

Activity 4.1:

How does Shared Management fit with The NDIS Act?

In the Table below, we've summarised our analysis of how the five Shared Management Principles support and promote the Intentions of the NDIS as these are set out in Sections 3, 4 and 5 of The NDIS Act. While some people might debate some of the conclusions we've reached, we believe that the overall conclusion that Shared Management aligns with, supports and promotes the Intentions of the NDIS is unambiguously clear and beyond dispute.

Shared Management Principle	Objects of NDIS Act (Section 3)	General principles guiding actions under this Act (Section 4)	General principles guiding actions of people who may do act or things on behalf of others (Section 5)
<p>Shared Management is a partnership built on mutual respect in which the person or their family member is the leader. Both parties will treat each other openly, honestly and fairly.</p>	<p>1a – In conjunction with other laws, give effect to Australia's obligations under the Convention on the Rights of Persons with Disabilities done at New York on 13 December 2006</p> <p>1e – Enable people with disability to exercise choice and control in the pursuit of their goals and the planning and delivery of their supports</p> <p>1g – Promote the provision of high quality and innovative supports that enable people with disability to maximise independent lifestyles and full inclusion in the community</p>	<p>4 – People with disability should be supported to exercise choice, including in relation to taking reasonable risks, in the pursuit of their goals and the planning and delivery of their supports</p> <p>6 – People with disability have the same right as other members of Australian society to respect for their worth and dignity and to live free from abuse, neglect and exploitation</p> <p>7 – People with disability have the same right as other members of Australian society to pursue any grievance</p> <p>8 – People with disability have the same right as other members of Australian society to be able to determine their own best interests, including the right to exercise choice and control, and to engage as equal partners in decisions that will affect their lives, to the full extent of their capacity</p> <p>9 – People with disability should be supported in all their dealings and communications with the Agency so that their capacity to exercise choice and control is maximised in a way that is appropriate to their circumstances and cultural needs</p> <p>10 – People with disability should have their privacy and dignity respected</p>	<p>A – People with disability should be involved in decision making processes that affect them, and where possible make decisions for themselves</p> <p>B – People with disability should be encouraged to engage in the life of the community</p> <p>C – The judgements and decisions that people with disability would have made for themselves should be taken into account</p>

		<p>12 – The role of families, carers and other significant persons in the lives of people with disability is to be acknowledged and respected</p> <p>13 – The role of advocacy in representing the interests of people with disability is to be acknowledged and respected, recognising that advocacy supports people with disability by:</p> <ul style="list-style-type: none"> (a) promoting their independence and social and economic participation; and (b) promoting choice and control in the pursuit of their goals and the planning and delivery of their supports; and (c) maximising independent lifestyles of people with disability and their full inclusion in the community <p>15 – Innovation, quality, continuous improvement, contemporary best practice and effectiveness in the provision of supports to people with disability are to be promoted</p>	<p>D – The cultural and linguistic circumstances, and the gender, of people with disability should be taken into account;</p> <p>E – The supportive relationships, friendships and connections with others of people with disability should be recognised</p>
<p>Shared Management is built on recognising the person’s expertise in guiding and organising their own life. This includes the person’s decisions about how much responsibility they have in the Shared Management arrangement.</p>	<p>1e – Enable people with disability to exercise choice and control in the pursuit of their goals and the planning and delivery of their supports</p>	<p>4 – People with disability should be supported to exercise choice, including in relation to taking reasonable risks, in the pursuit of their goals and the planning and delivery of their supports</p> <p>6 – People with disability have the same right as other members of Australian society to respect for their worth and dignity and to live free from abuse, neglect and exploitation</p> <p>8 – People with disability have the same right as other members of Australian society to be able to determine their own best interests, including the right to exercise choice and control, and to engage as equal partners in decisions that will affect their live</p> <p>11(c) Develop and support the capacity of people with disability to undertake activities that enable them to participate in the community and in employment</p> <p>14 – People with disability should be supported to receive supports outside the National Disability Insurance Scheme, and be assisted to coordinate these supports with the supports provided under the National Disability Insurance Scheme</p>	<p>A – People with disability should be involved in decision making processes that affect them, and where possible make decisions for themselves</p> <p>B – People with disability should be encouraged to engage in the life of the community</p> <p>C – The judgements and decisions that people with disability would have made for themselves should be taken into account</p>



		<p>15 – Innovation, quality, continuous improvement, contemporary best practice and effectiveness in the provision of supports to people with disability are to be promoted</p> <p>16 – Positive personal and social development of people with disability, including children and young people, is to be promoted</p>	<p>D – The cultural and linguistic circumstances, and the gender, of people with disability should be taken into account;</p>
<p>Shared Management arrangements support and expand the person’s autonomy, capability and right to participate as a full citizen in all aspects of society and community.</p>	<p>1a – In conjunction with other laws, give effect to Australia’s obligations under the Convention on the Rights of Persons with Disabilities done at New York on 13 December 2006</p> <p>1c – Support the independence and social and economic participation of people with disability</p> <p>1e – Enable people with disability to exercise choice and control in the pursuit of their goals and the planning and delivery of their supports</p> <p>1g – Promote the provision of high quality and innovative supports that enable people with disability to maximise independent lifestyles and full inclusion in the community</p>	<p>1 – People with disability have the same right as other members of Australian society to realise their potential for physical, social, emotional and intellectual development</p> <p>4 – People with disability should be supported to exercise choice, including in relation to taking reasonable risks, in the pursuit of their goals and the planning and delivery of their supports</p> <p>7 – People with disability have the same right as other members of Australian society to pursue any grievance</p> <p>8 – People with disability have the same right as other members of Australian society to be able to determine their own best interests, including the right to exercise choice and control, and to engage as equal partners in decisions that will affect their lives, to the full extent of their capacity</p> <p>11(a) Support people with disability to pursue their goals and maximise their independence</p> <p>11(b) Promoting choice and control in the pursuit of their goals and the planning and delivery of their supports</p> <p>11(c) Develop and support the capacity of people with disability to undertake activities that enable them to participate in the community and in employment</p> <p>13 – The role of advocacy in representing the interests of people with disability is to be acknowledged and respected, recognising that advocacy supports people with disability by:</p> <p>(a) promoting their independence and social and economic participation; and</p>	<p>A – People with disability should be involved in decision making processes that affect them, and where possible make decisions for themselves</p> <p>B – People with disability should be encouraged to engage in the life of the community</p> <p>D – The cultural and linguistic circumstances, and the gender, of people with disability should be taken into account;</p> <p>E – The supportive relationships, friendships and connections with others of people with disability should be recognised</p>

		<p>(b) promoting choice and control in the pursuit of their goals and the planning and delivery of their supports; and</p> <p>(c) maximising independent lifestyles of people with disability and their full inclusion in the community</p> <p>14 – People with disability should be supported to receive supports outside the National Disability Insurance Scheme, and be assisted to coordinate these supports with the supports provided under the National Disability Insurance Scheme</p> <p>15 – Innovation, quality, continuous improvement, contemporary best practice and effectiveness in the provision of supports to people with disability are to be promoted</p> <p>16 – Positive personal and social development of people with disability, including children and young people, is to be promoted</p>	
<p>The person or their family member can decide how their funded resources and services can best be used and organised. The person or their family member has the right to change their mind.</p>	<p>1a – In conjunction with other laws, give effect to Australia’s obligations under the Convention on the Rights of Persons with Disabilities done at New York on 13 December 2006 ([2008] ATS 12)</p> <p>1e – Enable people with disability to exercise choice and control in the pursuit of their goals and the planning and delivery of their supports</p> <p>1g – Promote the provision of high quality and innovative supports that enable people with disability to maximise independent lifestyles and full inclusion in the community</p>	<p>2 – People with disability should be supported to participate in and contribute to social and economic life to the extent of their ability</p> <p>3 – People with disability and their families and carers should have certainty that people with disability will receive the care and support they need over their lifetime</p> <p>4 – People with disability should be supported to exercise choice, including in relation to taking reasonable risks, in the pursuit of their goals and the planning and delivery of their supports</p> <p>7 – People with disability have the same right as other members of Australian society to pursue any grievance</p> <p>8 – People with disability have the same right as other members of Australian society to be able to determine their own best interests, including the right to exercise choice and control, and to engage as equal partners in decisions that will affect their lives, to the full extent of their capacity</p> <p>9 – People with disability should be supported in all their dealings and communications with the Agency so that their capacity to exercise choice and control is maximised in a way that is appropriate to their circumstances and cultural needs</p>	<p>A – People with disability should be involved in decision making processes that affect them, and where possible make decisions for themselves</p> <p>B – People with disability should be encouraged to engage in the life of the community</p> <p>C – The judgements and decisions that people with disability would have made for themselves should be taken into account</p>



		<p>11a – Support people with disability to pursue their goals and maximise their independence</p> <p>11b – Promoting choice and control in the pursuit of their goals and the planning and delivery of their supports</p> <p>11c – Develop and support the capacity of people with disability to undertake activities that enable them to participate in the community and in employment</p> <p>13 – The role of advocacy in representing the interests of people with disability is to be acknowledged and respected, recognising that advocacy supports people with disability by:</p> <ul style="list-style-type: none"> (a) promoting their independence and social and economic participation; and (b) promoting choice and control in the pursuit of their goals and the planning and delivery of their supports; and (c) maximising independent lifestyles of people with disability and their full inclusion in the community <p>14 – People with disability should be supported to receive supports outside the National Disability Insurance Scheme, and be assisted to coordinate these supports with the supports provided under the National Disability Insurance Scheme</p> <p>15 – Innovation, quality, continuous improvement, contemporary best practice and effectiveness in the provision of supports to people with disability are to be promoted</p> <p>16 – Positive personal and social development of people with disability, including children and young people, is to be promoted</p>	
<p>The person or their family member is the employer of paid support</p>	<p>1e – Enable people with disability to exercise choice and control in the pursuit of their goals and the planning and delivery of their supports;</p>	<p>2 – People with disability should be supported to participate in and contribute to social and economic life to the extent of their ability</p> <p>4 – People with disability should be supported to exercise choice, including in relation to taking reasonable risks, in the pursuit of their goals and the planning and delivery of their supports</p>	<p>A – People with disability should be involved in decision making processes that affect them, and where possible make decisions for themselves</p>

		<p>6 – People with disability have the same right as other members of Australian society to respect for their worth and dignity and to live free from abuse, neglect and exploitation</p> <p>9 – People with disability should be supported in all their dealings and communications with the Agency so that their capacity to exercise choice and control is maximised in a way that is appropriate to their circumstances and cultural needs</p> <p>15 – Innovation, quality, continuous improvement, contemporary best practice and effectiveness in the provision of supports to people with disability are to be promoted</p>	<p>C – The judgements and decisions that people with disability would have made for themselves should be taken into account</p>
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