

NSW ABORIGINAL COMMUNITY CARE

GATHERING COMMITTEE



Submission to the Draft Report of the Productivity Commission National Disability Care & Support Inquiry

The NSW Aboriginal Community Care Gathering Committee

The NSW Aboriginal Community Care Gathering Committee (The Gathering Committee) comprises Aboriginal people representing Aboriginal & Torres Strait Islander communities and non-government organisations involved in support services to Aboriginal older people, people with disability and their carers and families in NSW.

The Gathering Committee meets more than four times per year and has organised five successful statewide Conferences since 2000; four of these Conferences have been specifically for Aboriginal and Torres Strait Islander workers and people concerned with community care and related services in NSW, and one Conference, *Sharing Our Way in Community Care*, was for non-Aboriginal people to promote Gathering policy positions and progress social inclusion. The most recent and very successful ***Challenge Change and Choice*** Conference for over 100 Aboriginal people and workers was held 8-10 March 2011 in Wollongong.

The Policy Positions of the Gathering Committee are designed to advance the needs, rights, interests and issues affecting community care and related services for Aboriginal and Torres Strait Islander people in NSW. The Council of Social Service of NSW NCOSS provides the secretariat to the Gathering Committee.

This Submission has been approved on behalf of the NSW Aboriginal Community Care Gathering Committee by Chairperson Nicole Winters and Vice-Chairs Anthony Gillin and John Gilroy. Gathering Committee contact details appear at the end of this submission.

The Gathering Committee response to the Draft Report

The Gathering commends the Productivity Commission National Disability Care & Support Inquiry Draft Report in recommending a National Disability Insurance Scheme (NDIS) covering all Australians to allow them to access supports.

The Gathering Committee, at its most recent meeting on 28 April 2011, conducted a discussion workshop raising the following points in relation to the proposed National Disability Insurance Scheme:

- Aboriginal and Torres Strait Islander people need to be included in the process from the inception, not just as an afterthought.
- The Gathering Committee contends there is considerable under-reporting of disability within the Aboriginal community in NSW. It is estimated that there is at least a 7% discrepancy in figures between reported and actual levels of disability. There is also under-reporting of Aboriginality in the community; up to 17% of ADHC¹-funded clients do not report their Aboriginality or are simply not asked.
- The Gathering Committee also expressed concern that the Draft Report seems to be silent on the limitations of the data². John Gilroy's submission included a number of points about the limitations of the data that the Productivity Commission has used.
- The Gathering is supportive of an initiative by the Australian Bureau of Statistics (ABS) to conduct focus groups in regional NSW about Aboriginal people with disability. This is likely to yield more useful data than census data, which only requires reporting of some types of functional impairment in ways that are not responsive to Aboriginal cultural expectations and identity around care, function and disability.
- Often cultural awareness is not built into organisations' policies, programs and provision. Cultural awareness training is seen as a means to a funding end rather than informing ongoing procedures and practices in service delivery. In many cases, mainstream community services reluctantly undertake cultural awareness training to fulfil government funding and policy requirements.
- There is considerable perceived stigma around Aboriginality, with many public stereotypes of Aboriginality being very negative, often associated with poverty and disadvantage³. This too affects the inclusion and participation of Aboriginal people with disability.

¹ ADHC denotes the Ageing Disability & Home Care agency of the NSW Dept Family & Community Services.

² Refer Submission from John Gilroy University of Sydney, NSW.

³ Gilroy, J. (2010). History of Aboriginal People with a Disability in NSW: How are Aboriginal People with a Disability Positioned and Represented in the NSW Disability Services Sector? *INTERACTION: Special Edition Aboriginal People with a Disability*, 24, 6-29.

- The Gathering Committee commends the work and representation of the Aboriginal Disability Network in NSW and the newly formed First Peoples Network, in promoting the rights of Aboriginal people with disability, their families and carers and their communities across Australia.
- The Gathering Committee was concerned that people with disability who reside in non-metro areas will likely spend most of their individual package funds on transport, thus reducing the spread of necessary supports available to them. The Gathering Committee speculated that transport may need to continue to be block-funded or that special loadings be added to individual packages.
- The Gathering Committee believes that advocacy also needs to be funded separately from individual packages. Research into individualised funding approaches found that Aboriginal people participate at a lower rate than non-Aboriginal people within their population categories⁴. Many Aboriginal organisations already include advocacy in their provision of HACC-funded services. The Gathering Committee acknowledges that an organisation wanting to support people with significant support needs sometimes must first resolve other concerns, e.g. housing, health and inter-generational issues, in order to deliver essential disability and in-home supports.
- There is a lack of continuity in Aboriginal staffing and funding. Some specific funding is available in a piecemeal fashion, but is not ongoing and staff cannot build relationships or continue to develop skills and expertise or pursue a career path.
- The Gathering Committee was concerned about whether receiving cash payments, or funding to a named individual, would then lead to exclusion from some services, as there are current services from which people become excluded as a result of receiving other types of government cash transfers.
- Many Aboriginal service providers are spread out, small in nature and separate from the mainstream systems. The Productivity Commission acknowledges that a market-based system for disability funding will not solely be appropriate for Aboriginal people. Some viability block funding needs to be disbursed for Aboriginal-specific services in order to ensure choice and responsiveness for Aboriginal people with disability.
- Some members of the Gathering expressed concern about the effect of competitive tendering on Aboriginal organisations, as this actively discourages relationship-building amongst Aboriginal organisations and between Aboriginal and non-Aboriginal organisations.

⁴ Fisher, K. Gleeson, R. Edwards, R. Purcal, C. Sitek, T. Dinning, B. Laragy, C. D'Aegher, L and Thompson, D (2010), Effectiveness of Individualised Funding Approaches for Disability Support, report to the Australian Government Department of Families, Housing, Community Services and Indigenous Affairs

- Some mainstream community services accuse Aboriginal stakeholders of 'gate-keeping' Aboriginal communities. Aboriginal stakeholders are not gate-keeping Aboriginal people from mainstream services. Aboriginal stakeholders are frustrated with some mainstream community services that, with no prior connection to Aboriginal communities, receive funding for the provision of services for Aboriginal people in NSW. These agencies are not held accountable for this funding or the specific outcomes they achieve for Aboriginal & Torres Strait Islander people.
- The Aboriginal community must have guarantees about accountability and monitoring of the spending under the NDIS. Service providers must not take advantage of vulnerable people in order to access their funds. In a small number of cases, there is potential for abuse or misallocation of the funds due to family members of Aboriginal and Torres Strait Islander people wanting to access the individual package funds for use by the family. There were some funds for other programs, such as *Services Our Way*, which were spent on the needs of family members of an Aboriginal person with disability rather than the person themselves.
- There has been a lack of information and explanation about the HACC reforms circulated to Aboriginal organisations, which has created considerable anxiety amongst the Aboriginal community care workforce.

The Gathering Committee Policy Positions

The NSW Aboriginal Community Care Gathering Committee has developed a series of Policy Positions designed to improve the provision of supports to Aboriginal people in NSW. The Gathering Committee has resolved to forward both the established and new Policy Positions to the Productivity Commission to inform the development of the NDIS.

The established Policy Positions, currently entitled ***Leading Our Way in Community Care***, include:

1. Autonomy and Self-determination
2. Aboriginal Representation
3. Assessment of Needs
4. Service Development, Co-ordination & Effective Management
5. Planning and Data
6. Workforce and Training
7. Aboriginal Carers
8. Aboriginal Transport

The ***Leading Our Way in Community Care*** Policy Position is available at:

<http://ncoss.org.au/resources/080730-leading-our-way.pdf>

Following the March 2011 **Challenge Change and Choice** Conference, the established Policy Positions are open for review and update until 9 June. Further, four new Policy Positions have been developed and widely distributed. These are also open for feedback from the Aboriginal community in NSW.

The new Policy Positions are:

9. Aboriginal older people
10. Aboriginal people with disability
11. Social Inclusion
12. Cultural Competence

The new draft Policy Positions are available at:

<http://www.ncoss.org.au/resources/New-Gathering-policies-March-2011-draft.pdf>

The Gathering Committee commends these intensely considered Policy Positions to the Productivity Commission to inform the final report on the NDIS (please refer particularly but not exclusively to Aboriginal people with disability and Social Inclusion).

In Conclusion

Due to the intensive nature of organising and conducting the **Challenge Change and Choice** Conference in March and constraints on the number of meetings available to Gathering Committee members, the Gathering Committee has been unable to provide a more detailed response to the Productivity Commission on the National Disability Care and Support Draft Report.

The Gathering Committee believes however, that the Policy Positions, which each contain a number of Guiding Principles and Recommendations, completely set out the most important issues for the development of better deal for Aboriginal and Torres Strait Islander people with disability.

Contacting the Gathering Committee

Should you require further information or clarification on any of the comments or Policy Positions please do not hesitate to contact the Chair or Vice-Chairs of the NSW Aboriginal Community Care Gathering Committee or the NCOSS secretariat.

The Chairperson of the Gathering Committee is

- **Nicole Winters**, Gilgai Aboriginal Services, Hebersham NSW,

The Vice-Chairs are:

- **Anthony Gillin**, Ngambaga Bindarry Girrwa Community Services, Bowraville NSW,
- **John Gilroy**, Indigenous Health, Faculty of Health Sciences, Sydney University,

The Gathering Committee can also be contacted at NCOSS via

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