

NSW NDIS Transition Board
Thursday 3 April 2014, 1-1.30pm

Board members

DPC: Simon Smith

FACS: Michael Coutts-Trotter

Treasury: Philip Gaetjens

Invitees

DPC: Alison Frame

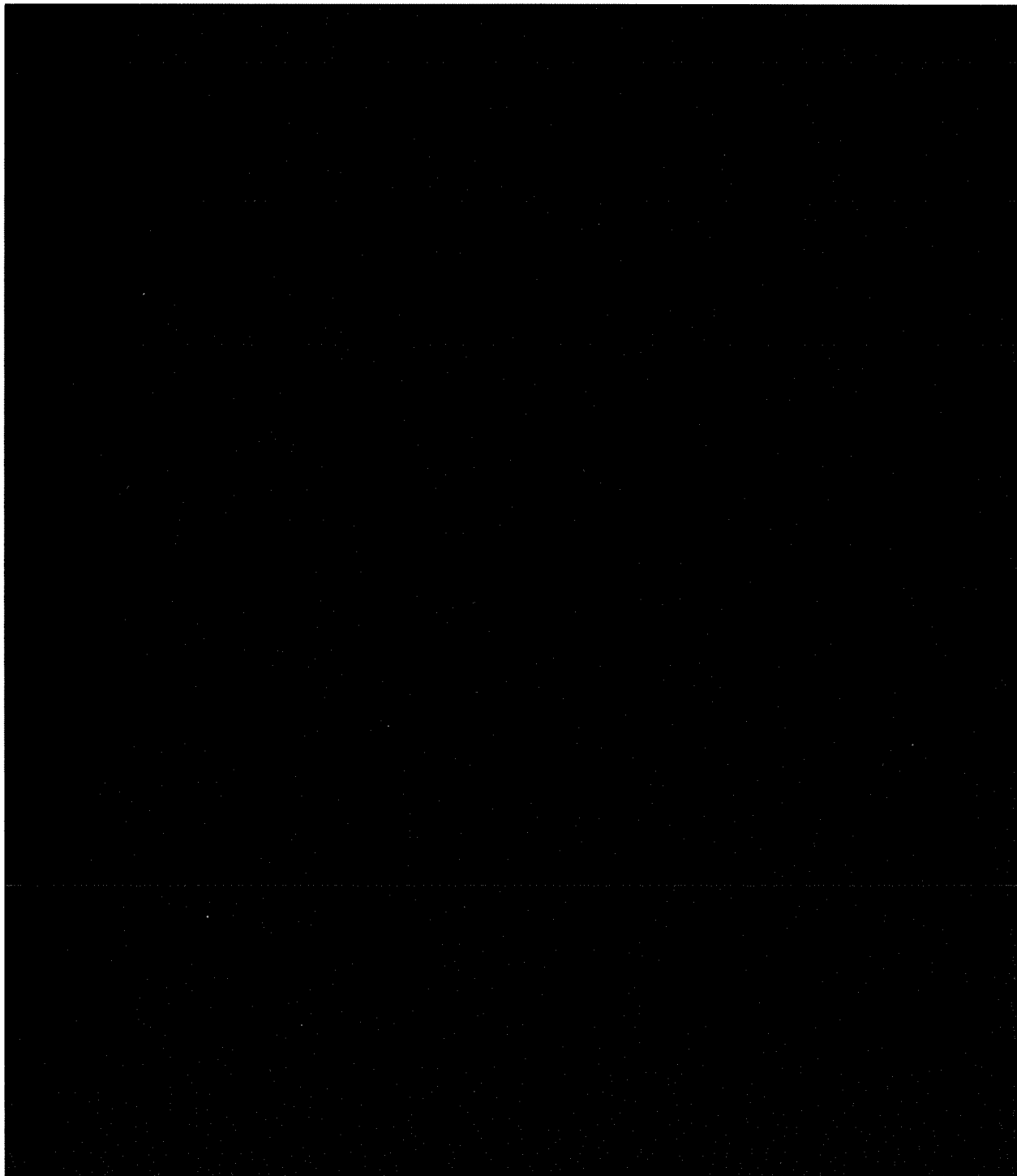
FACS: Jim Longley, Phil Berry, Richard Timbs, Samantha Taylor


Treasury: Caralee McLiesh, Simone Constant

IR NSW: Vicki Telfer

Agenda: [Redacted]

Outcome sought: [Redacted]





Background

- By 1 July 2018, the NSW Government will no longer be a provider of specialist disability or community care supports. A Disability Transactions Committee, chaired by Treasury, is overseeing the transfer of services and assets including staff to the NGO sector. The EIWG was formed to specifically consider the transfer of employees.
- The NSW Government has passed legislation, the NDIS (NSW Enabling) Act in late 2013 to allow for the non-voluntary transfer of staff and addressed certain employee entitlements e.g. super, accrued annual leave and continuity of service. Unions have presented a list of the employment transfer terms that they seek.
- Unions have been pressing for negotiations and settlement to occur, and frustration and dissatisfaction has led to the imposition of PSA work bans. ADHC is currently determining the impact of these work bans.

NSW NDIS Transition Board

Time and date	2.00–3.00pm, 9 May 2014
Place	DPC Conference Room 1, Level 39, Governor Macquarie Tower
Members	Simon Smith, Michael Coutts-Trotter, Philip Gaetjens
Other attendees	Alison Frame, Jim Longley, Samantha Taylor, Phil Berry, Richard Timbs, Caralee McLiesh, Simone Constant

Agenda item	Presenter	Papers	Action required
1 Welcome, agenda and outcomes of previous meeting (5min)	DPC	Outcomes 18/3	Noting
2 COAG debrief (5min)	DPC	Verbal	Noting
3 Commission of Audit recommendations (15min)	FACS	Paper on the Commission of Audit and implications of a delay in the roll out of full scheme	Discussion
4 Transition scenarios (15min)	FACS	Paper on transition scenarios	Discussion
5 Quarter 3 update (5min)	FACS	Actuary report	Discussion
6 Public version of transition plans (5min)	FACS	Verbal	Discussion
	Treasury	Verbal	Noting
8 Establishment of the Finance Working Group (5min)	Treasury	Verbal	Noting
9 Other business			

NSW NDIS Transition Board

Time and date	2:00–3:00pm, 9 May 2014
Place	DPC Conference Room 1, Level 39, Governor Macquarie Tower
Members	Simon Smith, Michael Coutts-Trotter, Philip Gaetjens
Other attendees	Alison Frame, Jim Longley, Samantha Taylor, Phil Berry, Richard Timbs, Caralee McLiesh, Simone Constant, Alastair Hunter

Agenda Item	Presenter	Papers	Key comments
1	Welcome, agenda and outcomes of previous meeting (5min) Chair	Meeting outcomes 18/3	All items have been actioned.
2	COAG debrief (5min) DPC	Verbal	Noting item COAG noted that costs are coming down (as expected) and that the additional independent review about costs has been cancelled. This means the current review happening is one by KPMG on the transition timetable for full scheme (with a focus on risks and capacity of states/territories). Note: There has been heightened attention around financial sustainability of the scheme and though the package costs have fallen in Quarter 3, all of these reviews indicate that the Commonwealth may seek to delay the rollout. The other reviews which have been completed are: <ul style="list-style-type: none"> • A capability review of the NDIA • Report to COAG on the implementation of the NDIS (with a focus on implementation issues and financial sustainability).
3	Commission of Audit recommendations FACS	Paper on the Commission of Audit and implications of a	Discussion item There are five recommendations relating to the NDIS:

(15min)

- delay in the roll out of full scheme
- Recommendation 16a: A slower phasing in of the scheme
 - A slower phasing in has implications for NSW, depending on how the growth in demand and unmet are managed or met. In the worst case scenario, a delay means there is no Commonwealth funding for the increased demand and there is pressure on NSW to step in.
 - **NSW could support slower phasing provided there is no change to key parameters** in the existing NSW Heads of Agreement such as risk allocation and financial liability. NSW's position is that the Commonwealth should continue to bear full risks for the launch and transition period and at least 75 per cent of the risk in full scheme. There should also be no change in the fixed and capped contributions already agreed.
- Recommendation 16b: Amending governance arrangements so that full financial control and operation of the scheme is with the Commonwealth Minister
 - **NSW does not support this.** It dilutes the state's role in influencing the design and implementation of the scheme. States have expertise in disability service delivery and are making a significant financial contribution to the scheme, which warrants shareholder status.
 - Note: If this recommendation is not supported by states, the Commonwealth may seek to renegotiate their risk share.
- Recommendation 16c: Exercising budget controls such as potential budget capping and tightening eligibility
 - **NSW does not support** any budget controls on the part of the Commonwealth that leaves a cost to the state, including any residual service delivery responsibilities.
 - A tightening of eligibility may expose states to the costs of support for people who are deemed ineligible. Capping the scheme budget would effectively revert the scheme back to the existing constrained systems, and potentially push residential demand back to states. However, introducing package caps within brackets of support could be explored.
- Recommendation 16d: Implementing contracting arrangements with the NGO sector
 - **NSW supports outsourcing provided** contracting arrangements are in line with the principles of the NDIS and the Heads of Agreement

- Recommendation 16e: Simplifying reporting arrangements

-- **NSW supports streamlined reporting provided** that robust data continues to be available to support design, implementation and monitoring of the scheme.

Recommendation 26 (relating to carer payments) has an interaction with the NDIS. These recommendations will mean that fewer carers in NSW will be eligible for carer payments and carer payments will be reduced.

If carers are unable to access carer payments or carer payments are reduced, it could erode informal supports being provided by families and push people to seek funded supports. This may result in people needing higher value packages with the NDIS.

Discussion item

This item should be viewed as a conversation starter to understand the impacts of a delay to full scheme rollout.

The current paper, prepared by FACS, presents the worst case scenario where a delay means NSW automatically takes on the funding responsibility for increased demand while the NDIS is rolled out over a lower timeframe. This scenario is just one out of a number that NSW will consider.

The risk analysis by FACS also has not been validated by Treasury.

DPC recommends that any work on modelling transition scenarios and risks should occur in the Finance Working Group which has just been established. The transition scenarios for NSW (set out in the paper) which could be further developed by the Finance Working Group are:

- all 140,000 eligible residents have access to the NDIS
- existing disability and community care clients (95,000) have access
- existing disability clients (50,000) have access
- NGO clients (75,000) have access.

The modelling work will be needed to inform bilateral discussions about implementation timeframe and clarify risks with the Commonwealth.

Paper on transition scenarios

FACS

Transition scenarios (15min)

4

Discussion item

Quarter 3 results are looking more positive with numbers coming in line with expectations. Highlights:

- Average package cost is \$34,000 (excluding Stockton it is \$32,200)
- Number of approved plans (per month) has doubled in February and March, compared to the previous months
- In NSW, we are catching up to the bilateral target number of participants:
 - At the end of March, actual was 1,718 compared to 2,147 target (backlog of 429)
 - At the end of February, actual was 1,218 compared to the target of 1,863 (backlog of 645).
- In NSW, the number of eligible participants is 441. DPC to ask FACS for an analysis of these ineligible clients to find out who are 'continuity of support' clients and their associated costs. This analysis was last done in December.

Discussion item

DPC supports a public version of the Overarching NSW Transition Plan to be developed and released, and the cluster plans as well. Similar to the ADHC public plan, these public plans should include the timeline, key work streams, governance and a communication strategy to provide stakeholders with information.

Noting item

5 Quarter 3 update (5min) FACS Actuary report

6 Public version of transition plans (5min) FACS Verbal

8 Establishment of the Finance Working Group Treasury Verbal Noting item

(5min)

The FWG has been recently established, with the first meeting occurring earlier this week.

It has been formed to support Transition and Transaction Steering Committees by providing financial modelling of costs, clients and risks for transition and transaction work – this is especially important where whole-of-government modelling is required e.g. client transitioning and the funding flows that are linked to client numbers.

DPC to recommend that an update on the FWG is provided at the next Board meeting.

9

Any other business

Chair

Verbal

NSW NDIS Transition Board

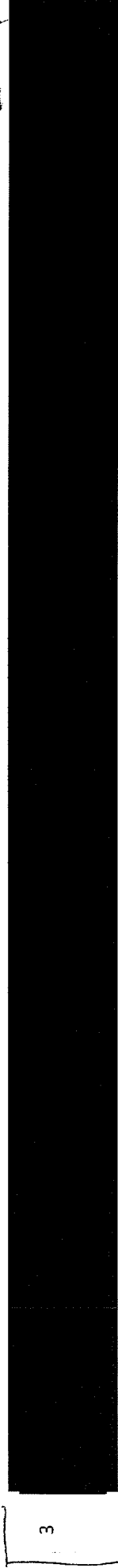
Time and date	9.00–10.30am, 13 June 2014
Place	DPC Conference Room 1, Level 39, Governor Macquarie Tower
Members	Simon Smith, Michael Coutts-Trotter, Philip Gaetjens
Other attendees	Rebecca Falkingham, Jim Longley, Samantha Taylor, Phil Berry, Richard Timbs, Caralee McLiesh, Simone Constant, Alastair Hunter

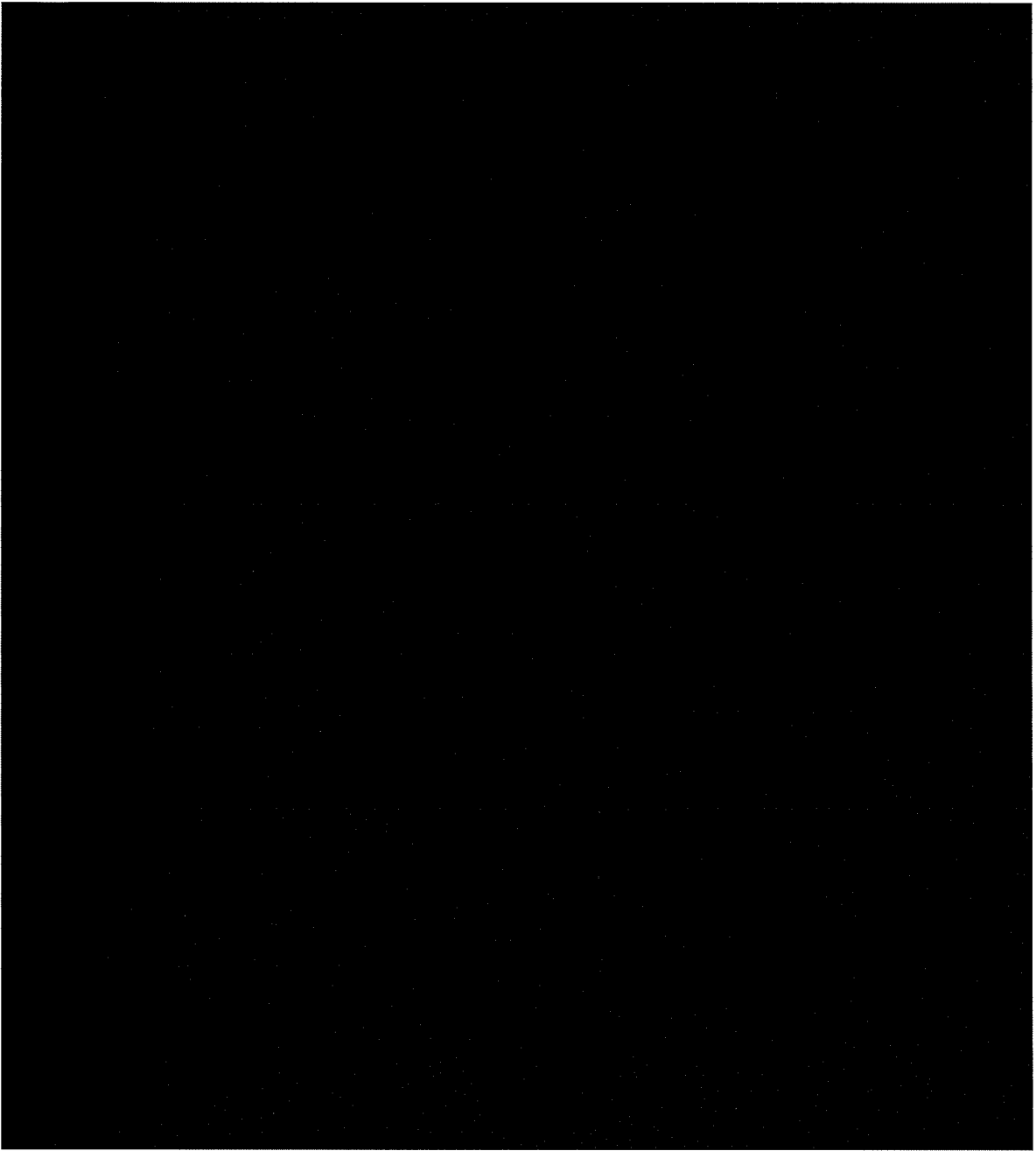
Agenda item	Presenter	Papers	Action required	
1 Governance			Board member discussion.	
2 Welcome, agenda and outcomes of previous meeting	Chair	Previous meeting outcomes	Endorse.	
3	[REDACTED]			
4 NDIS communications	FACS - Samantha Taylor	Paper to outline an integrated communications approach	Discuss and agree an integrated approach to NDIS communications.	
5 Aboriginal Home Care	FACS – Jim Longley	ADHC paper	Agreement to investigate the commercial viability of an Aboriginal Home Care enterprise.	
Key priorities – update:				
6	<ul style="list-style-type: none"> Finance Working Group Treasury's in-scope review Commonwealth negotiations (incl. extension of HACC contract) 	Treasury Treasury FACS/ADHC	Verbal update	Note progress of priority items.
7 Cross agency transition planning	Cross agency coordinator – Phil Berry	Report on progress	Note progress.	
8 Other Business	Chair			

NSW NDIS Transition Board

Time and date	9:00–10:30am, 13 June 2014		
Place	DPC Conference Room 1, Level 39, GMT		
Members	Simon Smith, Michael Coutts-Trotter, Philip Gaetjens		
Other attendees	Rebecca Falkingham, Jim Longley, Sam Taylor, Phil Berry, Richard Timbs, Caralee McLiesh, Simone Constant, Alastair Hunter		

Agenda item	Presenter	Papers	Key comments
1	Governance Board member discussion	N/A	<p>NSW preparation for the NDIS is complex, with layered and inter-related work streams. Board members intend to discuss current governance arrangements in response to concerns around the intersection of the NDIS transition and transaction workstreams. DPC has brokered discussions around the need for:</p> <ol style="list-style-type: none"> 1) strengthened central agency oversight of NDIS transition work 2) clearer separation of transition and transaction workstreams 3) enhanced accountability for managing the financial risks and opportunities associated with transaction 4) FACS to focus on transformation planning - post transaction of disability assets, services and workforce. <p>Proposed amendments to governance arrangements are intended to provide requisite oversight and objectivity.</p>
2	Welcome, agenda and outcomes of previous meeting Chair	Previous meeting outcomes	Endorse previous meeting outcomes (all action items have been completed).







Discussion and agreement item

The Board previously raised the need for a comprehensive communications approach to bring together key aspects of NDIS communications in NSW. There is a clear need for an overarching strategy that brings together the governance, timing and sequencing of strategic communications and determines content tailored to the diversity of affected and interested stakeholders (people with disability, families, carers, workforce, unions, employers, service providers and commercial interests).

Paper to outline an integrated communications approach

FACS – Sam Taylor

NDIS communications

4

A clear communications strategy will help manage uncertainty arising from a number of parameters/decisions still being worked through, such as the timing of full scheme roll out and the pace and nature of NSW's divestment of disability assets including the transfer of workforce to the non-government sector.

At the last Board meeting, Treasury raised concerns that communications were underdeveloped and FACS agreed to come back to the Board with key messages and an integrated communications strategy.

The papers propose that FACS leads the process of joining up of communication activities within FACS, and delivery of communication strategies in other agencies remains the responsibility of those agencies. DPC considers that a stronger coordination role is needed around communications across the NSW Government, noting that the material circulated for

the Board was not endorsed by the NDIS Transition Steering Committee, and appears to mainly reflect FACS-centric activity and messaging.

Discussion and agreement item

The paper seeks in principle endorsement to divest Aboriginal Home Care as an Aboriginal business enterprise. There is an opportunity to fulfil dual policy objectives in creating Aboriginal employment and enterprise whilst conducting the divestment of Government disability services. Aboriginal Home Care has a regional presence, footprint and brand and could provide a foundation for the diversification of service delivery in Aboriginal communities over time.

There is also a level of independent market interest in the operation of an Aboriginal Home Care service. In 2013 DPC received an unsolicited proposal from Muru Community Services (a joint venture of the Cape York Group and the Nextt Foundation – affiliated with Noel Pearson and Sean Gordon respectively) to provide home and community care on the eastern seaboard. Consideration of the Muru proposal was deferred by DPC, pending further development of the NDIS transaction work.

5 Aboriginal Home Care FACS – Jim Longley

ADHC paper

The next phase of the transaction scoping work provides the means to consider and test the commercial viability of an Aboriginal Home Care market offering. If there is in principle agreement then it should be tasked to the Transaction Steering Committee.

The Committee should be asked to test and clarify that Aboriginal Home Care can be run as a stand alone commercial entity in a competitive market environment. Commonwealth home care contracts comprise 65% Aboriginal Home Care revenue currently and will become fully contestable post 2016. The ability of AHC to compete in an open market needs to be understood along with the costs/benefits and level of NSW Government funding required to support different divestment scenarios. The paper assumes that divestment of Aboriginal Home Care as a single entity is optimal. This needs to be tested along with market appetite for a centralised versus regional business model.

Aboriginal Home Care is conducting preliminary assessment of the socio-economic potential of divestment. This work should be transferred to the Transaction Steering Committee immediately.

Key priorities – update:

Noting item

- 6 • Finance Working Group

Verbal

Finance Working Group (FWG)

The FWG is providing analysis to support NSW negotiations with the Commonwealth, with

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| <ul style="list-style-type: none"> • Treasury's in-scope review • Extension of CCSP contracts • Update on Commonwealth negotiations | <p>Treasury</p> <p>FACS/ADHC</p> <p>FACS/ADHC</p> | <p>current priorities:</p> <ol style="list-style-type: none"> (1) Forming a NSW position on the user cost of capital. The FWG is conducting analysis of the capital costs of NSW accommodation models, benchmarks and assessing the financial viability of these accommodation models under different user cost of capital scenarios. This will support NSW negotiations with the Commonwealth. (2) Reviewing work by PwC on NSW's potential approach to the state-wide rollout of the full NDIS, and analysing the FACS disability budget to understand the financial implications of the rollout and NSW's financial capacity to meet the agreed contributions to the NDIS. (3) Developing details around the funding mechanism for full scheme for NSW and the Commonwealth, including the process for accounting for and managing under- and over-spends (including the NDIA managing a reserve account) and how a reconciliation process would work. |
|--|---|--|

Treasury's in-scope review

The review will identify the range of NSW's in-scope services impacted by the NDIS and the exact composite of services to provide NSW's \$441m in-kind contribution to full scheme.

The stages of work are:

- Stage 1 – initial identification of potential in-scope services through initial data collection (completed in December 2013)
- Stage 2 – information gathering and analysis of in-scope services
- Stage 3 – costing in-scope services.

Stage 2 has been significantly delayed due to insufficient resourcing (the project was meant to be completed by May 2014). Treasury undertook to expedite stage 2 and dedicate extra resources to the project. Stage 1 was completed in December 2013 but the initial data collection (which occurred in earlier 2013) is now outdated. As a consequence, Stage 2 involves extensive data collection and Treasury has prepared templates for the consistent provision of qualitative (e.g. description about the program/service) and quantitative information (e.g. budget and resources) from clusters over an eight week period.

An extraordinary Transition Steering Committee meeting was held on 28/5 so that Treasury could present revised Terms of Reference for the review, a project plan and revised timeframes for completion. The Steering Committee agreed that the review will cast a wide

net (initially on all in-scope services), particularly as the boundaries and policy parameters of the NDIS are being finalised and NDIS impacts on services are not yet known.

Clusters were highly concerned by the user-friendliness of the templates. Treasury has agreed to work with clusters to finalise the templates, and that Treasury will work closely (face to face) with clusters in getting the templates filled. Treasury should have finalised the templates by now, and are about to release the final templates to clusters.

Chair should confirm that Treasury will hold a face to face session with cluster representatives to assist with populating the templates, and provide ongoing support over the eight week period.

Extension of CCSP contracts

FACS has negotiated a 12 month extension of HACC contracts.

Update on Commonwealth negotiations

[REDACTED]

Nothing item.

[REDACTED]

The NDIS Taskforce has also consolidated key milestones from all transition plans into key project themes to assist with the refresh of cluster plans and ongoing monitoring.

DPC considers that the coordinator should take a stronger lead on directing agency readiness efforts, and that future reports to the board should include an assessment from the coordinator on the status of readiness within clusters and across NSW.

As an example, DPC considers that clusters are not taking a systematic approach to communications within their agencies and with their stakeholders, and the coordinator should be actively working with agencies to improve their communications processes (as opposed to just monitoring their planning processes).

DPC took a lead on putting together priorities for the board, taskforce can play a traffic light reporting tool

7 Cross agency transition planning Cross agency transition coordinator – Phil Berry Report on progress

NSW NDIS Transition Board

Time and date	11.30am – 12.30pm, 14 July 2014
Place	DPC Conference Room 1, Level 39, Governor Macquarie Tower
Members	Simon Smith, Michael Coutts-Trotter, Caralee McLiesh (as A/Secretary Treasury)
Other attendees	Rebecca Falkingham, Jim Longley, Samantha Taylor, Phil Berry, Richard Timbs, Vicki Telfer, Simone Constant, Alastair Hunter

Agenda item	Presenter	Papers	Action required
1 Welcome, agenda and outcomes of previous meeting	Chair	Previous meeting outcomes	Endorse.
2 Governance	All	Verbal update	Board discussion.
3			
4 FACS Transformation	FACS – Alastair Hunter	Verbal update	Board discussion.
5 Other business	Chair		

NSW NDIS Transition Board

Time and date	11:30–12:30, 14 July 2014
Place	DPC Conference Room 1, Level 39, GMT
Members	Simon Smith, Michael Coutts-Trotter, Caralee McLiesh (A/Secretary Treasury)
Other attendees	Rebecca Falkingham, Jim Longley, Samantha Taylor, Phil Berry, Richard Timbs, Vicki Telfer, Simone Constant, Alastair Hunter

Agenda item	Presenter	Papers	Key comments
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1	Welcome, agenda and outcomes of previous meeting Chair	Previous meeting outcomes	Endorse previous meeting outcomes. Note: Reporting against transition planning will be for the next Board meeting. Item for discussion The agenda item Following on from the last Board meeting, changes to NDIS governance have been the subject of discussions brokered by DPC. All agencies agree on the need for better intersection and coordination of transition, transaction and FACS' own transformation with stronger accountability for overarching project planning, risk planning and management and strategies to leverage opportunities in full scheme. There are divergent views on appropriate governance arrangements. DPC and Treasury see a need for strong re-assertion of central agency oversight, including around aspects of FACS' own transformation program e.g. workforce strategy. FACS (ADHC) considers that it is best placed to lead the FACS transformation work and that the current governance could be enhanced without radical change. The timing of the NDIS transformation work within FACS is complicated by FACS' own restructure to a new regional structure (districts have greater autonomy over service delivery with corporate responsibilities for specific state-wide services). Under the new FACS structure, districts report directly to the Secretary, and functions like strategic reform, policy
2	Governance Board member discussion	N/A	

and service design sit alongside (but separate to) the districts.

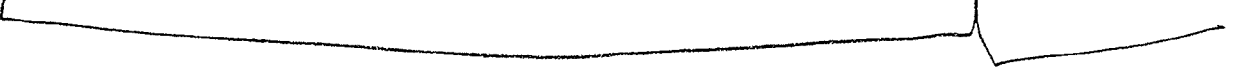
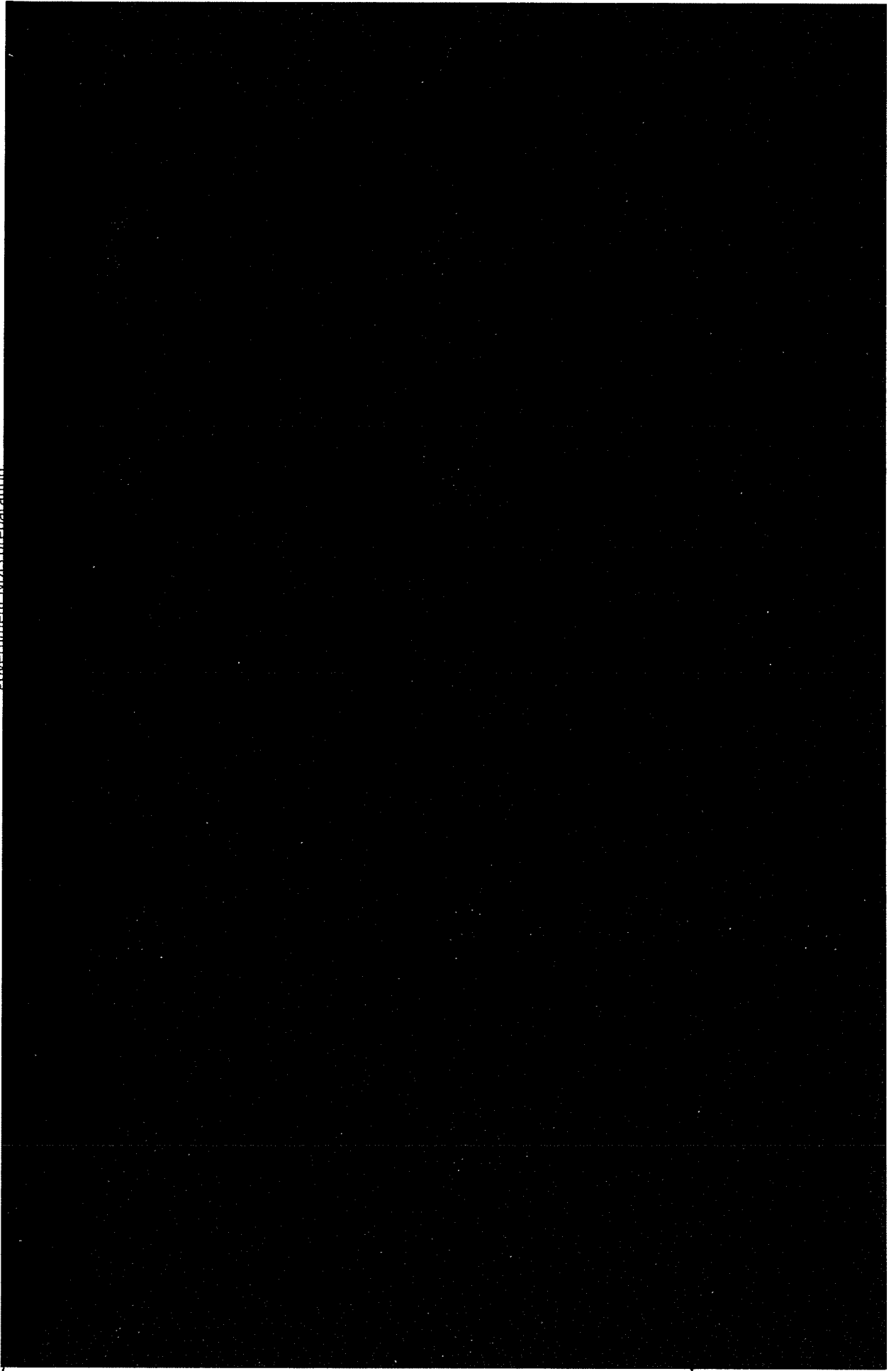
Progress in the NDIS Transformation work stream will be contingent on robust internal governance and processes to engage and coordinate disparate parts of FACS – the districts and strategy and policy areas. DPC and Treasury have also raised concerns that there is no clear go to point/person for large NDIS related reforms e.g. transaction and workforce transfer.

FACS will need its own PMO to manage transformation and ensure that the overall NDIS readiness effort is able to be sustained. A higher order concern is the impact of regionalisation on the future transfer of the FACS' disability workforce to the non government sector. Under the new structure (beyond frontline service staff) it will become difficult to discern and separate disability functions/workforce from the rest of FACS. FACS needs to prioritise the detailed workforce analysis that is needed to inform the workforce strategy before the workforce profile changes as a result of the restructure.

A new governance structure (attached) is proposed with the following features:

- The NDIS Board remains
- The Transition Steering Committee is reoriented and strengthened to drive whole of government NDIS planning and readiness
- A central PMO is established (reporting to the Transition Steering Committee) to establish overarching project planning, integration and disciplined reporting and to drive NSW positioning and negotiation on full scheme design.
 - This PMO will be set up and headed by DPC and Treasury (Melanie Hawyes and Michael van Rosmalen) for three months, after which the PMO function would be tendered to the market to engage an independent team.
- The Disability Transaction Steering Committee will continue to oversee the divestment work with the reporting line moving to the Steering Committee, Board and Treasurer. The Transaction Steering Committee will work closely with the PMO to ensure that both transition and transaction work streams are coordinated and connect with each other
- FACS will be responsible for the client transition to full scheme and the FACS transformation reporting to the Transition Steering Committee and working closely with the central PMO.
- The NDIS Taskforce will be incorporated into the central PMO to drive whole of

government NDIS preparation





5 Other business



NSW NDIS Transition Board

Monday 14 July 2014

Outcomes

Members	Michael Coutts-Trotter, Simon Smith (A/Secretary DPC), Caralee McLiesh (A/Secretary Treasury)
Other attendees	Rebecca Falkingham, Jim Longley, Samantha Taylor, Phil Berry, Richard Timbs, Vicki Telfer, Simone Constant, Melanie Hawyes

Key actions

Description	Timing
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1. **Governance** – Board members approved revisions to current NSW NDIS Governance and requested that DPC/Treasury circulate an amended governance model with the following components:
 - Rotation of the NDIS Board Chair to Secretary FACS.
 - Establishment of a new NDIS steering committee (terms of reference agreed).
 - Establishment of a central PMO. Terms of reference are to be developed. The new PMO will be established immediately and put to market for substantive staffing within three - four months.
 - Review and refreshment of terms of reference for each of the elements of the NDIS Governance Model that will be retained including the: NDIS Board, Transaction Steering Committee, Employee Issues Working Group and Finance Working Group to ensure they complement each other.
 - A refreshed 2014 meeting schedule for the NDIS Board and NDIS Steering Committee.
 - Commencement of a NSW capability review to ensure NSW has the requisite mix of skills and expertise to deliver NSW's transition to full scheme.

For the next Board meeting

2.

3.

Outcomes

1 Governance

- Discussed current governance arrangements and agreed the need for improved coordination of work streams and overall project planning and risk management.
- Agreed that a new NDIS Steering Committee will replace the current Transition Steering Committee. The new Steering Committee will have a greater role in NSW's transition to full scheme, which encompasses work spanning FACS' and whole-of-government transition, the transfer of NSW disability assets including staff to the non-government sector and the transformation of FACS in line with the NSW Government's ongoing role in disability in full scheme. Membership will include Health, Education, Justice and Transport.
- Approved the creation of a central PMO involving DPC and Treasury initially but going to market for longer term staffing to align and coordinate work streams (Transition, Transaction and Transformation) and drive whole-of-government projects.
- Agreed that DPC will take action to implement these decisions and report back to the Board at the next meeting with updated terms of reference for the revised NSW NDIS Governance Model, an updated 2014 meeting schedule and a scoping document for commissioning a capability review to ensure NSW has the requisite mix of skills and expertise to deliver NSW's transition to full scheme.

2



3 FACS Transformation

- Noted the update on the Transformation work stream.

4 Other business

- Health interface – Agreed that a Senior Management Council paper should be prepared regarding the NDIS interface with health (to be developed by the PMO).

NSW NDIS Transition Board

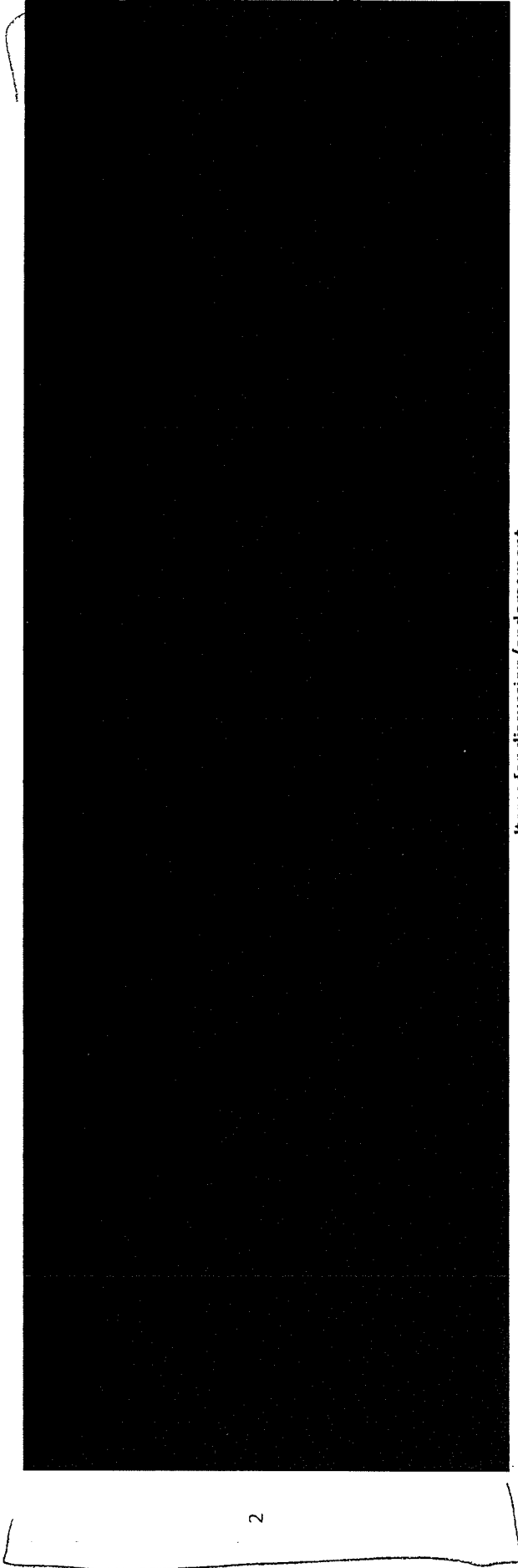
Time and date	1.30 – 2.30pm, 11 August 2014
Place	DPC Conference Room 1, Level 39, Governor Macquarie Tower
Members	Simon Smith (A/Secretary DPC), Michael Coutts-Trotter, Philip Gaetjens
Other attendees	Rebecca Falkingham, Caralee McLiesh, Jim Longley, Samantha Taylor, Phil Berry, Richard Timbs, Vicki Telfer, Alastair Hunter

Agenda item	Presenter	Papers	Action required
1 Welcome, agenda and outcomes of previous meeting	Chair	Previous meeting outcomes	Endorsement.
2			
3 Governance	Chair	Revised NSW NDIS governance model and refreshed terms of reference (ToR). Paper relating to the workshop to establish the NDIS Reform Group. Skeleton TOR for the capability review.	Endorsement of the refreshed ToR. Agreement to hold a workshop to establish the NDIS Reform Group. Initial discussion of the capability review and the ToR.
4 Other business	All		

NSW NDIS Board

Time and date	1.30 – 2.30pm, 11 August 2014
Place	DPC Conference Room 1, Level 39, Governor Macquarie Tower
Members	Simon Smith (A/Secretary DPC), Michael Coutts-Trotter, Philip Gaetjens
Other attendees	Rebecca Falkingham, Caralee McLiesh, Jim Longley

Agenda item	Presenter	Papers	Key comments
1	Chair	Previous meeting outcomes	Endorse previous meeting outcomes.



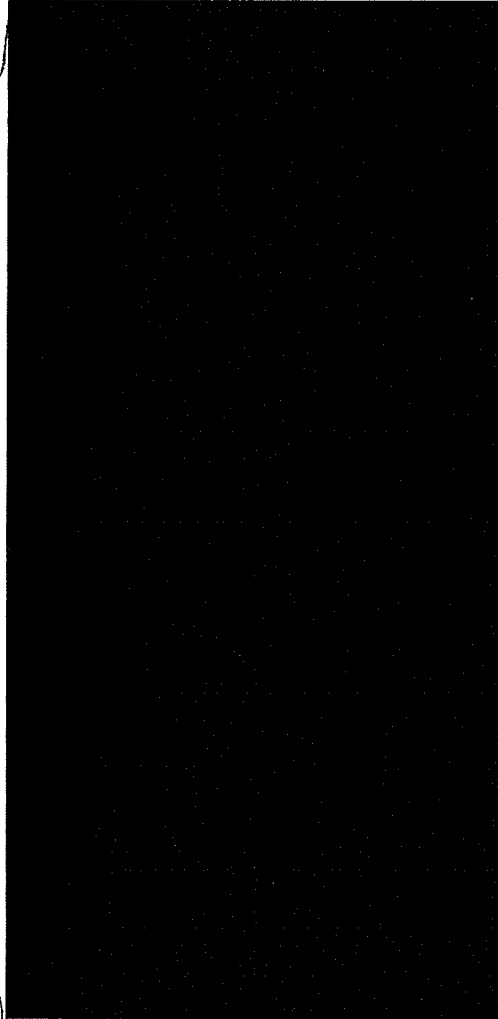
<u>Items for discussion/endorsement</u>			
			Context
3	Governance	Chair	The NDIS is an ambitious reform requiring the transition of disability clients and funding into the national scheme, the transfer of disability services, assets and workforce to the non-

reference (ToR).

B. Paper relating to the workshop to establish the NDIS Reform Group.

C. Skeleton TOR for the capability review.

government sector and the adjustment of FACS' business and operations as a result. NSW's preparation is complex, involving layered and interrelated streams of work across portfolios. Current governance needs to be refreshed to integrate and bring the work together, clarify and set accountabilities and better support NSW's ongoing negotiations with the Commonwealth for full scheme.



Meeting paper A is the refreshed ToR for Board endorsement, noting that some ToR are still in the process of being refreshed:--

- ToR for the re-labelled Disability Transfer Steering Committee (formerly the Disability and Aged Care Transactions Committee) will need to be refreshed and agreed by that Steering Committee prior to Board endorsement.
- Caralee McLiesh is yet to respond on whether the ToR for the Finance Working Group need to be refreshed (as that working group is relatively new and its ToR may not need updating).
- Samantha Taylor provided some comments on the ToR for the FACS Steering Committee, but flagged that she is awaiting comments from Alastair Hunter.

~~Therefore, the Chair should ask the Board to review and endorse the ToR for the Board, the NDIS Steering Committee and the NDIS Reform Group while the remaining ToR are being finalised.~~

Meeting paper B sets out the plan to hold a workshop to establish the NDIS Reform Group.

DPC proposes to hold a two-hour workshop with Deputy Secretaries of DPC and Treasury, ADHC Chief Executive and work stream leads to establish the NDIS Reform Group, including

the size, composition, mix of skills and resource allocation of the group.

The meeting paper gives the plan for the workshop including discussion questions that attendees should come prepared to discuss.

~~The Chair should work through the meeting paper, which has been structured to allow the Chair to step-through each of the questions and ensure that the workshop plan and the proposed questions are appropriate.~~

Meeting paper C is the initial terms of reference for the capability review, for discussion.

The capability review will position NSW to have the appropriate governance, skills and resources to deliver NSW's transition to full scheme. If fundamental changes are required, an independent review would provide credibility and backing for these changes. *FACS' initial feedback is that the review should not be focused on reviewing steering committees. It should be broader, to include matters such as local implementation. DPC agrees with this comment and notes that the capability review is designed to ensure NSW has the structures, people and resources to transition to full scheme.*

While the capability review is being commissioned and undertaken, NSW will implement revised governance arrangements to create the integration and coordination of work that is critically needed in the meantime.

The meeting paper provides an initial terms of reference for the capability review for Board

[REDACTED]

~~The Chair should work through the meeting paper and each of its discussion questions. After the Board meeting, DPC will develop a full terms of reference – this will be taken back to the Board for endorsement.~~

Meeting dates: Most of the meeting dates have been scheduled for the NDIS Board and Steering Committee under the revised governance arrangements. The meeting schedule once completed will be circulated.

The two-hour workshop to establish the NDIS Reform Group is being scheduled.

4 Other business All

NSW NDIS Transition Board

Meeting on 11 August, 1.30–2.30pm

Outcomes

Members	Simon Smith, Michael Coutts-Trotter, Philip Gaetjens
Other attendees	Rebecca Falkingham, Caralee McLiesh, Simone Constant, Jim Longley, Samantha Taylor, Vicki Telfer, Melanie Hawyes (as secretariat)

Actions

Description	Timing
<p>1. Refreshing the terms of reference under revised governance arrangements</p> <ul style="list-style-type: none"> – DPC to coordinate update of the terms of reference for the key component parts of the revised NDIS governance arrangements. – Updated terms of reference to be circulated by DPC and returned by COB Friday 15 August. – DPC to ensure all terms of reference include complementary contextual information and objectives. – DPC to arrange for letters to be sent to Cluster Secretaries (health, education, justice and transport) requesting a Deputy Secretary level representative for the NDIS Steering Committee. 	<p>Letters and refreshed meeting schedules to be dispatched by COB Tuesday 19 August 2014.</p>
<p>2. Establishment of the NDIS Reform Group</p> <ul style="list-style-type: none"> – DPC to organise a workshop on establishing and resourcing the NDIS Reform Group and finalise an agenda and materials for the workshop. <p>Note – Workshop has been scheduled for 21 August 1.30–3pm (first available date for core workshop attendees)</p> <ul style="list-style-type: none"> – DPC and Treasury to run recruitment process for the NDIS Reform Group (recruitment to be discussed in the workshop). 	<p>Draft workshop outline, agenda and materials to be circulated by (COB Friday 15 August) the end of this week</p>
<p>3. Capability review</p> <ul style="list-style-type: none"> – Capability review to be framed as a health check. – DPC to update scope and terms of reference for the capability review, noting that the review needs to cover the capability of NSW to deliver on the NDIS reform, which includes cross cluster NDIS readiness and local implementation. – Rebecca Falkingham to have preliminary discussions with potential candidates to lead the review [REDACTED] to assess their availability and suitability. 	<p>Terms of reference to be updated by the end of this week</p> <p>DPC discussions with preferred candidates to take place before the workshop.</p>

Outcomes

1 *Welcome, agenda and outcomes of previous meeting*

- Endorsed the previous meeting outcomes.

2 *ERC Minute*

- Noted that the ERC minute has been lodged for Tuesday, 12 August 2014.
- Noted that the A/Secretary of DPC will meet with the Premier to discuss options and timing for the transfer of Home Care Services.

3a *Governance – Refreshed terms of reference*

- Agreed the following responsibilities for refreshing the relevant terms of reference:
 - DPC – for the NDIS Board, the Steering Committee and the NDIS Reform Group
 - Simone Constant and Richard Timbs – for the Transfer Steering Committee
 - Jim Longley and Samantha Taylor – for the FACS NDIS Steering Committee
 - Caralee McLiesh and Michael van Rosmalen – for Finance Working Group
 - Vicki Telfer – for the Employee Issues Working Group
- Agreed that DPC will update the terms of reference document based on Board comments in the meeting, and send working drafts to the leads for amendment and return by the end of the week (15 August).
- Noted that the updated terms of reference will be submitted for approval at the next Board meeting.
- Noted that DPC will send letters to Cluster Secretaries (health, education, justice and transport) requesting a Deputy Secretary level representative for the NDIS Steering Committee, with restrictions on delegation.

3b *Workshop to establish the NDIS Reform Group*

- Noted DPC's plan and structure for the workshop, and provided some feedback for DPC to finalise the workshop planning. Requested that DPC prepare a range of planning documents (including a list of milestones, priorities and timeframes) for the NDIS Reform Group to review in the workshop.
- Agreed that DPC and Treasury will run the recruitment for the Director of the NDIS Reform Group.

3c *Capability review*

- Agreed the need for the capability review to consider all of NSW's capability to deliver on the full implementation of the NDIS including planning and readiness across clusters, local implementation and continuity of care during the transition and beyond. The capability review should also overlay consideration of the impact of the *Government Sector Employment Act 2013*.
- Discussed the nature of the review as a systemic stock take and health check.
- Agreed that Rebecca Falkingham will have discussions with preferred candidates to assess their availability and suitability to undertake the review. The preferred candidates agreed by the Board are Mary Anne O'Loughlin, Liz Forsyth and Fran Thorn.

NSW NDIS Board

Time and date	9 September 2014, 3.00–4.00pm
Place	DPC Conference Room 2, Level 39, Governor Macquarie Tower
Members	Michael Coutts-Trotter (Chair), Simon Smith, Philip Gaetjens
Other attendees	Rebecca Falkingham, Caralee McLiesh, Samantha Taylor (as delegate for Jim Longley), Melanie Hawyes (interim secretariat) Guest invitee: Vicki Telfer

Agenda item	Presenter	Papers	Action required
1 Welcome and agenda	Chair	Outcomes of previous meeting 11/08/14	Note
2 Governance update	DPC	Governance terms of reference (TOR) Health Check Meeting schedule	Endorse TOR and Health Check Note meeting schedule
3 Establishment of the NDIS Reform Group	DPC / Treasury	Paper on establishment and resourcing of the NDIS Reform group	Discuss
4			
5 Communication for Home Care Services (HCS)	Samantha Taylor / Vicki Telfer	HCS communications approach	Discuss and agree HCS communications approach
6 Other business			

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Agenda item	Presenter	Papers	Key comments
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1	Welcome, agenda and outcomes of previous meeting Chair	Previous meeting outcomes	Endorse previous meeting outcomes. Following the last Board meeting, DPC has started to implement governance changes that were endorsed by ERC. 1. Terms of reference Terms of reference under the NSW NDIS Governance Model have been refreshed with input from the NDIS steering committees and working groups. Clusters have also responded to letters from Simon Smith requesting Deputy Secretary level representatives for the NDIS Steering Committee. These are: <ul style="list-style-type: none"> • Health – Rohan Hammett • Education – Greg Prior • Justice – Brendan Thomas • Transport – Anthony Wing (note: AW is a General Manager, Efficiency and Effectiveness) Board to endorse the terms of reference. <i>RF to be asked to provide a verbal report on the outcomes of the first whole of government NDIS Steering meeting yesterday (8/9).</i> <i>Cluster reps noted the revised governance and requested that the working groups (employee issues, finance and communications) be opened to cluster representatives to create buy in and ownership of NDIS planning and activity. This is supported.</i>
2	Governance update DPC	Governance terms of reference Health Check Meeting schedule	2. Health Check terms of reference DPC has updated the terms of reference for the NDIS Health Check and expanded the scope so that is

a broad ranging review covering NSW governance, overall NSW and cluster planning, resourcing and risk management, and local implementation capabilities.

DPC sought commitment from Cluster Deputy Secretaries at the whole of government NDIS Steering Committee yesterday (8/9) for involvement in the Health Check. Clusters will provide feedback and contacts for people who should be involved in the review.

DPC has spoken to Mary Ann O'Loughlin who is available to undertake the Health Check. Mary Anne will be asked to present on her proposed approach to the health check at the next Steerco.

Board to endorse the Health Check terms of reference subject to amendments from Clusters.

3. Meeting schedule

DPC has finalised the meeting schedule (see attached) of the Board and Steering Committee for 2014:

- The Steering Committee will meet each fortnight. Every second meeting (i.e. monthly) will involve Clusters representatives to focus on whole of government transition.
- Board meetings will take place monthly.

DPC convened a workshop (21/8) involving Deputy Secretaries and executives in DPC, Treasury and FACS to work through the establishment of the NDIS Reform Group. A paper has been developed on the potential structure, staffing and resourcing of the NDIS Reform Group for consideration by the Board.

It is proposed, as an interim measure, that the Group be established with DPC/FACS and Tsy secondees in the first instance. Once the new Reform Group Director position is filled and the Group has conducted a stocktake and analysis of the immediate work priorities and program for the next 6-12 months, the resource requirements for the Group can be determined on a longer term basis (three years) and recruitment actioned.

Paper on establishment and resourcing of the NDIS Reform Group

Chair to work through the paper which contains questions for Board members, to facilitate agreement on key resourcing matters.

Summary of the paper:

The NDIS Reform Group will integrate and coordinate NDIS readiness and transition activity in NSW and drive NSW positioning and negotiation with the Commonwealth. The Group has four core functions:

- a) **Scheme design and NSW readiness** – developing NSW input into policy, scheme design and implementation, and driving cross agency work and whole of NSW readiness to transition.
- b) **Financial analysis and data** – providing financial analysis to support NSW decision making and commissioning work as needed (through the Finance Working Group).
- c) **Communications** – setting the overarching NSW communications strategy and plan to

3 Establishment of the NDIS Reform Group DPC / Treasury

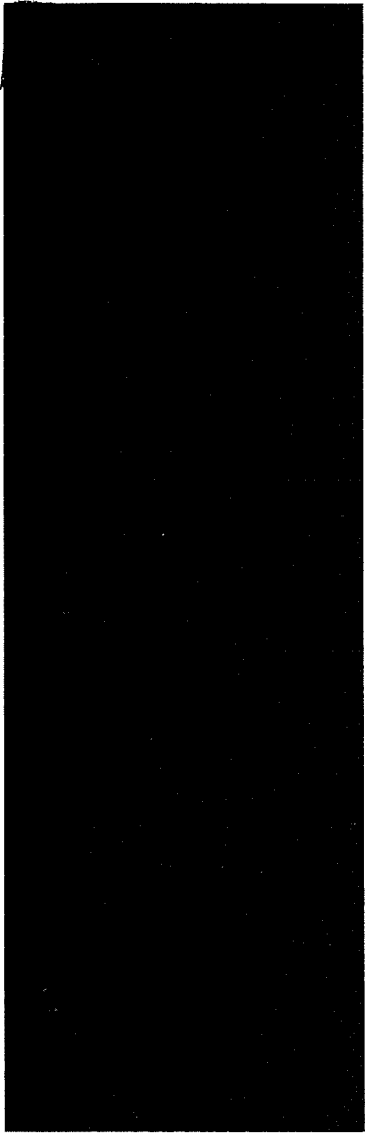
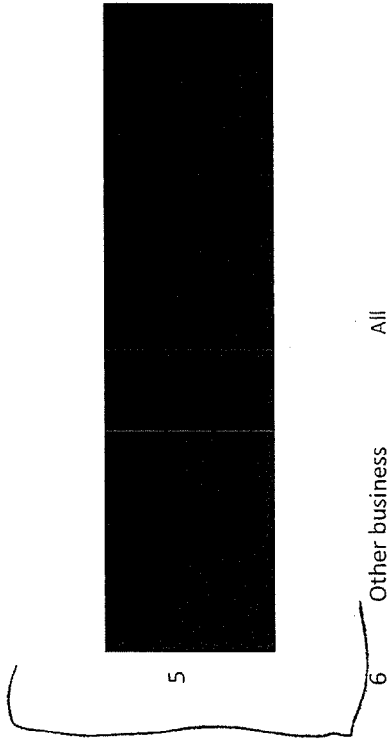
provide a framework for individual Cluster communications.

- d) **PMO** – coordinating all NDIS work stream activity, managing overarching project planning, project control and risk management, NSW dashboarding and secretariat support to the Steering Committee and Board.

The NDIS Reform Group will be resourced through a combination of existing NDIS resources and funds sourced from the Crown Finance Entity. The exact funding arrangement need to be agreed when the ongoing resource requirements of the reform group are determined (see paper).

Cluster Deputy Secretaries have been informed about the new NDIS Reform Group and expectations about Cluster interaction with the Group:

- Clusters will work closely with the NDIS Reform Group. Cluster Deputy Secretaries will need to set the mandate for access and work.
- Cluster Deputy Secretaries will need to own NDIS readiness, oversee and drive Cluster activity. They will report back to the Steering Committee each month on progress and raise any issues for resolution.
- The NDIS Reform Group may commission work to NDIS working groups and Clusters to leverage their expertise and resources on certain projects or pieces of work as needed. The Steering Committee will be the forum to discuss these matters and make collaboration work.



NSW NDIS Transition Board
Wednesday 9 August 2013 2.00pm – 2.45pm
GMT, Level 39 conference room

AGENDA

Attendees:

DPC: Chris Eccles, Rebecca Falkingham

FACS: Michael Coutts Trotter, Jim Longley

Treasury: Philip Gaetjens, Matthew Roberts

	Description	Agency	Papers
1.	Introduction	DPC	<i>Terms of Reference</i>
2.	Transaction/Divestment Strategy <ul style="list-style-type: none"> • Objectives and Principles • Divestment options • Workforce and IR issues 	FACS	<i>Draft NDIS Transaction Strategy</i>
3.	Enabling legislation	FACS	<i>Draft National Disability Insurance Scheme (NSW Enabling) Bill 2013</i>
4.	ERC and Bill Minutes	FACS	<i>Draft ERC Minute</i> <i>Draft Bill Minute</i>
5.	Other business <u>Note:</u> meeting on 16 October 2013 will consider the NSW Transition Plan outline and interim cluster transition plans.	DPC	