who lived in designated Indigenous communities or received services from Child Safety, including those on a child protection or youth justice order.<sup>13</sup>

Children with high support needs in special schools were not automatically identified as vulnerable for the purposes of remaining at school. However, schools were able to identify vulnerable children on a case-by-case basis to keep them in school. This included situations where parents identified a need for respite.<sup>14</sup>

If children with high support needs who are living in vulnerable circumstances were able to remain at special school, the school could maintain the supports they receive and more closely monitor their safety and wellbeing. This would ease the demands on vulnerable families to meet the high support needs of their children during pandemic responses.

## 2.2.2 Responding to child protection concerns

In response to COVID-19, a regional taskforce was established to provide information and advice on regional support and referral pathways available to schools if there were concerns for a student’s safety or welfare that did not meet the threshold for reporting to Child Safety or the police.<sup>15</sup>

The Department of Education and the Department of Child Safety, Youth and Women holds regular meetings to share information and concerns, including about child harm and referrals to the regional taskforce.<sup>16</sup>

The *Regional Taskforce—Supporting at-risk students* procedure acknowledges that several groups of children may be considered at risk of harm due to certain vulnerabilities, and that principals and teachers are generally aware of who these students are. This includes students who require educational adjustments and supports to access and participate in education. The procedure recognises that children’s status as being ‘at risk’ may change given their circumstances.<sup>17</sup>

Information provided to the QFCC to inform its review indicates that school staff members held concerns about some children with disability during the learning-from-home period. However, it is not known whether concerns for individual children were always reported to Child Safety or shared with the regional taskforce to put additional safeguards in place. It is also not clear how regularly home visits were conducted for vulnerable families during the lockdown period.

<sup>12</sup> The Department of Education 2020, *Student protection procedure*,

<https://ppr.qed.qld.gov.au/education/community/Procedure%20Attachments/Student%20Protection/student-protection.pdf>

<sup>13</sup> *Term 2 2020 Operating Guidelines for Queensland State Schools* (effective 20 April 2020), received from the Department of Education on 24 June 2020. A ‘child protection order’ is an order made by the Childrens Court under the *Child Protection Act 1999*, when a child is assessed to be in need of protection. A ‘youth justice order’ applies if a young person pleads guilty to or is found guilty of an offence. In these circumstances, they will be sentenced under the *Youth Justice Act 1992*. A court can make a range of different types of orders.

<sup>14</sup> Information received from the Department of Education on 10 June 2020. ‘Respite’ refers to short-term breaks for families and carers of children with disability.

<sup>15</sup> *COVID-19 Student attendance management (Term 2 2020)*, received from the Department of Education on 10 June 2020.

<sup>16</sup> Information received from the Department of Education on 10 June 2020.

<sup>17</sup> *Regional taskforce—Supporting at-risk students* procedure, received from the Department of Education on 24 June 2020.

## Issues for further review

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The COVID-19 pandemic and associated restrictions affected all school-aged children and families across Queensland.

In a pandemic, and in similar circumstances, children with high support needs attending special schools are likely to experience increased risk because of school closures and withdrawal of supports. They need to be given the opportunity to remain at school. Their parents can then decide whether they are able to meet their children's educational and disability support needs at home.

The Department of Education should review its requirements for identifying vulnerable children during pandemics to ensure schools appropriately consider the level of care required by children with disability. The Principal Commissioner of the QFCC will write to the Director-General (Department of Education) about the QFCC's findings.

## 3 Accessing disability support for children

### 3.1 Introduction

Children with disability, and their families, rely on a range of services and supports.

Parents are often responsible for arranging these on behalf of their children, and they may find it hard and stressful to access supports to meet their children's needs. They require assistance to help them navigate the system and access services.

### 3.2 The system in place

If a child requires services to meet their functional needs stemming from a disability, they may be eligible for support through the NDIS.

Its introduction has changed the delivery of disability services to vulnerable children in Queensland. Previously, the Queensland Government provided specialist disability services under the *National Disability Agreement*.



Following an inquiry into long-term disability care and support schemes, the Australian Government announced the establishment of the NDIS to reform disability services across Australia.

The Department of Communities, Disability Services and Seniors was responsible for leading work with the NDIA to provide a smooth transition to the NDIS.<sup>18</sup> Each Queensland Government agency providing disability support services to clients was

responsible for developing and implementing plans to move its clients to the NDIS.<sup>19</sup>

Queensland Government agencies provided data about existing disability clients to the NDIA (including data about students accessing specialist school transport and Year 12 school leavers) so contact could be made to begin the access processes.<sup>20</sup>

Not all elements of a child's support needs are met through NDIS. The Queensland Government continues to be responsible for funding and delivering certain services for children with disability support needs, such as meeting their education, health and safety needs.

Children may receive assistance from both the NDIS and mainstream services. A bilateral agreement between the Australian and Queensland governments outlines the roles and responsibilities of services funded under each.<sup>21</sup>

### 3.3 Accessing the NDIS

The NDIS is a user-choice model, which means it is up to the user (or their representative) to choose whether to engage and how to use supports available to them. While the Queensland and Australian governments can offer information and support, access is primarily the responsibility of the individual.

Legislation governing the NDIS requires decisions regarding NDIS access and supports for a child (under the age of 18) to be made by the child's

<sup>18</sup> National Disability Insurance Scheme, Australian Government and Queensland Government 2016, *Operational Plan between the National Disability Insurance Agency (NDIA), Queensland Government and Commonwealth Government for transition to the National Disability Insurance Scheme (NDIS)*, <https://www.ndis.gov.au/about-us/governance/intergovernmental-agreements>

<sup>19</sup> Information received from the Department of Communities, Disability Services and Seniors on 17 June 2020.

<sup>20</sup> Information received from the Department of Education on 15 June 2020.

<sup>21</sup> Information received from KPMG on 26 June 2020; *Bilateral agreement between the Commonwealth and Queensland for the transition to the NDIS 16 March 2016*, <https://www.communities.qld.gov.au/resources/dcdss/disability/ndis/qldbilateralagreement.pdf>

representative.<sup>22</sup> In most circumstances, this will be the child's parent.

This means parents need to be informed and proactive in seeking information, sourcing evidence of their child's disability support needs and managing the child's plan. It is assumed that a child's parents will have the capacity and be willing to act on their behalf. This is neither a safe nor a fair assumption.

The complexity of engaging with multiple professionals to prepare and submit an application creates challenges for vulnerable families. Families have also reported difficulties in understanding the NDIS, as well as issues with sourcing the required evidence about their child's disability to support assessments of their eligibility.<sup>23</sup>

Better pathways are needed to help refer families to the NDIS and assist with application processes. This will help to make sure children with disability receive the services to which they are entitled.

### 3.3.1 NDIS application process

The NDIA is responsible for administering the NDIS, including by ensuring that prospective participants meet the age, residency and disability (or early intervention) eligibility requirements set out in the *National Disability Insurance Scheme Act 2013* (Cth).<sup>24</sup>

To become a participant, individuals must submit a valid application to the NDIA, which involves working with professionals to prepare and provide evidence relevant to the eligibility criteria.

For example, the NDIA allows health and education professionals to provide copies of reports, letters or assessments to parents or complete part of the access request form for them.<sup>25</sup>

If information needed for a valid access request is missing, the NDIA will notify the child's parent. If the requested information is not provided within specified timeframes, the NDIA can consider the application withdrawn.<sup>26</sup> The NDIA is not responsible for seeking the required information directly from professionals working with the child; this is up to the parent.

The NDIS application process can take longer than six months. If the NDIA then rejects an application, it can impact a parent's willingness to continue to attempt to access disability supports.

A recent study of the NDIS identified that people were missing out on the benefits they might receive under the NDIS, either because they were unaware of its existence or because it was too hard to access.<sup>27</sup>

Additionally, an urgent review, prompted by the death of Ann-Marie Smith (a woman with disability) in South Australia, found that the NDIA needed to improve processes for identifying and providing ongoing support to vulnerable participants. The interim report recognised the complexity of the NDIS, noting that too much was expected of individual participants in terms of navigating it without support.<sup>28</sup>

Recently, the Queensland and Australian governments committed to several outreach

<sup>22</sup> *National Disability Insurance Scheme Act 2013* (Cth), s 74.

<sup>23</sup> Children and Young People with Disability Australia 2019, *Improving the NDIS for children and young people with disability and their families*, [https://www.cyda.org.au/images/pdf/improving\\_the\\_ndis\\_for\\_children\\_and\\_young\\_people\\_with\\_disabilities\\_and\\_their\\_families.pdf](https://www.cyda.org.au/images/pdf/improving_the_ndis_for_children_and_young_people_with_disabilities_and_their_families.pdf)

<sup>24</sup> *National Disability Insurance Scheme Act 2013* (Cth), ss 21, 22 23, 24 & 25.

<sup>25</sup> National Disability Insurance Agency 2020, *What is an Access Request Form?*, <https://www.ndis.gov.au/how-apply-ndis/what-access-request-form#access-request-form>

<sup>26</sup> National Disability Insurance Agency 2019, *Access to the NDIS Operational Guideline - General matters relating to access requests*, <https://www.ndis.gov.au/about-us/operational-guidelines/access-ndis-operational-guideline/access-ndis-operational-guideline-general-matters-relating-access-requests#4.1>

<sup>27</sup> Hui F, Cortese C, Nikidehaghani M, Chapple S and McCombie K 2018, *Hard to Reach: Examining the National Disability Insurance Scheme Experience. A Case Study in Wollongong*, University of Wollongong Australia, New South Wales, <https://ro.uow.edu.au/cgi/viewcontent.cgi?article=2541&context=buspapers>

<sup>28</sup> Government of South Australia 2020, *Safeguarding Task Force: Interim Report*, [https://dhs.sa.gov.au/\\_data/assets/pdf\\_file/0008/89882/Safeguarding-Task-Force-Interim-Report-2020-06-15.pdf](https://dhs.sa.gov.au/_data/assets/pdf_file/0008/89882/Safeguarding-Task-Force-Interim-Report-2020-06-15.pdf)

initiatives designed to assist vulnerable groups and people who are unaware of the NDIS to access support.

In particular, Assessment and Referral Teams (led by the Department of Communities, Disability Services and Seniors) are specifically funded to assist several groups, including children attending a special school or leaving school between 2019–2020, to access the NDIS. The teams can assist with completing NDIS paperwork, facilitating assessments, liaising with health professionals and submitting completed documentation.<sup>29</sup>

If vulnerable families received targeted outreach to support them to navigate the application process, it is like they would stay engaged throughout the application process.

### 3.3.2 Support from professionals to access the NDIS

Certain services that work with children (such as schools or health professionals) are well placed to identify those who are potentially eligible for the NDIS and assist their families to access it. The level of assistance these professionals can provide to support an access request differs, depending on the agency, and is restricted by confidentiality requirements outlined in the *National Disability Insurance Scheme Act 2013* (Cth).

If the child is in inpatient care, Queensland Health's Hospital and Health Services can assist families with completing their NDIS access request and supporting evidence forms and with submitting them to the NDIA. If a child is in

outpatient care or ready for discharge, the services can prepare the relevant information and refer the family to a Local Area Coordinator to assist with their application.<sup>30</sup> This is done with the parents' written consent.

State schools and Child Safety are not expected, or able, to provide the same level of support for an access request.

Child Safety can provide advice or evidence to assist a family during an investigation and assessment,<sup>31</sup> but it only has procedures relevant to facilitating access for children subject to ongoing intervention (in which children are usually subject to a child protection order).<sup>32</sup>

State schools can provide parents with existing reports or evidence of their child's disability support needs (such as an Education Adjustment Program<sup>33</sup> verification reports) but are not required to complete NDIS access request forms or undertake new assessments.<sup>34</sup> While the Department of Education's website indicates that it can share personal information about a child with the NDIA and its funded services,<sup>35</sup> there are no guidelines outlining the roles or responsibilities for doing so.

If schools could help to coordinate access requests by engaging directly with the NDIA to provide additional information needed, it would help streamline NDIS application processes and reduce the onus on vulnerable families to coordinate evidence from multiple professionals.

<sup>29</sup> Queensland Government, *Disability Connect and Outreach Hub*, <https://queenslandcommunities.engagementhub.com.au/disability-connect-and-outreach-hub>

<sup>30</sup> Queensland Health 2019, *A Clinician's Guide to NDIS Clinical Processes – Metro North Hospital and Health Services, 2<sup>nd</sup> edition*, received from Queensland Health on 8 July 2020. (Local Area Coordinators are funded by the National Disability Insurance Agency to help families understand, access and navigate the NDIS and mainstream services.)

<sup>31</sup> Information received from the Department of Child Safety, Youth and Women on 9 July 2020.

<sup>32</sup> The Department of Child Safety, Youth and Women 2020, *Child Safety Practice Manual—Meet a child's health and wellbeing needs*, <https://cspm.csyw.qld.gov.au/procedures/support-a-child-in-care/meet-a-child-s-health-and-wellbeing-needs> Note: A child protection order is an order made by the Childrens Court under the *Child Protection Act 1999*, when a child is assessed to be in need of protection.

<sup>33</sup> The Education Adjustment Program provides a process for responding to the educational needs of students with disability who require significant education adjustments related to specific impairment areas.

<sup>34</sup> Information received from the Department of Education on 21 July 2020.

<sup>35</sup> The Department of Education 2020, *National Disability Insurance Scheme*, <https://education.qld.gov.au/students/students-with-disability/national-disability-insurance-scheme>

### 3.3.3 Direct referrals to Local Area Coordinators

If a person is deemed ineligible for the NDIS, the NDIA is only obliged to inform them of their ability to request a review of the decision.<sup>36</sup> Even though it funds Local Area Coordinators to help families understand and navigate the NDIS and mainstream services, it is not required to connect families with them. This is a missed opportunity for assisting a family with a new application, requesting a review of an application decision, and linking them to alternative disability supports.

Of the Queensland Government entities, only Queensland Health has procedures to assist with referrals to Local Area Coordinators. This means school and Child Safety (when a child is still in the care of their parents) professionals working with families may not make a direct referral to the service on a family's behalf. Instead, these professionals are limited to providing information and encouraging families to self-refer.

If more professionals could refer directly to a Local Area Coordinator on a family's behalf, this would assist vulnerable families to access the supports needed for their children.

## Issues for further review

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Opportunities exist to strengthen supports offered to vulnerable families by allowing more professionals to provide direct referrals (with consent) to Local Area Coordinators and clarifying procedures for sharing information directly with the NDIA (on the parent's behalf, to assist with an access request).

The QFCC believes that, to assist vulnerable families with access requests, the responsible agencies should review:

- the ability of professionals to share information directly with the NDIA and guidelines for doing so
- ways for professionals to refer families to Local Area Coordinators.

The Principal Commissioner of the QFCC will write to the Director-General (Department of Communities, Disability Services and Seniors) about its preliminary findings. The QFCC will also refer its findings to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability.

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<sup>36</sup> National Disability Insurance Agency 2019, *Access to the NDIS - What happens when an access decision is made*, <https://www.ndis.gov.au/about-us/operational-guidelines/access-ndis-operational-guideline/access-ndis-what-happens-when-access-decision-made#12>

### 3.4 Making sure families can use NDIS supports

Parents of children with disability do not just have to navigate the application process. They also have to be involved in ongoing planning.

Once a child is deemed eligible for the NDIS, they and their parents will be notified and contacted by the NDIA to arrange a planning meeting.<sup>37</sup> Under the NDIS, the parents of eligible children have to participate (with NDIA representatives—a Local Area Coordinator or planner),<sup>38</sup> in preparing a funding plan based on the child's care and support goals.

Certain professionals working with the family (such as those from Child Safety, funded service providers or Queensland Health) can also support parents in preparing for this meeting—or attend, if requested by a parent. Once a child's plan has been developed and approved, their parents (or an NDIS registered service provider if requested) will need to choose and engage with service providers to purchase supports and services.



The time between notifying a child of their eligibility and planning their supports varies based on several factors, including the family's availability and the urgency of the required supports.

Despite having a funding plan, some parents do not use the funding that has been allocated to meet their children's disability support needs.

It is worth noting that, between January 2018 and December 2019, Queensland NDIS participants

used only 46 per cent of supports in their first plan. By their fourth plan, they used 76 per cent.<sup>39</sup>

There may be several reasons why families do not engage with funding under their child's NDIS plan. They could include the lack of availability of registered service providers, uncertainty about what supports are covered, or the fact that they have sought support through other avenues (such as informal care arrangements).

While inactivity of a child's plan is recorded, there are no clear requirements for responding outside of scheduled (usually 12 months from plan commencement) or requested NDIS review meetings (meetings to discuss the child's plan and whether it suits their needs).

Parents who underuse their children's NDIS packages may do so due to difficulties in applying for and accessing supports. This should not happen. Access to disability supports should be within reach of all children and families who require it.

Publicly funded systems must enable this by identifying vulnerable populations who are missing out on supports and targeting resources appropriately so children receive services that meet their disability support needs.

The Queensland Government also recently called for underuse to be monitored and data to be shared with local service providers to improve service decisions.<sup>40</sup> At the time of writing, it is not known what changes are being implemented in response to this.

If NDIS plan expenditure for vulnerable children was monitored, further action could be taken to follow up with a family to help them access the

<sup>37</sup> National Disability Insurance Agency 2019, *Access to the NDIS – What happens when an access decision is made*, <https://www.ndis.gov.au/about-us/operational-guidelines/access-ndis-operational-guideline/access-ndis-what-happens-when-access-decision-made#12>

<sup>38</sup> If the child is under seven years old, an Early Childhood Early Intervention partner will be involved.

<sup>39</sup> Queensland Government submission to the NDIS Act 2013 review, <https://engage.dss.gov.au/wp-content/uploads/2019/11/Queensland-Government-Submission-Review-of-the-NDIS-Act-and-Participant-Service-Guarantee1.pdf>

<sup>40</sup> Queensland Government submission to the NDIS Act 2013 review, <https://engage.dss.gov.au/wp-content/uploads/2019/11/Queensland-Government-Submission-Review-of-the-NDIS-Act-and-Participant-Service-Guarantee1.pdf>

supports their child is entitled to. This could make a difference for these families.

## Issues for further review

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The system needs to review processes for monitoring and responding when parents do not access supports or services for their children under their NDIS plan. The NDIA could flag the non-engagement of vulnerable children with funded disability supports and actively help families to access services on their child's behalf.

The QFCC will refer its findings to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability.