



**HOUSING RESOURCE & SUPPORT SERVICE INC.
SUBMISSION TO THE PRODUCTIVITY COMMISSION'S
DISABILITY CARE AND SUPPORT PUBLIC INQUIRY
NATIONAL DISABILITY INSURANCE SCHEME DRAFT PAPER**

INTRODUCTION

In 2010/2011 the Productivity Commission undertook a public Consultation on Disability Care and Support in Australia.

The Commission produced a Draft Report, which this submission is a response to.

The Australian Government is committed to developing a National Disability Strategy to enhance the quality of life and increase economic and social participation for people with disability and their carers. The Government is committed to finding the best solutions to improve care and support services for people with disability. While Australia's social security and universal health care systems provide an entitlement to services based on needs, there is currently no equivalent entitlement to disability care and support services.

(The National Disability Strategy, NDS, 2010-2020 an initiative of the Council of Australian Governments, is an adjunct strategy that will be discussed separately).

A NEW APPROACH IS NEEDED

The flaws of the current system have driven strong demand for an entirely new approach and are its chief targets for change. The key test of a new scheme will be the extent to which it can address the existing deficiencies in an equitable, efficient, cost-efficient and accountable way (while avoiding new pitfalls).

The inquiry has focused on designing a coherent national system for disability support that is centred on removing the deficiencies of the current arrangements.

(NDIS) (NDIA) and (NIIS)

Thus the Commission is proposing a National Disability Insurance Scheme, NDIS, to be overseen by a new organisation, the National Disability Insurance Agency, NDIA. This would provide disability related services and supports to the community at large, but with a particular emphasis on funded supports to people with significant disabilities and their carers.

The National Injury Insurance Scheme, NIIS, will address catastrophic injuries from accidents, such as quadriplegia, acquired brain injuries, severe burns and multiple amputations. This scheme would comprise a coherent set of state-based, no-fault arrangements for providing lifetime care and support, building on existing schemes. It would have the same goals as the NDIS, but would be funded differently. It will be linked with NDIA and NDIS.

CONSULTATION

Housing Resource & Support Service Inc, HR&SS, attended and submitted a response to the initial Productivity Commission's inquiry. HR&SS Board has been provided with information from the National Disability Services, NDS, info-casts and the overview of the Draft Report Volume 1.

HR&SS Management Team attended the NDS national consultation on the NDIS and will attend the state-wide consultation for Women with Disability Victoria, and HR&SS workers have attended the Women with Disability Victoria consultation session, and have been invited to input to the HR&SS Response Paper.

The Productivity Commission is requesting final comment to their Draft report by 30th April 2011.

HR&SS RESPONSE - SUMMARY

HR&SS welcomes the Productivity Commission's Draft Report on Disability Care and Support. We strongly endorse the findings that the current system and services are inadequate, and support the development of the NDIS, NDIA and NIIS. We believe the NDIS should minimise the impacts of disability, by ensuring social

inclusion through support and whole of life services. However, HR&SS believes that there is further clarification required on the limitations, authority, delegation and responsiveness of these instruments, and on the need to include housing as a real service need and disability cost for people with disability.

SPECIFIC COMMENTS

1: HR&SS is wary of the cut-off numbers of expected beneficiaries, (capped at 360,000 people). We would urge the Commission to ensure that cut off numbers are not factored as absolutes, and that it is the needs based assessment and qualification that sets the beneficiary cap. (i.e. what if an earthquake occurred in Sydney, which caused disability to over 100,000 people? The calculated 360,000 people quota would need to be re-assessed).

2: HR&SS is perplexed as to why Intellectual Disability is an identified target group under Tier 3. HR&SS is opposed to diagnostic categories of disability support. Is not the intention of the NDIS to assist all people with significant disability? This should not be ascertained through a diagnostic assessment. Nor should disability "types" win access above other disability "types".

3: HR&SS is concerned about the Three Tiers of the NDIS.

Tier 2, Referral and information should be in fact the Tier 1 and available to everyone, whether you have a disability or not. This should be available through all generic services and disability specialist services as well.

Therefore Tier 2 should then become the allocation of a Case Manager/customer services officer who explains the systems, recommends processes, negotiations and translations of the service systems, advocacy, referral, follow up and review of supports and services for people with disability and their family. This role could be provided by generic services or disability specialist services. Then leaving the Third Tier to be Access to publicly- funded, individualised ongoing supports.

4: HR&SS supports the NDIS funding all people who meet the criteria for Tier 3, thus recognising the current and future needs of people with disability.

5: HR&SS supports the intention that Disability Services should be separate to, and discrete from, Aged Services. However we urge the NDIS to provide continued disability supports to people with disability who are ageing on an individual basis. That is they are to choose whether their disability comes first or their age comes first.

We strongly agree that these people are eligible for both streams of funding, and that the NDIS should fund only the supports attributed to their disability needs and Aged funding fund the supports associated with natural ageing.

6: HR&SS notes that there is no inclusion of housing accessibility in the Draft Report. HR&SS strongly urges the Commission to ensure access to a full range of housing options, (private, public and social) (tenancy, home ownership, shared housing) and the funding provision of housing associated costs for people with disability is integral to the NDIS funding (this may include housing case management/ in home support/ housing modifications/ and ongoing housing modifications to respond to the degenerating aspects of disability etc.).

7: HR&SS urges the Commission to include the necessary requirements for National Universal Housing Design, which would ensure all new homes built/ or modifications undertaken were accessible, thus increasing the housing options to people with disability across the country in all housing tenure types.

8: HR&SS is concerned the Early Intervention group identified in the NDIS is too limited and is too medical in its analysis. The therapeutic interventions must include a wide range of therapies such as massage, recreation access such as joining a choir for therapeutic reasons, assistance with sexual health, which may be restricted due to having a disability etc. As it is currently described it weighs heavily on medical based therapy only.

9: HR&SS urges the Commission to ensure that any Assessment Tool, planning process, review process include the social circumstances of each individual as well as their disability support needs. It is our experience over the past 25 years that people with disability often have limited educational, employment or social inclusion opportunities.

Many of our consumers have no family or extremely limited family support. Their needs are very different to people with disability that have a committed and active family. It is these insights, which must be included in the assessment and review tools.

10: HR&SS has been an active participant of the Victorian Governments' Planning and Facilitation processes. These are not ideal. Any planning process must have a clear and transparent review cycle and the capacity to quickly review where circumstances change negatively. Such as experiencing family violence/ loss of a primary carer etc.) HR&SS urges the Commission to build into the personal plans capacity for responsiveness and adaptation.

11. HR&SS has some trepidation regarding the Commission considering what is "usual" and "reasonable" for family members or carers to provide. People with disabilities come from a range of diverse families with diverse family cultures and HR&SS is very wary for an assessment tool, which is based on what is "average/usual". And further, again we reiterate many people with disability have no family or primary carers and are reliant on paid support. The idea of "natural" supports is not one which occurs commonly for the 350 + consumers we assist each year.

12: HR&SS applauds the Commission in its recommendations that the NDIS is portable across States and Territory.

13: HR&SS supports the Commission's proposal to proceed even though there is currently not a perfect Assessment Tool. We recommend the Commission clearly identify the development review and evaluation of assessment tools as a foundation piece of the NDIS.

14: HR&SS supports the Assessment Tool, conditional on the need for it to not be solely the international Classification of Functioning Disability and Health. It must include social context and environmental context assessments as well. Assessment tools must be based on a rights based framework.

15: HR&SS urges the Commission to be very clear about the criteria of who will undertake Assessments, and the frequency and capacity to review the Assessment. We are concerned on the emphasis of “objectivism”, and trust that the Assessment tool will include social and environmental aspects. Ideally the Assessment Tool should capture cultural, gender, educational, employment, sexual health and environmental areas of the lives of people with disability.

The review cycle must be able to be triggered by the person with the disability, the Assessment agency as well as significant people to the person with the disability (paid carer, service organisation, family etc). It is our experience that reviews may be required as frequently as monthly for some degenerative disability types, bi – annually where life circumstances change such as an eviction from a property etc.

16: HR&SS assures the Commission that there will be “deviations” outside the norm, and that fair planning for this must be a consideration of the NDIS development. Where we are developing a system for people and better outcomes, there will always be innovation and deviations, and these are what will provide us with the best possible adjustments and improved system.

17: HR&SS applauds the Commission’s intent on collecting and monitoring data. We urge the Commission to include people with disability and service organisations on all data collection and monitoring review processes to ensure real pictures are caught and responded to.

18: HR&SS thoroughly endorses the Commission’s perspective that current levels of support are defined by annual Government budgets and not the real need of people with disability.

19: HR&SS believes that there must a clear and accessible Review and Complaints process within the NDIS. It should be nothing like the current Centre-link model!!
Rather, it should include people with disabilities on any review/mediation panel.

20: HR&SS endorses the Commission's intent that the NDIS is fully responsive to individual needs.

We believe that the Assessment Tools will assist in this process, as well as quality Planning. Highly skilled workers providing these outcomes, and the greatest level of inclusion of people with disability in identifying their needs are also the foundations of success.

21: HR&SS firmly believes that "Assessors" must come from a pool of skilled backgrounds not simply Allied Health professionals. Community workers, welfare workers, people with disability themselves would have highly developed and useful skills in assessing.

22: HR&SS believes that the Commission's Draft Report offers a once in history opportunity to make positive effect on the lives of people with disability. HR&SS urges the Commission to walk its talk and ensure that at least 20% of its entire staff employed to provide the NDIS, NDIA, NIIS, will be people with disability. This can easily be achieved by insisting in any outsourcing contracts that organisations must have employment policies that match this goal.

23: HR&SS urges the Commission to include housing costs, not just specialist accommodation costs, in what the NDIS would provide.

HR&SS notes that there is no inclusion of housing accessibility in the Draft report. This is to ensure access to a full range of housing options, (private, public and social) (tenancy, home ownership, shared housing) and the funding provision of housing associated costs for people with disability is integral to the NDIS funding. (This may include Housing Case Management/ in home support/ housing modifications/ homelessness/ family growth/ and ongoing housing modifications to respond to the degenerating aspects of disability etc.)

24: HR&SS believes that housing is a right for people with disability, just as for any other Australian. We would strongly urge the Commission to ensure that housing rights, access and support

are a part of any person with disabilities life plan and assessment, (from childhood onwards).

25: HR&SS firmly believes that there must be a range of housing options available to people with disabilities, and note with much frustration that the Commission omits any private provision of housing to people with disabilities, such as private rental. We trust that the NDIS would be able to provide housing cost “top ups” to people with disability to live in the housing they choose, whether that be home ownership/shared equity/rental/ co-operative etc., and in the location that they can choose. The Commission must not limit housing choices to people with disabilities through the NDIS not including the real costs of housing to people with disability.

26: HR&SS believes housing case management to provide housing choices and support should be a viable option to people with disability. This would provide them with housing options, choices, changes and reviews as all Australians currently have access to.

27: HR&SS agrees with the Commission that the Disability Support Pension is outside the NDIS. This is an income support payment which people with disability have a right to.

28: HR&SS supports the Commission’s intent that the NDIS give people with disability much more power and choice over what and how support services are delivered. HR&SS urges the NDIS to utilise a Rights base framework in its provision of services and supports to people with disability. Again we would consider it a very positive development if the NDIS contracts to providers/outsourcing demanded rights based focus in their provision.

29: HR&SS supports the NDIS model of the NDIA providing a package of supports. However HR&SS urges the Commission to ensure that small not for profit community organisations have equal access to provision of services to people with disability. We are concerned that large organisations will have resources that small not for profits cannot match and therefore squeeze them out of the service provision. Small not for profits have for years been

responsive, dynamic and innovative in meeting the needs of people with disabilities. It would be a tragedy to lose this sector, and would not meet the intent of the Commission's aim in improving the lives of people with disability.

30: HR&SS urges the Commission to incorporate the resourcing of small not for profit organisations to ensure people with disability have a real choice, through a range of services being available to them.

31: HR&SS fully supports the concept of Disability Support Agencies, and their expected deliverables. However, again, we urge the Commission to ensure that small not for profits have resources to continue their viability so they too can play a role in the new service system.

32: HR&SS supports the separation of funds management to service provision.

33: HR&SS urges the Commission to include transport costs in the planning and assessment of NDIS. Transport for many people with disability is a major cost, and they are often isolated from public transport use and effective taxi services.

34: HR&SS strongly urges the Commission to include the need for awareness of diversity issues for people with disability. Gender, cultural identification, sexual health identification, and age create a range of diverse needs and hence require a range of diverse and individual responses.

35: HR&SS strongly urges the Commission to consider the unique needs of women with disability, in their diverse roles. HR&SS urges the Commission to ensure there is a family violence framework included in any assessment tool that is established by the NDIS. Also that the needs of women with a disability experiencing family violence is considered as a real support need and cost.

36: HR&SS urges the Commission to ensure that a function of DSOs is to empower people with disability, and to up-skill them so that they have the resources and capacity, where possible, to make the best decisions for themselves.

37: HR&SS notes that the Draft Report does not acknowledge the important role of community development and networking which current small not for profit organisations provide to people with disabilities. This is a valuable role and resource to the whole Australian community, and without such very little would ever have progressed for people with disability. HR&SS urges the Commission to include in its costings for DSO a community development component.

38: HR&SS has provided brokerage service to people with disability since 1986. We strongly believe that there must be a minimum level of carer qualification and skill. We believe that formal training is required for people to work with people with disability and we would hope the NDIS would promote the continuation of this.

39: HR&SS, as a disability provider, has for the past 25 years surfed between the flags of generalist services and disability services. Whilst in principle we believe that generalist services can provide effective services to people with disability, it is our experience that this has not occurred. Hence we urge the Commission to ensure that the NDIS will further the development of small not for profit specialist disability service, through innovation and community development funding which will directly assist people with disability.

40: HR&SS strongly urges the Commission to ensure that people with disability are represented (significantly) on the boards and management of the outsourcing/contracted agencies that the NDIS will fund. Through this, people with disability will be empowered and recognised. More importantly, people without disability will benefit from all that people with disability have to offer.

We trust you will consider our response in detail and look forward to your positive response.

Yours in solidarity,

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