

Budget Estimates 2017-2018

SUPPLEMENTARY HEARING – DISABILITY SERVICES

Supplementary Questions

DISABILITY SERVICES

Questions from the Hon Shaoquett Moselmane MLC (on behalf of the NSW Labor Opposition)

Productivity Commission Recommendations – NDIS Implementation

1. The Productivity Commission has concluded that the federal Government will not reach its target of 475,000 National Disability Insurance Scheme participants by 2019-20. They additionally noted that there is a failing to grow the disability workforce fast enough to meet demand. To what extent is NSW falling short of its agreed targets with the Federal Government and has a failing to grow the disability workforce contributed to that shortfall?

Answer:

The NSW Government participated in the Productivity Commission review and made submissions, which are public, to both the initial issues paper and the position paper.

NSW is well advanced with its transition, and on track to deliver against our bilateral estimates by 30 June 2018.

The 475,000 ‘target’ referred to by the Productivity Commission, relates to the full population of people with disability expected to benefit from the National Disability Insurance Scheme (NDIS).

Schedule A of the NSW Bilateral Agreement sets out the participant transition arrangements. The transition of all existing NSW specialist disability clients is expected to be completed by June 2018. It is expected that the NDIS will ultimately benefit around 140,000 people with disability in NSW when full scheme is implemented from 2018-19.

As at October 2017, over 70,000 people were eligible for the NDIS in NSW and more than 60,000 participants have an approved plan in NSW, and a further 4,600 children aged 0-6 are confirmed referrals to the ECEI gateway. This equates to 85% of the expected numbers in the Bilateral Agreement.

There is no indication that the specialist disability workforce is not growing. A recent JP Morgan Economic Research Report released 6 October 2017 indicated that growth in healthcare related employment over the period 2014 to 2015 “generally matches the profile of NDIS roll-out across the states”. Since 2011, NSW has invested more than \$30 million in sector and workforce development, and has delivered a range of diverse targeted market and capacity building programs for disability non-government organisations (NGO) in NSW.

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NSW investment has also included workforce initiatives such as CareCareers and ProjectAble.

The NSW Government has also recently announced the Disability Sector Scale-Up (DSSU) program, a \$19 million investment designed to help NSW businesses prepare for and make the most of the rollout of the NDIS by expanding their businesses to deliver new supports for people with disability.

The Commonwealth has responsibility for leading national work to develop the workforce to support the NDIS, including the development of market, sector and workforce development activities that support the needs of people with disability, providing responsive and diverse suppliers of supports and an adequate and diverse workforce.

2. Has the government, in consultation with NDIA started working on a changed timetable, and if so when will that timetable be announced?

(a) What are the financial implications of an extended rollout timetable and will the state government commit to extending funding and ADHC services consistent with a new rollout timetable?

(b) Why hasn't the government required NDIA to provide a new timetable rollout target of when they are expected to meet the federal government targets?

Answer:

The NSW transition timetable as set out in the Bilateral Agreement remains unchanged.

3. As the productivity commission has already highlighted that many people with disability that are eligible for NDIS will be in limbo due to a delay in enrolment targets will the government commit to extending ADHC funding and services?

Answer:

I refer you to the response for question 1 and 2.

4. The Productivity Commission called on State and Territory Governments to increase funding from 3.5% to 4% from 2019-2020. Will this government account for and commit to that funding model if they are re-elected?

Answer:

NSW will be considering the Productivity Commission recommendations, in consultation with the Commonwealth and other jurisdictions.

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5. The Productivity Commission has advised that 1 in 5 new jobs must be in the disability sector to meet demand that will be caused by the full implementation of the NDIS. What policies will the government implement to ensure that these jobs are being created, potential employees and contractors are adequately trained and have access to training, and that as many of these potential employees and contractors are people with disability?

Answer:

I refer you to the response for question 1.

6. The Productivity Commission had additionally raised concerns that the focus on participant enrolments into the program has come at the sacrifice of quality plans. This has been a concern of people with disability, their families, and carers since the NDIS implementation began in NSW. What specific measures has the government introduced or implemented to assuage these concerns?

Answer:

On 18 October 2017, the National Disability Insurance Agency (NDIA) released details of a new NDIS 'pathway' to significantly improve the experience people and organisations have with the NDIS.

Officers within the Department of Family and Community Services work closely with NDIA local staff to address issues raised by individuals who have issues with plan quality.

The NDIS Actuary reports on satisfaction ratings of participants and as at 30 June 2017 93 per cent of NSW participants have rated their satisfaction with the NDIA as either 'good' or 'very good' since the commencement of trial in 2013, and 87 per cent since the commencement of transition.

7. NDIA announced that it will move away from phone interviews and implement face-to-face planning as the standard due to concerns about flawed planning. Has the government committed to increased funding and human resources to facilitate this transition?

(a) You are aware there is a delay in NDIS enrolments and that there is a failure to grow the disability workforce, neither of which there seem to be plans for mitigating for – leaving people eligible for NDIS in limbo, this government still insists on removing ADHC funding and services. When NDIA implements policy to try and make it easier for people to get access to quality plans which

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will delay this even more you won't even commit human resources. How do you explain that to people with a disability and their families?

Answer:

Funding and administration of the NDIA is a matter for the NDIA Board and the Commonwealth. NSW does not contribute to the administrative costs of the NDIA.

I refer you to the response for question 6.

Disability funding gaps and reduced services

8. The current NDIS funding model leaves each child with hearing loss approximately \$10,000 a year less than what is needed for a comprehensive and multidisciplinary language development program. What is the government going to do to rectify this problem?

Answer:

The NDIA funds reasonable and necessary supports as defined by the *National Disability Insurance Scheme Act 2013* (Cth). Supports include those for people with sensory disability such as hearing loss, including hearing services, hearing equipment, therapies and assistive technology.

Funding in individual plans is determined by the NDIA based on an individual's needs.

Therapies to support children with hearing loss can be funded as a reasonable and necessary support through their NDIS plan to assist them in reaching their goals and aspirations.

The NDIA has implemented the NSW Transitional NDIS Early Childhood Early Intervention (ECEI) Approach to support children 0 - 6 years to gain access to mainstream services or initial supports such as short term therapies or the NDIS, if appropriate.

9. Research has shown that three out of five people with a hearing impairment who received early intervention achieve a tertiary level qualification. This is better than the general population figure of two in five. With this in mind, the Shepherd Centre has been informed that their early intervention programs for children aged 1-3 will not receive any NDIS funding. Do you think it is important to provide early intervention programs that better the chances for people with a disability to be financially and socially independent and if so why is the government refusing to fund them?

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Answer:

I refer to the response to question 8.

The Shepherd Centre is a current ECEI provider for eligible children funded by the NDIA. This includes children aged 0-6 years.

10. Families also reporting long delays for access to the Early Childhood Intervention program, including vital therapies, for 0-7 yr olds. How is ADHC addressing the waiting list delays for these Early Childhood Intervention program?

Answer:

In 2017/18, \$34 million has been invested in NSW, by the NDIA, to fund 53 ECEI transitional providers across the state, supporting an estimated 22,000 children 0-6 years old through the ECEI Gateway.

This includes an increase of \$8.8 million from 2016/17 for transition providers in Year 1 areas. Additionally, NSW will maintain existing funding for transition providers in Year 2 areas until January 2018 to ensure a smooth transition to the new funding arrangements.

This existing funding is over and above the NDIA funding of \$13.2 million which will be applied in Year 2 areas.

11. Will the government retain ADHC services for children with disability or special needs and early intervention if it is consistently shown that the NDIS is not providing adequate funding?

Answer:

I refer to the answer to question 8.

The NDIS is enabling disability funding in NSW to double and increase to \$6.5 billion from July 2018. This will meet the reasonable and necessary supports of existing state clients who transition to the NDIS and enables 50,000 additional people with disability in NSW to be supported under the NDIS, including children with disability.

12. One third of the ADHC funded Community Care Supports Program clients have impairments resulting from a condition that does not meet NDIS eligibility criteria. Ending funding to this program will have negative side effects on the lives of many as they will receive no support until their condition becomes worse enough to apply for NDIS. Does the Minister worry that by cutting funding for services that provide early intervention assistance a culture is

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created where people have to wait until their condition has dramatically deteriorates before they have access to help?

Answer:

The eligibility criteria of the Community Care Support Program (CCSP) is similar to the eligibility criteria for the NDIS. There is no indication that one third of clients supported under the CCSP will not access the NDIS.

For those people who are found ineligible for the NDIS, continuity of support arrangements for transition to full scheme are outlined in the Bilateral Agreement.

This agreement establishes that people who are deemed ineligible and are receiving NSW funded specialist disability support prior to the transition will be assisted to achieve similar outcomes to the outcomes they were achieving prior to the introduction to the NDIS.

A Commonwealth funded project, which commenced on 1 July 2017, will assist ineligible clients under 65 years of age to transition to alternative supports and services.

Supports for people aged over 65 are provided by the Commonwealth Department of Health and are in place across half of the State.

The NSW and Commonwealth Governments will be monitoring continuity of support during transition, to ensure that people are not disadvantaged by the rollout of the NDIS.

13. Additionally services like Community Care Supports Program provide support or people with disability that the NDIS does not. Please note the following case study about a woman whose name has been changed.

Answer:

I refer you to the response for question 12.

14. Jane is a 47 year old Aboriginal woman with a mild intellectual disability who was supported by a specialist Aboriginal Community Options service for several years following a major car accident. She was referred by a Hospital Chronic Pain Team as she experiences anxiety, depression and panic attacks, and is unable to walk very far or to manage the social housing property where she lives alone. Her situation is complicated by a background of trauma and she has several health conditions, including epilepsy, asthma, diabetes, hypertension, sleep apnoea and coronary heart disease. Under the CCSP Jane received case management and advocacy as well as episodic personal care

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support, domestic assistance, and shopping and transport assistance to respond to her changing needs. Since the loss of CCSP services in her region three months ago, Jane has been almost continuously hospitalised. She is not sleeping well, nor eating well, and is in constant pain. Once happy and friendly, Jane is now depressed and suicidal. The NSW Health system has provided ambulances, acute hospital beds and COMPACS packages to Jane during this 3 month period.

(a) What alternatives are in place for the ongoing needs of people previously supported by CCSP who will not be eligible for NDIS?

(b) If someone is not eligible for the NDIS, qualifies for the Pathways Project, and still needs ongoing support, what happens then?

Answer:

Access to the NDIS is not made on the basis of a diagnosis. Section 24 of the *National Disability Insurance Scheme Act 2013* (Cth) describes the disability requirements that an individual must meet in order to participate in the Scheme:

(1) A person meets the disability requirements if:

(a) the person has a disability that is attributable to one or more intellectual, cognitive, neurological, sensory or physical impairments or to one or more impairments attributable to a psychiatric condition; and

(b) the impairment or impairments are, or are likely to be, permanent; and

(c) the impairment or impairments result in substantially reduced functional capacity to undertake, or psychosocial functioning in undertaking, one or more of the following activities:

(i) communication;

(ii) social interaction;

(iii) learning;

(iv) mobility;

(v) self-care;

(vi) self-management; and

(d) the impairment or impairments affect the person's capacity for social and economic participation; and

(e) the person is likely to require support under the National Disability Insurance Scheme for the person's lifetime.

The NDIS is not designed to replace other, mainstream, service systems or fill gaps that are more appropriately funded by those systems.

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15. What alternatives are in place for the ongoing episodic needs of people previously supported by CCSP who have needs that will not be met by NDIS?

Answer:

I refer you to the response for question 14.

16. How many clients under the age of 65 years did the Community Care Supports Program (CCSP) have at the commencement of full rollout of the NDIS?

Answer:

I am advised as at May 2016, there were an estimated 27,800 people with disability under the age of 65 in NSW receiving a service under the CCSP. These clients could receive ongoing support such as domestic assistance or personal care, or may have received a one-off service such as a home modification or an assessment.

17. The Commonwealth, I understand, has a CoS Program with ongoing funding for people in their services who are 65 and therefore ineligible for NDIS. How is ADHC meeting its obligations to provide ongoing supports under the Bilateral Agreement?

Answer:

I refer you to the response for question 12.

18. As you know, the Community Care Supports Program (CCSP) is a non-defined program, meaning that, unlike other ADHC programs, its clients are not scheduled to directly transition to the NDIS. Do you have data on the number of Community Care Supports Program (CCSP) clients who have already been deemed ineligible for, or who are likely to be ineligible for, will not be eligible for NDIS?

(a) Do you have figures for Year 1, which can be extrapolated to produce a NSW estimate at full transition?

Answer:

As at 30 September 2017, approximately 1,800 people who had received services under the CCSP over the past 1-2 years had been deemed ineligible for the NDIS. This figure includes clients in Years 1 and 2. When contacted through the Continuity of Support project, a number of these individuals indicated that they did not require ongoing support, or have been successfully supported to re-apply for the NDIS.

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a) No. As some clients are still transitioning, it would not be reliable to extrapolate this figure.

19. You will be aware that a number of Local Health Districts were funded by ADHC through the CCSP to deliver supports under this program. How much funding did the Community Care Supports Program (CCSP) grant to LHDs in the year before full rollout commenced?

Answer:

Local Health Districts were funded \$18.1 million in total to deliver CCSP support services pre-NDIS full scheme transition. Each LHD has an individual funding arrangement with FACS. The nature of these agreements is variable. The nature of the supports funded under the CCSP and those within individuals' plans are closely aligned.

A number of Local Health Districts have registered as providers under the NDIS to provide supports similar to those that they have been funded for under the CCSP program.

20. Other states, I believe, such as the ACT have community-based programs in place. What about future people who are discharged or diagnosed in NSW after July 2018 – where will they be referred?

Answer:

People with disability who are newly diagnosed or discharged from hospital can apply to participate in the NDIS. Access to the NDIS is not diagnosis based. Section 24 of the *National Disability Insurance Scheme Act 2013* (Cth) sets out the disability requirements (refer to the response for question 14).

Carers

21. Social isolation is pressing issue for carers in NSW as they are likely to have little face-to-face contact with friend or family outside of the household, particularly when caring for someone with high-level or complex needs. Has the government identified any strategies that can be implemented to minimise this social isolation?

Answer:

The NSW Government is continuing to implement the NSW Carers Strategy 2014-19. The strategy contains practical approaches to make a difference in carers' lives, not only in the care they provide, but in their own health and wellbeing. A Progress Report on the Strategy was released last October.

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A tender is currently underway for the new Carers Investment Program.

The Carers Investment Program will fully re-invest existing Carers Grant funding of \$5.6 million over three years in a range of projects that will run from one to three years.

The Carers Investment Program will be complementary to the focus areas in the NSW Carers Strategy 2014-19, and encourage innovation and collaboration in supporting carers in NSW.

22. Will there be any carer-specific government services after the full implementation to NDIS where they can get tailored and individualised support to help address feelings of isolation, depression, or anxiety?

Answer:

The NSW Carers Strategy 2014-19 is the NSW Government's five year plan to improve the lives of carers in NSW through partnerships between government, NGOs and private business including improving awareness of the needs of carers and information provision for carers.

In the NDIS, a participant's individualised plan includes reasonable and necessary supports that may directly or indirectly, sustain the carer in their caring role or strengthen the caring environment. Supports that maintain a carer's health and wellbeing will also be considered. This support may include participation in a support group or a special interest network.

In full scheme NDIS, the Information, Linkages and Capacity Building (ILC) component of the NDIS will provide information, linkages and referrals to community and mainstream supports for people with disability, their families and carers.

The NSW Government will continue to monitor outcomes for carers through the NDIS, and be supported by the advice of the NSW Carers Advisory Council.

23. As a percentage of population in NSW Indigenous people and women are the largest demographics of carers. Carers are more likely to suffer financial disadvantage as many are on low incomes, and have difficulties accumulating superannuation or savings. Are there any strategies identified by the government that could provide additional financial education and support for carers?

Answer:

Under the NSW Carers Strategy 2014-19, the NSW Government delivered SkillsLink2Work, a joint project with the Commonwealth to recognise how carers'

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skills can be used to gain employment. SkillsLink2 Work is an interactive website that assists carers to understand how the time they have spent caring translates into employable skills.

Aboriginal carers identified that a key concern for them was worrying about planning for their family's future. Through the Carers Strategy Aboriginal Working Party, the NSW Government developed and distributed an updated version of *Taking Care of Business* – a planning ahead resource aimed at Aboriginal people. As reported in the Carers Strategy Progress Report (October 2016), 15,000 copies of this booklet have already been distributed to government and non-government organisations and Aboriginal communities, with an additional 5,000 planned to meet demand.

24. Nationally it is estimated that carers save taxpayers \$60.3 billion every year, they should be treated with the dignity and support they provide to our most vulnerable. The Older Parent Carer Support Program did just that delivering individual funding, group support, recreation and training opportunities through ADHC supported programs will lose all this support mid next year. Is the government committed to continuing and funding this program after the full implementation of the NDIS?

Answer:

The NSW Government is committed to supporting the over 900,000 carers in NSW.

This is evidenced in our implementation of the *Carers (Recognition) Act 2010* and the NSW Carers Strategy 2014-19.

The reinvestment of \$5.6 million in the Carers Investment Program will provide additional innovative models of support for carers in the critical transition to new arrangements under the NDIS.

Although carers do not have their own individual packages of funded support under the NDIS, they benefit when the person they care for is being better supported.

Some older parent carers are accessing Support Coordination through the NDIS plans of their sons or daughters.

The NSW Government will continue to monitor outcomes for carers through the NDIS, and be supported by the advice of the NSW Carers Advisory Council.

Some activities funded through the Information, Linkages and Capacity Building (ILC) component of the NDIS may also support carers.

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The latest round of grants through the ILC in NSW has now opened (and will close on 30 November 2017). Over \$46 million will be available to NSW as part of this funding round for projects commencing from 1 July 2018.

Furthermore, the Commonwealth Government is expected to make an announcement this year about the planned national Integrated Carer Support Service, which will follow their introduction of the national Carer Gateway.

25. Representatives of the ADHC Continuity Support team has publically announced that carers who are current that are clients of existing ADHC programs will not be covered in continuity support provisions. For example the ADHC funded Older Parent Carer Support Coordination Program, for which has provided case management, transition planning and financial support to ageing will not be replicated within NDIS packages, as carers are not the primary clients of the NDIS. Schedule D of the bilateral agreement made in 2015 between the NSW and Commonwealth governments regarding the NDIS transition in NSW stipulated that people with disability and carers should receive continuity of support if they currently receive support but do not meet the access requirements for the NDIS, or are receiving supports that do not meet the definition of reasonable and necessary, or the funding for the support will cease when the NDIS is introduced.

(a) What ongoing continuity of support will ADHC / FACS provide to ageing parent carers, in line with this commitment?

Answer:

I refer you to the response for question 22.

Eviction and crisis housing

26. The following questions are in regards to the eviction clauses in the contracts people have to sign when transferred from public sector group homes to private sector homes. Many people in group homes have extreme behavioural issues. What is the threshold test to trigger eviction?

Answer:

There is no “threshold test to trigger eviction”. There are conditions under which Specialist Disability Accommodation (SDA) providers and residents can end agreements. If circumstances arise where a person needs to leave a home because their behaviour poses a serious risk of harm to themselves, other residents or staff, the SDA provider has a contractual obligation to work with the Supported Independent Living (SIL) provider and the NDIA to ensure that they transition to

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suitable alternative accommodation. The person is eligible to receive funding from the NDIA for any reasonable and necessary support they require for successful transition in these circumstances.

27. What measures is the government putting in place to ensure that people who have been evicted have advocacy support and carer support to manage these situations?

Answer:

I refer you to the response to question 26.

28. Have you spoken to the Federal Minister about whether or not funding models will be replicated for advocacy groups that support people with disability finding accommodation?

Answer:

As part of an individual's plan the NDIA can fund supports to guide, prompt, or undertake activities to ensure the participant obtains/retains appropriate accommodation. This may include assisting to apply for a rental tenancy or to undertake tenancy obligations in line with the participant's tenancy agreement.

29. At the last hearings and in the answers to supplementary hearings you could not provide figures about whether there will be a projected increase in demand for public housing for people with disability. Have you since requested that the Department of Housing supply those figures to your department?

Answer:

This is a matter for the Minister for Social Housing.

30. Is there any requirement on behalf of the service provider or NDIA to find clients accommodation after they have been evicted?

Answer:

I refer you to the response for question 28.

In addition, the NDIA has advised national senior officials that it is developing its approach to maintaining critical supports to ensure continuity of care for participants, as well as its market intervention strategy.

31. Does the service provider, NDIA or the client individually have to organise their transfer?

Answer:

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I refer you to the response for question 30.

32. If the police are called and it is discovered that a client's physical or sexual assault upon another client or employee was the result of them being placed in a group home that wasn't capable of catering to their complex needs will the client still be charged? (a) Will the government launch an investigation?

Answer:

FACS investigates all serious incidents relating to FACS operated services. However, an internal investigation can only commence when the NSW Police have completed their actions.

FACS has funded the NSW Ombudsman for a project to provide additional assurance for clients with complex support needs during their transition to the NDIS. This project will identify issues relating to the transfer of clients with complex support needs and provide independent oversight and advice to FACS to address issues during transfer.

33. Will there be any public 24 hour crisis accommodation for people with complex disabilities that require 24 hour care who have been evicted from their group homes or kicked out of home?

Answer:

I refer you to the response for question 30.

34. What measures will the government implement to ensure that people with disabilities that have no suitable housing options do not become homeless?

Answer:

This is a matter for the Minister for Social Housing.

Additional assistance

35. What measures have been implemented to ensure that those with disabilities that affect their cognitive capacities such as memory are fully supported at every step of the application process and do not fall through the cracks?

Answer:

The NDIA is responsible for ensuring that individuals that the NSW Government is transitioning into the Scheme can access all reasonable and necessary supports. The NDIA assigns a planner or a Local Area Co-ordination to work with eligible participants in a manner sympathetic to their situation.

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The NDIA has commissioned a 'hard to reach' project designed to support individual to access the Scheme who may be socially isolated.

36. What measures have been implemented to ensure that those living in remote or regional areas have access to transportation services for assessment during their NDIS application process as it has been identified as a hindrance to enrolment in NDIS?

Answer:

The NDIA is responsible for ensuring that individuals that the NSW Government is transitioning into the scheme can access all reasonable and necessary supports. The NDIA assigns a planner or a Local Area Co-ordinator to work with eligible participants in a manner sympathetic to their situation.

The Department of Family and Community Services (FACS) has worked with the NDIA to develop their Rural and Remote Strategy 2016-2019. The NDIA's Strategy will include localised NSW specific activities to support people with disability in rural and remote areas.

37. Transportation is an integral part of facilitating social and economic inclusion of people with disability. Noting that, can you guarantee the continuation of the taxi transport subsidy scheme after the full implementation of the NDIS?

Answer:

The Taxi Transport Subsidy Scheme is managed by Transport for NSW, therefore this question should be referred to the Minister for Transport.

38. On the news that the number of people with a disability employed by the NSW government has fallen from 4.8% in 2009 to 2.9% this year the president of People with Disability Australia Craig Wallace had this to say: "This has become so bad and the numbers are so low that we need to be looking at quotas or targets." Will this government implement disability quotas or targets for NSW Government staff?

Answer:

FACS continues to work with other government agencies and the sector to improve employment and other opportunities for people with disability.

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Additional assistance

39. The compromised quality of plans in exchange for hitting enrolment targets that was identified by the productivity commission has long been a concern of advocacy groups in NSW. The minister said in the last hearing that there is no need for advocacy groups under the NDIS however the Productivity Commission has urged for state funding to be restored to disability advocacy groups. Given these calls will the government commit to funding advocacy groups after the full implementation of the NDIS?

Answer:

All funding for advocacy and information services within NSW remains unchanged during the transition period. Unlike other NGOs, where clients of these services have transitioned to the NDIS, no funding has been adjusted. All advocacy and information providers received additional funds to assist with meeting anticipated additional demand during the transition period.

The Productivity Commission found that more rigorous and systemic analysis of the costs and benefits of disability advocacy is needed. They recommend some ongoing responsibilities of states, but do not recommend the continuation of existing advocacy programs in their current form or at their current levels of funding.

From July 2018 many of the activities delivered by these providers will be within the NDIS, Information Linkage and Capacity Building (ILC), or covered by the National Disability Advocacy Program. Under the NDIS many of these activities, including assistance with daily planning, skills development, and training and co-ordination of supports, can now be included and funded in an individual's plan.

ILC is available to both NDIS participants and people without an NDIS plan. When the NDIS is fully operational around Australia, this will amount to around \$130 million per annum.

Through the *Disability Inclusion Act 2014* (NSW), the NSW Government will retain a strong focus on promoting community inclusion for all people with disability, including:

- Disability Inclusion Action Planning (DIAP) across all NSW Government agencies that includes a requirement that funded peak bodies specify delivery of accessible and inclusive services for people with disability. The development and review of DIAPS must involve people with disability so that action is practical and makes a real difference; and
- other mechanisms under the NSW Disability Inclusion Act 2014, including the role of the NSW Disability Council and its supporting groups in representing

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people with disability, supporting the DIAP process and providing advice to government on emerging issues impacting on community access and inclusion.

Additionally, the NSW Government will retain investment in mainstream advocacy and peak body activities that promote community inclusion and equitable access to mainstream services.

Under the NDIS, people with disability are able to access supports that encourage and assist individuals to achieve and maintain their rights and to achieve equity of access and participation in the community. There will be more funding available for a range of disability supports that achieve advocacy outcomes for people with disability than ever before, and the NSW Government has an obligation to ensure that funding is directed to those in need, while avoiding unnecessary duplication between the state and the Commonwealth.

40. Has anyone in the Department spoken to the Federal Minister and asked whether the Federal Government will commit to replicating advocacy funding?

(a) Why not?

Answer:

Officials within the Department have not discussed this matter with the Federal Minister. The COAG Disability Reform Council has responsibility for these matters.

41. With a surplus of \$4.5 billion why can this government not find \$13 million to fund advocacy groups that facilitate the inclusion of the 20% of people in the state living with a disability?

Answer:

I refer you to the response to question 39.

42. Of the 40% of advocacy organisations that entirely rely on NSW government funding to operate can the government guarantee that the Commonwealth government will match the funding?

Answer:

I refer you to the response to question 39.

43. The Council for Intellectual Disability is one such organisation that relies entirely on NSW government funding. If you cannot guarantee that their funding won't be matched then what measures is the government implementing to ensure that people with intellectual disability are considered in public debates and government decision making?

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Answer:

I refer you to the response to question 39.

44. At the last hearing the Minister said: “if anyone who is transitioning to the NDIS feels the need for further advocacy services, they can fund those services from within the remit of their plan.” (pg. 7) However, if the advocacy organisations that are needed by an individual such as those that specialise in rare or uniquely presenting disabilities have already ceased as a result of funding cuts then where do you expect them to find those advocacy services?

Answer:

I refer you to the response to question 39.

45. In addition to restored funding for advocacy groups the Productivity Commission has called for data collection and evaluation of disability advocacy to be increased. How does the government plan to implement this recommendation and maintain the privacy of participants in a largely privatised system?

Answer:

I refer you to the response to question 39.