

Specialist Disability Accommodation Pricing and Payments Framework

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Specialist Disability Accommodation Pricing and Payments Framework

Part 1 – Preliminaries

Purpose of this paper

1. This paper sets out an initial pricing and payments framework for the funding of the land and built elements of specialist disability accommodation under the National Disability Insurance Scheme (NDIS).
2. This paper is not intended to cover broader aspects of policy in respect of specialist disability accommodation including a charging model of an individual rental contribution and other tenancy arrangements or quality standards relating to the building or asset management by housing providers.
3. Nor does the paper cover the support arrangements delivered to participants within specialist disability accommodation. These arrangements are covered through broader policy on individual supports funded through the Scheme.
4. This pricing and payments Framework (the Framework) will apply for the period 1 July 2016 to 30 June 2021. The framework is designed in the context of the transition into the NDIS of participants receiving, and providers of, specialist disability accommodation.
5. The Framework recognises there may be uncertainty in the market for specialist disability accommodation as it is initially and progressively established, and as accommodation support services transition from block grant funding into the market.
6. The Framework is also intended to ensure there is scope for growth, replacement, change and innovation in the supply of specialist disability accommodation over time.
7. Any future framework will be subject to further work by the Commonwealth, states and territories, and the NDIA.

The vision for specialist disability accommodation under the NDIS

8. The NDIS will support the availability of specialist disability accommodation for participants who are assessed as requiring such specialist accommodation.
9. The NDIS will support a sustainable specialist disability accommodation market that fosters choice and control, encourages innovation, provides options for participants, continuity of supply and financial sustainability for governments, participants and providers.

10. The framework is designed to give effect to the objects of the NDIS Act 2013, in particular, to promote the provision of high quality and innovative supports that enable people with disability to maximise independent lifestyles and full inclusion in the community.
11. This Framework will play a key role in moving, over time, towards a market that achieves this vision.

Operating context

12. NDIS funding for specialist disability accommodation is attached to participants and it is portable. That is, participants will have the ability to move between accommodation providers and their funding will also move. Participants will not be penalised for changes to their accommodation (such as provider, location and/or configuration). However, their accommodation choices will be constrained by market supply and an assessment by the NDIA of their reasonable and necessary needs. There may be adjustments to participants' funding as a result of their choices due to the factors/weightings outlined in this Framework.
13. While funding is attached to a participant, it may be paid directly to providers.
14. The funding provided by the NDIS for specialist disability accommodation will not be on an individual dwelling or provider basis. It will be on the basis of an efficient cost structure for a representative provider (noting there may be different classes of accommodation and weightings/factors applied as outlined in this Framework). When combined with resident contributions and land price inflation, the NDIS funding should be sufficient to cover the efficient cost of providing accommodation over its full lifecycle (that is, establishing, operating and replacing the accommodation), and therefore should allow providers to attain finance (debt and equity) in the private market to meet these lifecycle costs.
15. It is also recognised that the elements of the Framework need to work together. The capacity for providers to access and utilise the value captured in land price inflation may be limited in some circumstances. It is recognised that variables considered when determining the benchmark price will need to be balanced to ensure the funding is on an efficient and sustainable, basis.

Part 2 – Benchmark prices

Policy intent

16. The Agency will set funding amounts for specialist disability accommodation at a level sufficient to cover the full lifecycle costs of appropriate accommodation, after accounting for a reasonable rent contribution from the participant and land price inflation.

17. The pricing and payment arrangements adopted by the Agency should provide certainty on the payment amount and the period for which this is specified, such that a specialist disability accommodation provider could raise finance for the development and/or redevelopment of appropriate dwelling stock.

Establishing and publishing benchmark prices

18. The Agency will develop by March 2016, and then review every five years, forecasts of benchmark prices for specialist disability accommodation. Benchmark prices will have effect for five years from their publication and be calculated on the basis of classes of dwellings.
19. When the Agency develops its benchmark prices, it will follow a process where:
 - The Agency will begin by seeking the views of the Commonwealth, State and Territory Governments, on the pricing and payments arrangements for specialist disability accommodation.
 - In developing its views on the pricing and payments arrangements the Agency should issue discussion papers on the arrangements it might adopt, and consult with current and future residents of specialist disability accommodation, and government and non-government providers of specialist disability accommodation. The consultation process should also seek feedback from other stakeholders including: families, carers, disability interest groups, provider peak bodies, and financiers.
 - The Agency will develop draft benchmark prices on which it will seek views of residents, providers and other stakeholders as necessary; and make any adjustments it deems necessary, before publishing its final benchmark prices (and any associated weights and factors).
20. The Agency may also specify trigger events that would automatically change the benchmark prices, to account for substantial changes in pricing parameters. Where these are a feature of the benchmark prices regime, they would also be consulted on and published. The agency should set out the process that would apply to these updates.

The form of the benchmark prices

21. Benchmark prices for all specialist disability accommodation will be based on an efficient representative provider, representative configurations of dwelling stock, and will include the following components:
 - Dwelling price =
 - Consumption costs
 - + Opportunity costs of capital
 - + Costs of ownership
 - Land price inflation
 - Resident rent contributions (from all participants in dwelling)
 - Benchmark price = Dwelling price / Anticipated number of dwelling residents

22. The benchmark prices would be expressed as a price per participant.
23. The benchmark prices will have additive and/or multiplicative factors or weights for classes of dwellings (determined by the Agency) that can be applied by the Agency as necessary including for:
- Geographical location¹ (recognising – for example – that land costs, building costs and maintenance costs can be higher or lower in various locations);
 - Number of bedrooms (recognising that the size of a dwelling affects costs);
 - Whether the dwelling is furnished or unfurnished;
 - Specific building/dwelling features requiring additional build costs to address disability requirements;
 - Price inflation in the second and subsequent years of an established benchmark price; and/or
 - Any other factor the Agency determines to be necessary.

Consumption costs

24. The consumption cost equates with depreciation of the dwelling to the end of its useful life. This price component will be set to cover the capital cost over the useful life of the building (that is, the cost is amortised over the useful life of the building). This would provide the accommodation owner with funds to replace the building as new at the end of its life. The price component would be adjusted for the investment interest on those payments over time, and the inflation impact on construction/replacement costs.
25. The Agency will determine the period for a reasonable useful life of buildings. The Agency may determine different periods for a reasonable useful life of building classes based on geography, type of building, quality and standards or other factors relevant to building life.

Opportunity costs of capital

26. The opportunity cost of capital component would recognise the typical sources of capital (debt or equity) and associated costs (at an efficient price), across all aspects of the capital investment in the accommodation (land, buildings, plant and equipment).

27. In formulaic terms:

Opportunity cost component = value of asset-base * weighted average cost of capital

28. This weighted average cost of capital will be set by the Agency at a single national rate.

¹ This would include weights or factors for remoteness.

Costs of ownership

29. The costs of ownership component would make provision for costs that are legally required, that extend the operating life of the accommodation, or that are otherwise necessary. An efficient accommodation-related operational cost of specialist disability accommodation could include: facilities management, rates, insurance, utilities not met by the tenants, repairs and maintenance, and tenancy management (noting resident rent contributions will offset these costs).
30. The Agency will determine how occupancy rates will be factored into the benchmark prices.

Land price inflation

31. The land price inflation component recognises the gain or loss the accommodation owner incurs over time due to changes in the value of land. To minimise short-run volatility in pricing arrangements, the Agency would adopt a long-run, multi-year approach to establishing this component of the benchmark prices.
32. Land that is procured through a leasing arrangement by the provider will also be funded consistent with the formula outlined above. That is, the benchmark price will not be adjusted for land ownership arrangements (own versus lease). This recognises that while the provider is leasing the land, if they are paying a market price, then the owner of the land will be incurring costs and inflation consistent with the formula above, and this will, in theory, be reflected in the market rental price for the land.
33. Where other gains and losses from the revaluation or inflation of assets can be identified these may be taken into account by the NDIA in setting the dwelling price.

Resident rent contributions

34. In formulating a resident contribution in the benchmark prices, the Agency should assume residents are in receipt of the Disability Support Pension, and that the rent contribution is 25 per cent of the base rate of this payment and that rent excludes board. The contribution should be adjusted in respect of dwellings in which the tenants would be eligible for Commonwealth Rent Assistance (CRA).
35. The resident rent contribution component of the benchmark prices will be automatically adjusted when Disability Support Pension payment rates are changed.²
36. The rent contribution of 25 per cent of the base rate of the Disability Support Pension will be considered as the maximum rent that may be charged to residents by accommodation providers. It is recognised that this pricing and payments framework will be a major change for a number of providers who currently use the 'rent and board' model for determining rents. However, while this will be a major change for many providers, it will make the price of accommodation for residents more

² This happens twice a year in March and September.

transparent. It is also recognised that this approach assumes that most participants will be reliant on the Disability Support Pension. While this is likely to be true, at least in the medium term, this means that this setting should be kept under review.

Treatment of publicly owned land in setting the benchmark prices

37. Land that is owned outright by providers could include land that has been purchased and funded solely by a provider, land that has been provided at nil cost or below market cost from a State Government (or other sources), or land which has been partially funded by State Governments (or other parties).
38. Regardless of historical funding or ownership arrangements, land for which title resides with the non-government provider will be treated consistent with the benchmark price and not adjusted for historical procurement arrangements.
39. Land that is owned by State Governments and leased/occupied by non-government providers could include lease arrangements (including 50 or 99 year leases) that are for nil cost, below market value (including peppercorn rent arrangements) or full market rental value.
40. In determining the value of the benchmark price, the funding methodology adopted by the Agency should not subsidise providers operating on publicly owned land if they are not paying a market rent for that land. This essentially removes any windfall gains arising from existing ownership arrangements that are not fully priced. This largely relates to providers that are delivering accommodation supports on publicly owned land at nil or peppercorn rental cost. To this effect, a “pass-through” mechanism will be set up between jurisdictions, providers and the Agency to reflect the need to adjust the benchmark prices for affected providers operating on publicly owned land at below market cost.
41. From the perspective of providers and participants, their funding arrangements should not be influenced by land ownership arrangements. To this end, the funding associated with participants resident in specialist disability accommodation would be consistent with the benchmark prices.
42. Providers not paying market rental costs for land should not receive a windfall gain. State Governments will be expected to charge and recover from these providers a cost of capital equivalent to the land component in the benchmark price. This would be revenue neutral for providers, but ensure there is transparency in pricing/cost.
43. The pass-through mechanism will require jurisdictions to then refund this cost of the land component to the Agency. This would be equal to the difference between the benchmark funding for land and the current (below market) rental cost charged by the state or territory government.
44. This mechanism will ensure transparency and consistency in applying benchmark prices; it will account for the true cost of service delivery by providers and be cost and revenue neutral for the NDIA.

45. Where the cost of leasing/occupying State Government land by a non-government provider is on a basis that is below market cost, then the cost is being met by a state or territory government. The land component may therefore form part of that government's in-kind contribution to the NDIS (net of any land price inflation). This would be calculated on the same efficient price basis as established by the NDIA for other owners in accordance with this Framework and would be transparently accounted for in state or territory government in-kind funding contributions. If below market rents are charged to providers, the in-kind contribution would be equal to the difference between the benchmark funding for land and the current (below market) rental cost charged by the State Government.
46. The inclusion of land as an in-kind contribution will be reviewed as part of the Framework review outlined below.
47. State Government land may also be leased/occupied by non-government providers on a basis that is equivalent to the market rental cost. In this scenario, the provider will be funded the full benchmark price (plus any weightings/loadings as appropriate), and State Governments will recoup their market rent from the provider. This can be used by State Governments to fund their cash contribution to the NDIS. In these circumstances the land component would not form part of that government's in-kind contribution to the NDIS.
48. Governments may also directly provide accommodation services, and this may form part of their in-kind contribution to the NDIS. In this scenario, the land component (net of any land price inflation) would be calculated on the same efficient price basis as established by the NDIA for other owners in accordance with this Framework, and would be transparently accounted for in state or territory government in-kind funding contributions. If Government directly provided accommodation services are paid for by the NDIA, the same 'pass-through' arrangements will apply.
49. State Government land may continue to be owned by the relevant jurisdiction or transfer to another provider at the jurisdiction's discretion.
50. If state or territory governments do not wish to participate in the pass back mechanism other arrangements will be agreed bilaterally to ensure the same net effect on scheme funding.

Other price setting considerations

51. When the Agency develops or reviews its benchmark prices, it will factor into those prices the costs of meeting any quality or safeguarding requirements that apply to specialist disability accommodation. Further national policy work is required to

identify and implement quality assurance mechanisms and safeguards that will apply to supported accommodated related services in the NDIS.³

Payment arrangements

52. The value of the contribution that the Agency makes in respect of the accommodation costs for a participant residing in specialist disability accommodation will be the relevant benchmark price determined by the Agency, with the application of appropriate weights and factors.
53. While the benchmark prices might be an annual amount, the Agency would have flexibility in determining the payment schedule for instalments through the year. The Agency (in consultation with the participant) would decide whether payments are made directly to the accommodation provider, or to the participant who would then pay the accommodation provider. The Agency contribution for specialist disability accommodation will flow for as long as the participant lives in the specialist disability accommodation.

Payment of the consumption costs component of the benchmark price

54. The payment of the consumption costs component of the benchmark price would cease after the initial life of the building, recognising that replacement costs have been provided over the life of the building.
55. The Agency will reset the period for the reasonable initial life in respect of a specific dwelling that is replaced or which the Agency determines as having been substantially upgraded or which is of a form that warrants ongoing funding for consumption costs. The Agency will create a mechanism whereby accommodation providers can advise the Agency of, and the Agency can confirm substantial upgrades and replacements.
56. The Agency will determine the remaining dwelling life of state or territory managed or funded supported accommodation dwellings in a location rolled into the NDIS.
57. The Agency will develop a framework for assessing the useful life of a building. This will include reference to quality and standards, and other factors as deemed appropriate by the Agency.

For example, consider the case of a 20 year old dwelling that transitioned to the scheme, in the situation where the Agency had determined that a reasonable dwelling life was 40

³ At the time of drafting this framework, the Disability Reform Council had commissioned work on a Quality and Safeguarding Framework, which when finalised may impact on pricing arrangements. Senior Officials are currently working on the quality and safeguarding arrangements that will operate under the NDIS at full scheme. In the context of specialist disability accommodation, there are a number of specific quality and safeguarding issues that reflect the integrated nature of housing and support. Further work is required to resolve these issues in the context of a national approach to NDIS quality and safeguards.

years. In this case, the Agency would pay one fortieth of the consumption component of the benchmark price for the next 20 years.

If at the end of those 20 years, the accommodation provider replaced or substantially upgraded the dwelling, with the Agency's agreement, it would receive the consumption component of the benchmark price for a further 40 years.

Agency has the capacity to pay more in exceptional circumstances

58. The Agency has the capacity to pay more than the benchmark price where it determines that compelling and exceptional circumstances exist that substantially affect the costs to the accommodation provider, in respect of a particular participant.
59. The Agency will determine what payments are made in excess of the benchmark price, and for how long.

Part 3 – For whom in what circumstances

Participants for whom specialist disability accommodation is reasonable and necessary

60. The NDIS will support specialist disability accommodation, including for:
- participants⁴ in existing supported accommodation, such as group homes, large residential centres, cluster or village based accommodation;
 - participants who currently reside in a residential aged care facility; and
 - participants who access alternative or innovative accommodation that is appropriate for people who require specialist disability accommodation to live independently, as determined by NDIA.
61. Funding to support participants who require specialist disability accommodation will be available, if it is reasonable and necessary, for:
- participants who are currently in specialist disability accommodation and wish to stay there;
 - participants who are currently in specialist disability accommodation who wish to explore options to change their accommodation arrangements; and
 - over time, participants who are not currently in specialist disability accommodation, but for whom specialist disability housing would be reasonable and necessary, including participants whose circumstances change or who represent new or unmet demand
62. People currently residing in supported accommodation have already established, through State processes, a need for reasonable and necessary housing based supports, but this requires confirmation by the NDIA. It is envisaged that at a minimum, funding for specialist disability accommodation will fund current clients in the existing stock of supported accommodation.

⁴ Including participants with psycho-social disability.

63. Young people in residential aged care and participants deemed eligible from existing waiting lists for which support would be reasonable and necessary would be given priority for funding.
64. The Agency will determine the participants for whom specialist disability accommodation is reasonable and necessary. This will be done by reference two sets of criteria (noting that both sets might apply to the same participant):
- Whether participants require a specialist built-form – this criteria will identify participants who need specialist disability accommodation because the physical, cognitive or psychosocial features of their disability requires housing with specific design, specialist features or amenity to enable them to live safely; and/or
 - Whether participants support needs can only be met cost effectively by specialist disability accommodation – this criteria will identify participants who need specialist disability accommodation arrangements because the nature of their disability, and limitations of their informal support network, mean that their housing needs cannot currently be met in the community, or it would not be cost effective to provide support for them to live independently in the community.

Participants who require a specialist built-form

65. The accommodation needs for some participants are not currently met by the housing market because the functional impairment and impact of their disability requires accommodation with specific design features or amenity which is not readily supplied through mainstream housing and which involves a significant cost beyond what would be funded as home modifications.
66. These participants need accommodation in properties which are either physically accessible (for example, have ramps and rails) or are designed to minimise the effects of the features of their disability (for example, have a floor plan which facilitates a greater level of independence or building materials and features which minimise sensory stimulation).
67. Participants meeting these criteria are those with high and/or complex needs, including:
- Those with significant physical limitations; and/or
 - Those who have significant sensory, psychosocial or cognitive impairments.
68. This will include participants with the diagnoses of:
- Spinal cord injury (SCI)
 - Cerebral Palsy
 - Multiple Sclerosis
 - Stroke
 - Intellectual disability (ID) with limited mobility
 - Global developmental delay
 - Acquired Brain Injury (ABI) with limited mobility

- Autism Spectrum Disorders (ASD)
 - Psychosocial conditions which may have physical sequelae due to long term medication use, such as schizophrenia
69. Noting that not all participants with the diagnosis above will require specialist disability accommodation, the Agency will further develop the criteria it will apply when determining whether a participant requires accommodation of a specialist built form in consultation with jurisdictions. This will include consideration of those who will definitely need accessible accommodation and those, who may, depending on their disability and an inability to live independently in the community.

Participants with high support needs that can only be met cost effectively by specialist disability accommodation

70. Any participant could live independently if unlimited funds are available to support them in their home. Enabling every NDIS participant to live independently with their required levels of supports would be prohibitively expensive for the NDIS.
71. The factors which best indicate the need for specialist disability accommodation are:
- Level of complexity of the available support required;
 - Need to minimise risk to the participant, and in some situations, to the community;
 - Capacity of informal supports to maintain these participants in the community;
 - Cost of keeping the participant in independent community living; and
 - Capacity or capability of the person to live outside of a specialist disability accommodation arrangements
72. These factors are linked and a combination must be present together in a participant for whom specialist disability accommodation funds are reasonable and necessary.

Level of complexity of the available support

73. Participants with high levels of complex or specialised needs can find it difficult to source the support that they need (particularly for example some rural and remote regions). Setting up and maintaining very high intensity support programs for participants requiring 1:1 or more support for long periods (for example 24 hour care) are particularly difficult to reliably source and staff, even in some metropolitan areas. Providing support for participants in a shared living arrangement, where staff and other resources can support more than one participant is often an effective strategy in these situations.

Level of risk

74. This relates to a number of issues, including:
- the way a participant responds to safety risks, alarms and the like and are able to remove themselves from the hazard or get assistance quickly enough to help them do so;
 - the minimisation of risks to a participant's safety or functional performance due to the diagnosis which may be minimised by design features (for example walkways which channel residents into living areas); and

- any risks that a participant may present to the community or others in the household due to challenging behaviours if living independently or with families or carers in the community.
75. The presence of these risks is not generally something that could be identified reliably from the participant's diagnosis or severity but requires some knowledge of the participant.
76. The current risk assessment section of the NDIA Planning Conversation Tool does not sufficiently explore the participant's capacity in these areas. The NDIA will undertake further work on this issue.

Informal support

77. This relates to the participant's support network and the capacity and capability it has to maintain the person in the community outside a specialist disability accommodation arrangement. The sustainability of these supports is an important feature here as many people with very severe levels of disability remain at home because families or other carers are willing and able to continue to support them.

Cost effectiveness of maintaining the participant in the community

78. Participants requiring very high levels of support, especially 1:1 support, are very expensive to maintain individually in the community. This is particularly so for participants who require 24 hours care per day or who require more than one carer to be in attendance at any one time. Supporting all NDIS participants to live independently would not be sustainable for the NDIS. The economies of scale of having very high need participants supported in shared living arrangements, where staff and other resources can be brought together to support more than one participant, means that specialist disability accommodation is often the most cost effective option for supporting these participants.

Capacity or capability of the participant

79. An individual's circumstance may be such that they have resided in supported accommodation for a significant period time, such that their capacity to live outside of a specialist disability accommodation arrangement is limited. The individual may require ongoing supported accommodation for a period of time as they transition to alternative accommodation arrangements that are appropriate for their circumstances.
80. Building on the above, the Agency will develop and publish the criteria it will apply when determining whether specialist disability accommodation is reasonable and necessary for a participant on the basis of their high support needs and other circumstances. This will include consideration of those who will definitely need accessible accommodation and those, who may, depending on the supports available to them.

Part 4 – Registration, approved dwellings, security of tenure

A modified market

81. It is recognised that the existing stock of supported accommodation (such as group homes, large residential centres) is essential to ensuring the ongoing supply of appropriate specialist accommodation. A key priority is to facilitate the transition of the existing stock of supported accommodation into the NDIS. Funding will allow for the continuity of supply of the existing stock of supported accommodation (State owned or non-government owned) and also ensure there is scope for replacement, change and innovation over time.

82. The design of the NDIS has sought to embed a market based approach where feasible, by putting funds into the hands of participants (to the extent possible). There are market constraints on the feasibility of this, including that:

- Housing involves substantial capital investments that create returns over the long term. It is not responsive to short-run changes in market dynamics.
- It is an area where the market may not respond fully or quickly to demand, especially in respect of required built forms that are not typically available in the broader housing market; thereby requiring some market incentive.
- In a number of locations, there are serious shortages of affordable accommodation for low income earners; which may impact disproportionately on NDIS participants with complex needs and reliant on income support.
- There is a need to ensure that the scheme does not replace existing effort in the social and community housing sectors which are primarily responsible for addressing the housing needs of people on low incomes.

83. Consequently, the Agency will need the flexibility to target funding in respect of approved dwellings, to ensure the best accommodation outcomes can be secured for participants who have a reasonable and necessary need for specialist disability accommodation, while ensuring the sustainability of the NDIS.

Registration of approved dwellings

84. The NDIA will implement a provider registration system. Funding will only be directed in respect of registered and approved providers for approved dwellings.

85. For payments to be made in respect of participants for specialist disability accommodation, the participant must be resident in a dwelling approved by the Agency for this purpose.

86. Approved dwellings for specialist disability accommodation include:

- State or territory managed or funded supported accommodation dwellings at the time that the scheme became operational in a location;
- Commonwealth funded aged residential care facilities;
- Dwellings incentivised under the second funding stream (see Part 5 below); and
- Any other dwelling the Agency approves for this purpose.

87. For participants who choose to self-manage their funding, funding for specialist disability accommodation will only be provided where the Agency approves the residential dwelling for this purpose.
88. The Agency will determine how it manages this requirement.

Further Work

89. The quality and safeguarding aspects of specialist disability accommodation require further work. The work will be undertaken by the housing sub group with a report back to DRC at their next meeting.
90. Subject to further work, the dwelling approval process may also include minimum requirements, and may be linked to the provider registration process in the NDIS Act.
91. The Agency will specify requirements relating to:
- quality and standards that must be met by accommodation providers, noting this may leverage existing mechanisms, such as the national community housing regulatory system, State-based building codes and other mechanisms as deemed appropriate by the NDIA
 - the rights and responsibilities of accommodation providers, residents and support providers, and how this will be implemented
 - security of tenure and safeguarding arrangements for residents.
 - how providers will calculate and apply resident contributions.
92. The mechanism for regulation and monitoring of these requirements will be considered through this further work.

Part 5 – Miscellaneous

Flexibility

93. Nothing in this Framework prevents the Agency from making other payments in respect of housing or accommodation arrangements that are consistent with the NDIS Act.
94. This includes any funding arrangements the Agency may need to facilitate the supply of specialist disability accommodation, where the market is not responding appropriately to the demand for places, and/or where innovative built forms or financing arrangements are needed.
95. The Agency can also enter into voluntary agreements with existing or prospective accommodation providers to reduce payments below the benchmark price in recognition that families, carers, faith groups, philanthropic bodies, local

government bodies and others may wish to make an ongoing contribution to the provision of specialist disability accommodation.

Transition of residents in supported accommodation and aged residential care

96. Some people living in existing specialist disability accommodation may not be assessed as:
- qualifying as an NDIS participant; or
 - having a reasonable and necessary need for specialist disability accommodation on entry to the NDIS.
97. Continuity of support arrangements will be developed for people living in existing specialist disability accommodation who are in these situations. These arrangements will either retain the person in their current accommodation or find new accommodation or other arrangements appropriate to their needs.
98. Continuity of support arrangements will apply to people who are ineligible for the NDIS and are/were resident in state or territory managed or funded supported accommodation and residential aged care facilities at the time the scheme was/is rolled out in their location.⁵

Notification

99. The Agency will need to adjust its cost structures when a state or territory government wishes to sell or transfer ownership of publicly owned land on which there is an approved dwelling. To give the Agency better capacity to manage these pressures, States and Territories will give the Agency 6 months' notice of any intention to change the ownership arrangements for publicly owned land.
100. The Australian Capital Territory does not need to notify the Agency in respect of ownership changes for leasehold land, where the lease is held by a non-government body.

Reviewing this Framework and establishing the subsequent Framework

101. The Disability Reform Council will review this Pricing and Payments Framework in the Framework's third year of operation, with the goal of completing the review by the conclusion of that third year. The Disability Reform Council will set the terms of reference for this review. The outcome of the review will inform the Disability Reform Council's development of any pricing and payments arrangements that replace this Framework.
102. The Agency may ask DRC to bring forward the review time frame, should it prove necessary.

⁵ Continuity of support arrangements may be further addressed in bilateral agreements between the Commonwealth and the states and territories.

Western Australia

103. In Western Australia (WA) the comparative trial of the Agency and the NDIS My Way models is informing WA's own planning for the future of disability services in WA.