

**Submission  
No 113**

## **INQUIRY INTO POST SCHOOL DISABILITY PROGRAMS**

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**Date Received:** 04/03/2005

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**Subject:**

**Summary**

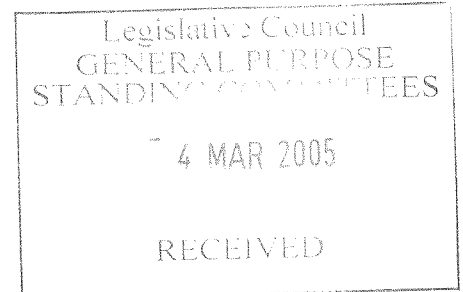
**GPSC2 GPSC2 - submission from Family Advocacy**

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**Date:** 4/03/2005 4:03 PM  
**Subject:** submission from Family Advocacy

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Attached please find the submission of Family Advocacy.  
We would be very happy to discuss our submission further with you.  
Yours sincerely,  
Belinda Epstein-Frisch



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**family**

**A D V O C A C Y**

Legislative Council  
GENERAL PURPOSE  
STANDING COMMITTEE

4 MAR 2005

RECEIVED

## **Family Advocacy Submission**

**to the Legislative Council Inquiry  
conducted by the General Purpose  
Standing Committee No 2**

**into Changes to Post School Programs  
for Young Adults with Disability**

**March 2005**

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## **Introduction to Family Advocacy**

Family Advocacy is an advocacy agency which promotes and protects the rights, needs and interests of children and adults with developmental disability in New South Wales. Its mission is:

*“to attain positive social roles for people with developmental disability through the development of advocacy by families and through strengthening the role, knowledge and influence of the family.”*

The organisation has a priority to undertake advocacy on behalf of people with developmental disability who have very high support needs. It does this through a strong systems advocacy function combined with advocacy development work with families in all parts of the State.

### **Our Principles**

#### **Principles about People**

All people, regardless of gender, age, disability, ethnicity, sexuality or religion, have the same human, social and legal rights.

People who have a disability are contributing members of the whole community.

All people, regardless of the nature and degree of disability, have the capacity to learn and develop throughout their lives.

People who have a disability are vulnerable to oppression, exploitation, discrimination, segregation and rejection by society.

#### **Principles about Families**

Except for advocacy by individuals who themselves have a disability, advocacy by families constitutes the single most important safeguard to protecting and promoting the rights and interests of people who have a disability.

The family is likely to be the most enduring and constant form of relationship in a person's life and, as such, is the first line of defence of the interests of a person who has a disability.

The family provides the most natural and powerful environment for growth and development.

The family is the focus for the development of a range of relationships which lead to inclusion in the life of the community.

While the nature of family relationships changes as a person grows, for all adults, the family continues to act as an important emotional and strategic link into the community.

Positive growth and development is most likely to occur within a family in which each member is esteemed as valued.

#### **Principles about the Community**

Strengthening individual natural and informal relationships is the most powerful way to maintain, develop, or enhance the inclusion of people who have a disability in the community.

## **Summary of Recommendations**

### **Recommendation 1**

That DADHC supports a move in DET to allocate resources to students with low support needs in ways that do not label and stigmatise students.

### **Recommendation 2**

That the State Government make a commitment to the provision of service for people with life long disability at times when unemployment, change of need or change in family circumstances means that additional support is required.

### **Recommendation 3**

That DADHC commit to move to a genuinely person-centred planning framework for all services including:

- training for service providers that supports changed practice;
- the development of transition plans that demonstrate how services will move from a service-centred framework to a person-centred framework;
- a changed framework for monitoring of service provision that reflects the changes that will take place as a result of person-centred planning.

### **Recommendation 4**

That DADHC restructure the Community Participation Program so that all participants have real opportunities to implement goals and strategies that come from person centred planning. All aspects of policy, service specifications and data collection must document the opportunities provided to participants of the CP Program to receive support in work or self employment and to be enrolled in or audit post secondary and higher education and vocational training.

### **Recommendation 5**

That DADHC take steps to improve the capacity of the system to deliver contemporary supports through:

- the allocation of specific funding for service development and capacity building;
- government and non government sector training;
- the funding of a number of demonstration projects that:
  - provide real jobs for people with high support needs. Although these projects would focus on work, Family Advocacy believes they are a State responsibility at this stage because the target group is traditionally seen as a State responsibility. The success of demonstration models would provide a case for the Commonwealth to play a more significant part in developing work options for people with high support needs.
  - enable people with high support needs to be enrolled in or audit post secondary or higher education courses.

### **Recommendation 6**

That DADHC change the funding system to include two components:

- individualised funding packages that are:
  - targeted to named individuals;
  - transferable with the individual;
  - allocated according to a common procedure;
  - based on a functional assessment of the person's support needs in participating in valued adult roles in the community;
  - guaranteed on that basis and indexed to cost increases;
  - responsive to changing need;
  - able to be flexibly deployed.
- core funding for non government agencies for infrastructure costs.

### **Recommendation 7**

That Government funding for school leavers and adults with disability covers:

- the costs of support 5 days per week to enable eligible individuals to participate in on-going adult education, vocational training and employment on a full time or part time basis;
- the extra costs of disability resulting in the need for transport, mobility support and personal care.

### **Recommendation 8**

That DADHC remove the system of vacancy management.

### **Recommendation 9**

That DADHC implement an effective system of monitoring based on the principles of person-centred planning.

### **Recommendation 10**

That in major processes of reform, DADHC is required to follow the Community Compact, negotiated by the NSW Government as the framework for introducing change in the non government sector and the Consultation Protocol negotiated with the former Department of Ageing and Disability.

### **Recommendation 11**

That support available to participants of the Community Participation and Transition to Work Programs is made available to purchase the support required to enable an eligible student to enroll in or audit a post secondary or higher education program.

### **Recommendation 12**

That DADHC negotiate with the NSW Department of Education and Training to ensure that adequate funding is provided for support for students with high support needs to undertake TAFE courses.



**Recommendation 13**

That DADHC negotiate with the Commonwealth Department of Education, Science and Technology to ensure that adequate funding is provided for students with high support needs in courses of higher education through both the public and private systems.

**Recommendation 14**

That DADHC develop a new assessment tool that functions both to determine eligibility for a post school program and begins a process to identify aspirations and interests.

**Recommendation 15**

That a complaints and appeals mechanism, external to DADHC is established to deal with complaints about DADHC.

**Recommendation 16**

That the fair resolution of complaints in a timely fashion is a key performance indicator in the performance agreement of the Director General.

**Recommendation 17**

That DADHC restart a reform process:

- focussed on the implementation of quality contemporary supports;
- driven by individuals who have credentials in the area of inclusive supports for people with high support needs;
- that includes a commitment by government to a robust monitoring and review system which reflects the spirit and intent of the *NSW Disability Services Act, 1993*.

## Term of Reference 1

### **The program structure and policy framework, including eligibility criteria, for the new Transition to Work and Community Participation Programs**

#### **The Need for Reform**

During the past few years there has been widespread recognition of the need to reform the PSO and ATLAS Programs. From the perspective of people with disability and their families, reform was desirable to address:

- issues of quality including an emphasis on:
  - person-centred planning and its implications for changing the ways services provide support;
  - personal, social and physical integration in the life of the wider community;
  - opportunities to learn and develop skills and competencies;
  - the achievement of valued adult roles;
  - the building of relationships between people with disability and members of the wider community;
- compliance with the *NSW Disability Services Act, 1993*;
- portability and real choice for people with disability and families;
- 5 days-a-week support through increased financial investment;
- the introduction of a robust, transparent monitoring and quality assurance system which ensures that service providers lift their performance and provide high-quality, personalised responses to individuals.

For the Minister and the Government, pressure for reform came from Treasury, concerned at the growing financial requirements of programs for school leavers and adults with disability. This financial imperative provided the framework for making decisions about future directions and provides insights as to why the clear, positive values underpinning the policy framework are not reflected in the new programs in operation.

The Minister stated that the reform aimed to achieve 2 goals:

- greater success for current ATLAS participants to move into employment;
- long-term support for those young people with a disability who are not able to move into employment in a time-limited way.

**These goals are not inconsistent with the goals sought by the community and could still be achieved through a reconfiguration of the implementation of the policy.**

## Eligibility

A major impetus for government to reform the specialist disability programs for school leavers was the data emerging from the Department of Education and Training (DET) of the burgeoning number of school students identified as having special education needs.

### Changes in number of students with special education needs

There has been an increase in the number and pattern of enrolment of students with special education needs as noted in the following 3 tables.

Table 1 – Enrolment of students with disabilities in support classes, SSPs and in integrated settings, PRIMARY.

Year	Students in support classes and SSPs	Students in government schools receiving special education support in integrated settings	TOTAL
1996/7	7,603	3,380	10,983
1997/8	7,341	4,106	11,447
1998/9	7,131	7,905	15,036
1999/00	7,096	8,313	15,409
2000/01	7,000	10,773	17,773
2001/02	6,600	11,060	17,660
2002/3	6,520	13,123	19,643
2003/4	7,418	14,661	22,079
2004/5	7,165	17,591	24,756

Source: NSW State Budget Papers

Table 2 – Enrolment of students with disabilities in support classes, SSPs and in integrated settings, SECONDARY

Year	Students in support classes and SSPs	Students in government schools receiving special education support in integrated settings	TOTAL
1996/7	6,155	596	6,751
1997/8	6289	1,027	7,316
1998/9	8,265	3,995	12,260
1999/00	8,274	4,267	12,541
2000/01	8,804	4,077	12,881
2001/02	8,580	4,098	12,678
2002/3	8,630	5,624	14,254
2003/4	9,634	8,154	17,788
2004/5	9,112	7,315	16,427

Source: NSW State Budget Papers

Table 3 – Enrolment of students with disabilities in support classes, SSPs and in integrated settings, TOTAL PRIMARY AND SECONDARY

Year	Students in support classes and SSPs	Students in government schools receiving special education support in integrated settings	TOTAL
1988	13,353	1,135	14,488
1990	14,060	1,983	16,043
1992	14,092	3,335	17,427
1994	14,500	4,478	18,978
1996	13,758	3,976	17,734
1997	13,630	5,133	18,763
1998	15,396	11,900	27,296
1999	15,370	12,580	27,950
2000/01	15,804	14,850	30,654
2001/02	15,180	15,158	30,338
2002/3	15,150	18,747	33,897
2003/04	17,052	22,815	39,867
2004/5	16,277	24,906	41,183

Source: NSW State Budget Papers & D. McRae, *The Integration/Inclusion Feasibility Study*, Department of Education & Training, June, 1996., p23

These tables indicate two major developments.

Firstly, there is a significant increase in the number of students with special education needs who are integrated into the regular class.

Secondly, there has been more than 180% in the number of identified students with special education needs in the past 17 years. The fact that the substantial increase in the numbers in the regular class has NOT been matched by a corresponding decrease in the proportion of students in support classes and special schools demonstrates a process of increased identification and labelling of special education needs in students who traditionally have not been seen as having a disability and who were already members of the regular class. These tend to be students with mild disabilities who in the past did not receive any funded support.

#### **Impact of increased identification**

Increased identification and labelling of students with special needs has a number of negative impacts:

- their enrolment and education in the regular class becomes conditional on the provision of additional funded support;
- the students and their families are encouraged to see themselves as people with disability who “need” a specialist disability program in the post school years.

The Department of Education and Training has refocused assistance for students with low support needs (ie the Learning Assistance Program) so that resources are distributed through processes that do not require identification and labelling of individual students as students with disability. This is a positive step but was only implemented in 2004 so it will be considerable time before we see whether the reduced labelling of students feeds into a reduced demand for specialist disability programs in the post school years.

In the mean time, the Budget papers do not report the decreased number of labelled students. They continue to report high numbers of students with education support needs, including students on the Learning Assistance Program (with low support needs) as well as those receiving special education support in integrated settings, in support classes and special schools (students with moderate and high support needs). This contributes to the Treasury perception of a high demand for post school specialist disability programs.

For the vast majority of the increased number of identified students, employment is the most suitable post school option. However, family desire for security for their sons and daughters will act as a disincentive to seeking employment because when they achieve 8 hours of work, they will lose State support. With the vagaries of the employment market, particularly for vulnerable people with less formal qualifications and skill, families will seek the safe Community Participation Program rather than risk the uncertainty to family life associated with the stresses and strains of long periods of unemployment for the person with disability.

The increased identification of people with disability provides a reporting bonus for the Commonwealth Government which will be able to take credit for employment outcomes for people who traditionally have not been seen as having a disability. Unfortunately, this has skewed the focus away from people with life-long significant disability who are now streamlined in the Community Participation Program.

#### **Recommendation 1**

That DADHC supports move in DET to allocate resources to students with low support needs in ways that do not label and stigmatise students.

#### **Recommendation 2**

That the State Government make a commitment to the provision of service for people with life-long disability at times of their lives when unemployment, change of need or change in family circumstances means that additional support is required.

## **Critique of the Objectives and Principles of the Policy Framework**

The Objectives of the Policy Framework appear positive.

Family Advocacy believes that the objectives are deceptive because they use positive, contemporary rhetoric to mask the limited opportunities provided through services. There is anger and frustration in the community that DADHC rhetoric is updated while the lives of people with disability remain the same, impoverished by lack of access to high quality responsive supports delivered in a timely fashion.

For example:

**DADHC Objective: support access to the full range of post school pathways for young people with disabilities including further education and training, employment and community participation.**

The community believes that all people with disability should have access to further education and training, employment and community participation. The government however wants to provide each person with disability with access to **only one** of these options. Of enormous concern is the fact that people streamed to the Community Participation Program will be provided with the most limited opportunities to engage in real community participation through meaningful, valued adult roles in the community. In addition, Family Advocacy believes that it is inappropriate to screen young people **out** of critical life opportunities for further education, training and employment based on a limited assessment of their deficits when they leave school at age 18.

**DADHC Objective: maintain the implementation of an individualised and person-centred planning approach for service users that acknowledges Aboriginal and Torres Strait Islander culture and communities, cultural and religious considerations, age, gender, support needs and personal aspirations.**

The community supports this objective. This submission will argue, however, that there is no evidence of any strategies to implement this objective.

**DADHC Objective: support the life transitions of service users through access to a diverse range of flexible pathways including school to work, school to further education and/or training, education and/or training to work, work to retirement.**

Once again the community supports this objective but believes that the pathways are not flexible. The person with disability and their family has no choice as to which pathway they are directed to, and the barriers to movement (to be discussed in program structure and block funding) are so substantial that Family Advocacy believes that there will be virtually no movement between programs. Family Advocacy fears that the only movement will occur where people are prematurely evicted from the program into retirement. The real issue of the premature ageing of **some** people with disability is being used to fast track people out of state funded support into the Commonwealth system, denying people a middle age.

## **Policy Principles**

Once again the policy principles reflect a values base that is supported by people with disability and families. However, in practice, a critical underpinning, not identified by government, is that supports will be determined by the year in which people left school.

## **The program is said to be based on a commitment to social and economic participation**

This is described in the policy framework as aiming to:

- provide programs and services that are meaningful;
- facilitate full access and participation in the community;
- recognise that access to work is a right that all people in the community share;
- demonstrate an understanding of the critical role that work plays in an individual's life by providing services that facilitate meaningful economic participation in the community by people with disabilities.

### **Obstacles to the achievement of these principles**

The two program structure and block funding mitigate against valued social and economic participation for the vast majority of eligible participants.

Family Advocacy believes that the way in which the two programs have been constructed is problematic because:

- only people in the Transition to Work Program (TTW) will be given the opportunity for economic participation and the TTW Program is not the best design to promote the best outcomes;
- no-one in the Community Participation (CP) Program will have the opportunity for social or economic participation because participants will:
  - spend most of their time grouped with other people with disability having no opportunity to build relationships in the community;
  - have little or no choice between service providers;
  - have no flexibility to move between programs;
  - have no opportunity to do something more individualised or different from the standard structured programs on offer;
- people's life opportunities will be permanently limited as a result of low expectations based on outmoded concepts.

## **The program is said to be based on a commitment to life long learning**

This is described in the policy framework as aiming to:

- recognise the right and necessity of each individual to continue the process of learning for their social, economic and cultural development;
- ensure services provide access to both formal and in formal environments to ensure ongoing learning and development of service users.

### **Obstacles to the achievement of these principles**

- participants in the CP Program are prevented from using their funds to support their participation in post secondary and higher education.
- This will be discussed under Terms of Reference 4 and 7.

## **The program is said to be based on a commitment to choice and meaningful and flexible life transitions and pathways**

This is described in the policy framework as aiming to:

- recognise that all people have the right to make choices;
- enable people with disabilities to be actively supported to exercise choice and make decisions regarding services and their own life directions;
- recognise the challenges and opportunities that life transitions present through supporting individuals' access to flexible and multiple pathways;
- provide services that adopt appropriate structures to respond to changing life circumstances and support needs.

### **Obstacles to the achievement of the principles of choice and flexibility**

- the removal of individualised funding with the introduction of block funding;
- the use of a vacancy management system as the only means of changing programs;
- the allocation of school leavers to one of three options – Commonwealth employment programs or one of the two state funded programs without the capacity for individuals to divide their funds among a number of options;
- the service focus on providing a limited menu of options rather than designing opportunities to support a person to achieve their real goals;
- the lack of dissemination of information about good practice, including the results of pilots.

## **The program is said to be based on a commitment to person-centred planning including recognising and responding to diversity**

This is described in the policy framework as aiming to:

- empower people with disabilities to determine and realise their own goals and aspirations;
- require services to focus on the individual and their needs, including facilitating access to appropriate resources and services;
- recognise and respond to individual service users.

### **Obstacles to the achievement of these principles**

- assessments are based on deficits in a way that undermines person-centred planning. This will be discussed in Term of Reference 4;
- most services have no understanding of process of person-centred planning;
- participants are required to choose from a limited menu of service options rather than designing something that is personalised and makes sense for the individual.



The Minister and DADHC hope that individual service plans (ISPs) developed through a person-centred process will achieve individualisation of service provision. Currently most services develop ISPs but do so in a system-centred, as against person-centred, framework.

ISPs are criticised<sup>1</sup> on the basis that:

- Goals are set that reflect service related aims rather than person-related aims. Since ISPs are initiated and controlled by service providers, they tend to focus on issues important to them, prescribing training goals and learning schedules that correlate with program routines.

O'Brien and Lovett<sup>2</sup> argue that when uniformity and predictability are primary system values, ISPs function to decrease uncertainty and variety through regulated, impersonal (objective) processes of judgment that specifies people's daily routines in the preexisting service option that best matches their disabling condition. The purpose and effect of individual program planning is to make the system more stable by drawing clear boundaries between staff and client and by teaching staff and families and people with disability a way to think about people's needs that matches the system's routines.

- There is insufficient involvement of people with disability and families in the assessment and planning process, exacerbated by the unequal power status between service users and professionals. As a result, people with disability and families become passive recipients of the service.
- There is too much emphasis on personal inadequacies of people with disability relating to educational and social competencies, with too little attention to personal strengths and capabilities. This often results in a 'readiness' model where the individual is subject to endless training programs in preparation for the 'real thing' (eg work, real relationships) in the distant future and is thereby denied the valuable experience of learning in situ.

Family Advocacy believes that the introduction of the concept of person-centered planning into this policy framework demonstrates a lack of real understanding of the fundamental paradigm shift that it entails. Its use seems to represent another example of adopting contemporary best practice language while service practice remains the same.

### **What is person-centered planning<sup>3</sup>?**

Person-centered planning is a process-oriented approach to empowering people with disability. It focuses on the people and their needs by putting them in charge of defining the direction for their lives, not on the systems that may or may not be available to serve them. This ultimately leads to greater inclusion as valued members of community.

Person-centered planning involves the development of a "toolbox" of methods and resources that enable people with disability to choose their own pathways to success. The planners simply help them to figure out where they want to go and how best to get there.

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<sup>1</sup> Greasley, P., *Individual planning with adults who have learning difficulties: key issues*, Disability and Society, v10 no 3, 1995

<sup>2</sup> O'Brien, J., & Lovett, H., 1992, *Finding a way toward everyday lives: the contribution of person-centred planning*, Harrisburg, PA Pennsylvania Office of Mental Retardation.

<sup>3</sup> The Person-Centred Planning Education Site <http://www.ilr.cornell.edu/ped/tsal/pcp/>

### **Function of person-centred planning**

Person-centered planning was developed to:

- offer people who request and receive human services the opportunity to describe and define the characteristics and conditions of life that represent for them a desirable present and future;
- offer people who deliver those services an opportunity to learn and to grow alongside the person who is at the core of the planning process;
- influence the way in which the systems that hold up these services respond to the requests and desires of their primary customers;
- remove the artificial boundaries of our communities to welcome every one of our neighbors... everyday.

### **Approaches to person-centred planning**

Several distinct approaches to person-centered planning have been developed over the past twenty years:

- 1980 - Jack Yates developed the Individual Service Design;
- 1987 - Beth Mount developed Personal Futures Planning;
- 1989 - Marsha Forest and Evelyn Lusthaus developed MAPS and Circles;
- 1992 - Michael Small and Susan Burke Harrison developed Essential Lifestyle Planning;
- 1995 - Jack Pearpoint, John O'Brien and Marsha Forest developed PATH.

Each tool has been built upon the following foundation of belief:

- Person-centered planning is a means for uncovering what is already there: the essence and extraordinary gifts and capacities of a person  
...it is about sharing life with one another  
...it is about sharing power and giving up control over another human being.
- Person-centered planning assumes that the person and those who love the person are the primary authorities on the person's life direction, as such, the person is the driver of the process.
- Person-centered planning is the beginning of the journey of on-going learning through the shared action that results from participation in planning and working together.
- Person-centered planning intends to shatter myths about people who have been given disability labels and to foster inclusive communities.
- Person-centered planning relies on skilled facilitation in developing and moving the plan forward.
- Person-centered planning requires systems to respond in flexible and meaningful ways relative to the unique interests and needs of the focus person.

## Implications of person-centred planning for service providers

Person-centred planning requires a paradigm shift when compared to the implementation of ISPs in a system-centred process. A salient theme in the literature on person-centred planning is the need for organisational change to bring current agency goals and practices in line with the new direction.

The implementation of person centred planning requires:

1. **Personal self reflection by staff:** Person-centred planning requires a personal commitment to engaging conscious awareness and self-reflection about the relationship between how one feels, thinks, and acts. Kendrick<sup>4</sup> argues that person-centred planning requires:
  - o a commitment to know and seek to understand;
  - o a conscious resolve to be of genuine service;
  - o an openness to being guided by the person;
  - o a willingness to struggle for difficult goals;
  - o flexibility, creativity, and openness to trying what *might* be possible;
  - o a willingness to enhance the humanity and dignity of the person;
  - o a willingness to look for the good in people and help to bring it out.
2. **A change to the way we perceive people with disability from:**
  - different (not one of us);
  - disconnected (not part of our communities or culture);
  - dependent (kept or managed).
3. **A change to the way we support people with disability toward the experiences of:**
  - individual (like you and me);
  - included (like you and me);
  - and interdependent (like you and me).
4. **A recognition of the pivotal role of relationships and community** in enabling people to define and realize themselves. It is only through community that important things happen in people's lives. This includes a change in the focus of service provision from fixing the individual to building communities with people. It presumes the creation of partnerships and collaborative relationships beyond the typical framework of traditional services by reaching out to others who may be better suited to moving a person nearer to his or her goals.
5. **The reform of systems** so that services are built upon the intention to support people toward the valuable outcomes of community presence, community participation, having valued social roles, recognized and appreciated individual contribution, and having real opportunities to make choices.

If services are really going to undertake person-centred planning, DADHC and services must facilitate an understanding and eventual reconciliation of the unavoidable conflicts

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<sup>4</sup> The Person-Centred Planning Education Site <http://www.ilr.cornell.edu/ped/tsal/pcp/>

that emerge when person-centred planning is undertaken by staff in service-centred agencies. Family Advocacy is concerned that DADHC and the specialist disability service system has taken the painless alternative of proclaiming person-centred planning while adhering to the usual service-centred practices.

**Recommendation 3**

That DADHC commit to move to a genuinely person-centred planning framework for all services including:

- training for service providers that supports changed practice;
- the development of transition plans that demonstrate how services will move from a service-centred framework to a person-centred framework;
- a changed framework for monitoring of service provision that reflects the changes that will take place as a result of person-centred planning.

## **Program structure**

The program has been divided into two service models with the purpose of targeting vocational training to a small group of people who are thought to be able to achieve employment within 2 years and providing day care for everyone else.

## **Transition to Work**

The DADHC Policy Framework informs us that:

"The objective of Transition to Work Programs is to support pathways to work for people with disabilities who have identified employment as a goal or have been assessed as having the capacity to work. The key target group for these programs will be school leavers entering services however other service users will also have access to this support.

Program outcomes will focus on service users transitioning into employment and/or employment related services. This may include paid full or part time work, open or supported employment and other employment programs. Service users may also move into vocational education and training learning environments.

Programs will include pre-vocational skill development (work ready and/or employability skills) and other 'life skill' development as identified through individual assessment and planning processes. Access to industry specific vocational training should complement programs where appropriate.

Programs will be provided on a fixed term basis with a formal assessment process undertaken prior to the transition to employment and/or employment services. Individuals who are identified as not having an (immediate or short term) employment pathway will move into Community Participation Programs".

### **Government rhetoric about the Transition to Work Program**

- **Rhetoric:** People with disability who have identified employment as their goal are allocated to the TTW program.

**Fact:** People who want to work but whose HACC assessment does not indicate they are likely to **achieve** employment within 2 years are **not** allocated to a TTW Program.

- **Rhetoric:** Other service users will have access to TTW.

**Fact:** It is most unlikely that service users will be able to transfer to a TTW program.

In addition, Family Advocacy is dismayed that the outcome of moving into a Business Service, formerly known as a sheltered workshop, represents a successful outcome in relation to employment. The Commonwealth Government undertook a so-called reform process of sheltered workshops which led to a change in rhetoric, but very very little has changed in the lives of people with disability who use the services. Family Advocacy believes that the identification of attendance at a sheltered workshop, being paid as low as \$1/hour should not be considered a successful employment outcome.

**Obstacles to achieving employment through the Transition to Work program include:**

- the TTW program is based on out-moded concepts of train and place, failing to recognise the difficulty people with intellectual disability face in generalising skills;
- lack of places to transition to in Commonwealth employment services;
- lack of employment opportunities in a particular geographic area, level of unemployment;
- negative attitudes of employers;
- poor access of buildings;
- financial disincentives that result from the intersection of the tax and income security system;
- the tension between risks associated with the employment market for vulnerable people (including under the current structure, the forced exiting from the specialist disability service system) and the need for security (knowing support is available if needed).

It is therefore unclear as to whether the TTW Program will actually achieve work for individuals. It is clear, however, that the TTW Program will create failures. If people have not gained work within two years, they will be transferred to the Community Participation Program. This will be demoralising for the people and will focus on the failure of the individuals rather than the failure of the system.

### **Community Participation Programs**

The DADHC Policy Framework informs us that:

“The objective of Community Participation Programs is to provide a meaningful pathway for people with disabilities leaving school who do not have an employment goal or capacity to work in the short term. Community Participation Programs also provide meaningful learning opportunities for people with disabilities who are not engaged in employment or other formal education/training programs.

Community Participation Programs provide services that meet the individual goals, needs and interests of service users based on a person-centered planning approach. Services facilitate community access and participation for service users through the development of effective community partnerships. Formal and in-formal learning environments are provided for service users. Programs are flexible and provide access to other pathways as determined by the individual’s life transitions and changing circumstances”.

#### **Government rhetoric about the Community Participation Program**

- **Rhetoric:** That CP Programs will provide meaningful learning opportunities for people with disability.

**Fact:** Factors that mitigate against meaningful learning opportunities through the current organisation of CP Programs include participants spending their time

with a large number of other people with disability and the fact that CP programs take place in segregated settings away from real world learning.

- **Rhetoric:** That services will meet individual goals, needs and interests based on person-centred planning.

**Fact:** There is no real choice in any CP program. People will “choose” from the fixed menu of options on offer in a congregate setting.

- **Rhetoric:** That programs are flexible.

**Fact:** There is no evidence of flexibility.

The CP Program reinforces very low expectations for many people with disability, especially people with high support needs. 20 years ago, demonstration programs in Australia achieved employment outcomes for people with very high support needs. The structure and level of funding of the CP Program will result in non-developmental programs and day care. People will lose skills, become more dependent and will need increasing levels of support over time.

### **Post School Options (PSO) participants**

Government rhetoric about PSO participants include:

- **Rhetoric:** that people on PSO have different needs to those on ATLAS.

**Fact:** The only difference between PSO and ATLAS participants is the year they left school. The participants have the same profiles, the same needs and the same aspirations.

- **Rhetoric:** That the PSO program was not established with a time limit. Participants and their families had a reasonable expectation that the program would continue.

**Fact:** Whilst people who entered the ATLAS program in 1999 were informed of the 2 year commitment, they too had a reasonable expectation that the program would continue. This was because of the annual extension of the 2 year commitment and a disbelief that the Government would provide less benefit to later school leavers.

- **Rhetoric:** That the Government will not exit people from the PSO Program if there is no job for them to go to.

**Fact:** This contradicts a letter to PSO participants from the Director General of DADHC stating that if participants are ‘work ready’ they will be assisted to make the transition to employment and, irrespective of the availability of jobs, will need to exit the PSO program.

In addition, there is no information about what will happen to individuals when work opportunities in which they are involved do not continue.

## **Problems with the new structure**

- It makes life limiting decisions at age 18 by channeling school leavers into one pathway and making it virtually impossible to access the others.
- It continues low expectations of people with high support needs.
- It places all control in the hands of service providers rather than providing participants with the capacity and flexibility to make real choices.
- It is based on a continuum model of service provision in which people with high support needs are provided with restrictive services in which they are supposed to learn the skills they need to move to less restrictive services.

### **The continuum model of service provision is flawed**

The concept of continuum of services is fundamentally flawed. It confuses services/facilities with needs. For people with high support needs the continuum concept creates the most serious problems:

- People with severe disabilities always end up congregated at the most restrictive end of the continuum, in this case, in the Community Participation Program. As long as services are conceptualised in terms of a continuum, the most vulnerable will always end up at the most restrictive end.
- The most restrictive placements do not give people the opportunities to learn the skills necessary to be in the least restrictive placements. The skills necessary to function in the real world cannot be taught in restrictive services but must be taught in the real world. The continuum model leaves people spending their whole school lives “getting ready” for something that isn’t going to happen.
- There are always bottlenecks in the continuum. The continuum concept implies that people can move easily from one placement to the next whereas in fact, movement does not depend on people’s skills; it depends on the availability of services.
- The continuum provides security for those working in the system, but does not ensure responsiveness to the real support needs of people with disability.

One of the sharpest criticism of the new structure is that it is based on the premise that some people with disability cannot be involved in typical, ongoing education, developmental vocational training and meaningful and worthwhile employment activities. This is a false premise based on the ignorance of DADHC and most service providers in NSW today. This submission will provide evidence of programs in the US and Australia, some dating back to the 1980s, in which people with high support needs are involved in real education, vocational training and employment in real colleges, universities and work sites alongside people without disability.

### **What is lacking today in NSW is:**

- the knowledge of practice elsewhere;
- the belief that people with disability can have valued adult roles as contributors rather than just as dependent users of services;
- the confidence to try something different;



- the capacity to grow ‘something different’ to size across the State.

The new two program structure developed in the DADHC ‘reform process’ further inhibits the development of real opportunities for people with disability to move toward their dreams.

### **Experience in the 1980s**

In the 1980s, supported employment for people with disability grew rapidly. With opportunity and assistance, thousands of people in the US who were previously defined by professional evaluators as unable to ever work, refuted low expectations as they were supported into real jobs and received real wages. In Australia, a number of small projects funded through demonstration funds made available following the introduction of the *Commonwealth Disability Services Act, 1986*, had similar success.

In *The Structure of Scientific Revolutions*, Kuhn<sup>5</sup> makes the point that scientific discovery occurs through radical shifts in the perceptions and thinking of persons struggling with seemingly unsolvable problems, rather than through accumulation and organization of knowledge. This radical shift is required in efforts to provide meaningful employment to a group of citizens who have been judged to be unemployable. The paradigm must shift from seeing people with disability as dependent clients to viewing them as contributors and consumers in society.

Although adults with high support needs were one of the primary target groups intended to benefit from supported employment when it first emerged in Australia, the vast majority continue to be viewed as unemployable. The reasons are complex and include:

- the significant unmet demand for services in recent years has led to a push for easy outcomes;
- the increased number of people reported as having a disability has enabled Government to take credit for employment outcomes for people who would traditionally not have been seen as having a disability. Unfortunately, this has skewed the focus away from people with life-long significant disability who are now streamed in the CP Program.;
- the loss of good practice as staff burn out and the culture of organisations change to deal with emerging crises.

Looking back to literature from the 1980s, one finds papers<sup>6</sup> that describe program components critical to achieving real jobs for people with severe disability. The language in these papers is outdated but the underlying assumption that people with high support needs should have the **opportunity** to work in ordinary workplaces, alongside workers who do not have a disability, is a critical element that Family Advocacy is seeking from the recommendations of this Inquiry.

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<sup>5</sup> Kuhn, T., *The Structure of Scientific Revolution*, (1962), Chicago, University of Chicago Press.

<sup>6</sup> Wehman, P., Hill, M., et al, (1982) *Job placement and follow up of moderately and severely handicapped individuals after three years*, Journal of the Association for People with Severe Handicaps, v7, no2, p5-16

Wehman, P., & Kregal, J., (1985), *Transition from school to work for individuals with severe handicaps*, Journal of the Association for Persons with Severe Handicaps, v10 no3 p132-137

Nisbet, J., & Callahan, M., *Assisting persons with severe disabilities to achieve success in integrated workplaces: Critical elements*, in Taylor, S., Biklin, D., & Knoll, J., (eds) *Community Integration for people with severe disabilities*, New York, Teachers College Press.

The common cry declared by many parents that their sons and daughters cannot work is not the issue for the Standing Committee. Family Advocacy is seeking opportunities for people to **choose** to be supported in mainstream education, vocational training and employment. No-one is seeking for all people to be forced into these options. The parents who state clearly the significant deficits of their family member have been taught well by the service system to view their sons and daughters as dependent burdens. These parents have never been given the information, example or opportunity to dream of something different. That is why it is so important that the Standing Committee recommend the authorization of some real alternatives to demonstrate what is possible.

### **Why is it important to be able to seek vocational and employment outcomes for people with high support needs?**

In an ethnographic study of people with intellectual disability who were employed in real jobs, Kristiansen<sup>7</sup> explored the social meaning of work in the lives of the individuals. In her Norwegian study, she argued that the definition of work is difficult to extract from its cultural context and that in Norway, the 'work ethic' and work roles are seen to be very important. Consequently, being unemployed (or seen as unemployable) has very negative social consequences for the individual. The same ethic is evident in Australia.

Kristiansen's study identified five reasons why work is important in the lives of people with intellectual disability:

- People feel better about themselves, often because of where they are and whom they are together with. *Aslaug works in an elegant restaurant and says being in the beautiful dining room, with the lovely things is the best part of her job.* People value being included in settings and roles that they know they have previously been excluded from. Where people are working seems to have a symbolic dimension. For many people who cannot speak, the pride they feel about being included is often very visible.
- Other people such as family members, neighbours and co-workers have their beliefs and perceptions challenged. *As Erik's neighbour said, "the older son is sick and out of work and the daughter is looking for work. I realised the family is actually dependent on Erik's income and that changed the way we think about him."*
- Earning money is important and yet while many people mentioned this as important, almost no-one said it was the best part of why they liked the job. Income appears to often be symbolic. *Margaret's sister told how happy she was that Margaret was able to go to the bank with a real pay slip.*
- Relationships are important. *Anna says the best part of her job is "the people I work with, they like me."* *A co-worker of Ragnar said "He likes to stop at the café with some of us on the way home. I don't think he goes out much otherwise."*
- Learning about the world and life in general is an important aspect of being included in work settings for many people. *Edvind watches his co-workers at lunch and has learned to make coffee by imitating others.* *A co-worker said "He doesn't talk but he listens to us when we discuss things, and you can tell he's thinking and learning because he smiles at the right times."*

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<sup>7</sup> Kristiansen, K., *What does work mean in the lives of people with intellectual disabilities*, in Family Advocacy Inclusion Collection

We see that the meaning of work for people with intellectual disability is not dissimilar from the meaning of work for 'people in general'. Of course, if we genuinely accept people with intellectual disability as fellow human beings, this is not surprising. In addition, it can be argued that for classes of people who have systematically been excluded, such as people with high support needs, work may be even more important as part of compensating for historical disadvantage and risk.

### **Programs that achieve work for people with high support needs**

The common features of models that achieve work for people with high support needs is the move away from segregated models and practices toward 'integrated' work opportunities for all persons with severe disabilities.

This submission outlines the model discussed by Nisbet and Callahan<sup>8</sup> to provide evidence that programs exist that give people with high support needs the **choice** to participate in work and work-related activities. This evidence is relevant to people who are currently streamed into the Community Participation Program.

Reporting on their work of supporting real jobs for people with severe disability, Nisbet and Callahan list elements that positively affect the integration and success of workers with severe disabilities. The elements are grouped as:

#### **1. Elements related to the development of individualised job placements** including:

- Finding work sites and jobs that encourage interactions and relationships with people without disability.
- Choosing the job specifically for the individual rather than using the common practice of providing the job secured to the next person on the waiting list.
- Providing targeted training for the employee. This is considered the single most important variable in achieving success for persons with severe disability.
- Introducing a variety of payment mechanisms so that payment is commensurate with quality and quantity of work.

#### **2. Elements related to coordination of services** including:

- Effective use of resources to maximise the number of persons receiving supported wage opportunities. Nisbet stresses the importance of close cooperation between persons who develop jobs and those who train and support people with disability at a particular work site. Such close cooperation can result in clustering of employment sites in a given area which can allow one trainer to move among several sites and manage the needs of as many as 3 or 4 employees at one time. This approach involves no more than one or two employees at any given work site, maximises integration and efficiently uses staff resources.
- Coordination with family and other services in people's lives to maximise the chance that everyone is working to common rather than conflicting goals.
- Interaction and coordination with educational programs to gain opportunities that foster success in real jobs, including transition planning and senior years devoted to pre-employment skills. There is a correlation between actual performance in integrated work environments during school years with vocational success in non sheltered adult environments.

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<sup>8</sup> Nisbet, J., & Callahan, M., op cit.

- Developing effective relationships with employers. Instead of looking at requirements of the job (which almost always include requirements that most people with disability cannot do), the focus shifts to the need of employer for quality, safety, performance of work that meets a real need for the employer and satisfactory relations with customers and co-workers. These can be met through effective training, representation and careful matching of individuals with jobs. Successful negotiations with employers on these essential needs can result in flexible, tailor made opportunities for persons who might not reach production standards quickly.

### 3. Elements related to instruction and technology including:

- **Training, placement and follow up is not time referenced.** This strategy requires a reconceptualisation of 'readiness' for work that acknowledges that persons with severe disabilities need to learn tasks and skills in places where they will perform them<sup>9</sup>. More importantly, the provision of training and support that is non time referenced should help agencies embrace the goal that all the people receiving services can and should work in integrated environments.
- **Use of ecological inventories**<sup>10</sup> as an organisational and conceptual tool that helps ensure that all the skills and routines that are necessary for job success are identified and analysed. This assists job trainers to match skills and needs of the employee with all the demands of the work site. (Previous approaches taught particular work skills but people were sacked for issues related to social skills that had not been addressed).

After the ecological inventory is compiled, the employment trainer conducts a discrepancy analysis that is an on-site evaluation of the worker that compares actual performance with skills identified in the ecological inventory. The discrepancies are then target areas for intervention.

The effectiveness of ecological inventories in facilitating vocational opportunities for persons with severe disabilities is well documented<sup>11</sup>.

- **Emphasis on social skills and communication** which are considered as important as job skills and must be targeted to ensure success.
- **Development of natural supports in the workplace** in order to build relationships and to address the growing dilemma of how to provide consistent and ongoing

<sup>9</sup> Ford, A., & Mirenda, P., (1984) *Community Instruction: A natural cues and corrections decision model*, Journal of the Association for Persons with Severe Handicaps v9 no 2 p79-88.

Brown, L., Nietupske, J., & Hamra-Nietupski, S., (1976), *The criterion of ultimate functioning and public school services for severely handicapped children* in Thomas, M.A. (ed) *Hey don't forget about me!* p2-15, Reston, Council for Exceptional Children.

<sup>10</sup> Belmore, K., & Brown, L., (1978) *Job skills inventory strategy for use in a public school vocational training program for severely handicapped potential workers*, Teaching the severely handicapped, v3, Seattle, American Association for the education of the severely/profoundly handicapped.

<sup>11</sup> Falvey, M., et al (1979) *Curricular strategies for generating longitudinal and chronological acquisition of appropriate functional individual vocational plans for severely handicapped adolescents and young adults*, in Grunwald, L., "Strategies for teaching chronological age appropriate functional skills to adolescents and young adult severely handicapped students", vX part 1.

Sweet, M., et al, (1982) *Vocational training: Are ecological strategies applicable for severely handicapped students*, in Brown, L., et al, "Educational programs for severely handicapped students", v XII p99, Maddison Wisconsin Metropolitan School District.

Ford, A., & Mirenda, P., (1984) op cit.

Wehman, P., (1981) "Competitive Employment: New horizons for severely handicapped individuals", Baltimore, Maryland, Paul H Brookes.

training and support in integrated settings. The job trainer has responsibility for facilitating relationships with co-workers and assisting with transfer of supervision and support. If support requires the co-worker to perform different additional responsibilities, some type of reimbursement may be appropriate.

- **Use of systematic instruction** to address the gap between the skills of the individual and the requirements of the work.
- **Use of job creation/modification strategies and adaptations**

### **Self employment is another approach that achieves positive employment outcomes for people with high support needs.**

Many people, including people with disability, seek employment opportunities that allow greater control of their lives and their futures. The drive to develop adult opportunities for sons and daughters with disability has led a number of families to develop small businesses structured around the strengths and interests of their family member with disability. Some examples of small businesses known to Family Advocacy in Australia include:

A business that provides a laundry service to restaurants. Built around the enjoyment a young woman with high support needs experiences in driving in a car and meeting people, the young woman is supported to pick up linen and deliver clean linen to a number of restaurants in her local area. This has enabled her to offer a competitive service to the restaurants, building her presence in her community as a valued person who offers service.

A young man who enjoys working with plants, grows pot plants in a home based business. He attends local markets to sell his plants and has become a known figure, sometimes having a drink after the markets with other stall holders.

Griffin and Hammis<sup>12</sup> provide a framework that has guided many people with high support needs in the US into self employment in small businesses.

Funds allocated for individuals in the CP Program should be able to be used to provide support to people in small businesses.

### **NSW today**

In NSW, we are at a point of time that we once again require demonstration programs to prove to people with disability, families, services and government that people with high support needs can be engaged in meaningful work. The State Government must make a commitment to fund demonstration projects to reaffirm the right and the capacity of all people to be involved in work. Although these projects would focus on work, Family Advocacy believes they are a state responsibility at this stage because the target group is traditionally seen as a state responsibility. The success of demonstration models would provide a case for the Commonwealth to play a more significant part in developing work options for people with high support needs.

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<sup>12</sup> Griffin, C., & Hammis, D., Making self employment work for people with disabilities, Paul Brookes Publishing, Baltimore 2003

Over the past 12 months, Family Advocacy has promoted discussion about the elements of a reformed system as:

- one program of support for school leavers and adults with disability;
- use of a common assessment process to determine eligibility for the program and support needs of each individual;
- use of person-centred planning to assist participants to develop options that meet their needs consistent with the objectives and policy principles of the program;
- the provision of a range of specialist programs and supports through non government services, either specialist disability or generic;
- the capacity and authority for people with disability to purchase the programs and supports they want from authorized non government agencies.

Under this model, eligible individuals could choose from a range of specialized agencies. Options might include:

- splitting their funding between a number of different agencies to undertake vocational training through one agency part of the week, being supported in voluntary work the remainder;
- spending one year with an agency focused on vocational skills and then in the subsequent year move to another agency with a different specialization.

Unfortunately, Family Advocacy recognises that unfortunately the government has no political will to undertake the reforms that could have been possible. The recommendations provided here are a proposed way forward to salvage opportunities from a reform that has been taken off track.

#### **Recommendation 4**

That DADHC restructure the Community Participation Program so that all participants have real opportunities to implement goals and strategies that come from person centred planning. All aspects of policy, service specifications and data collection must document the opportunities provided to participants of the CP Program to receive support in work or self employment and to be enrolled in or audit post secondary and higher education and vocational training.

#### **Recommendation 5**

That DADHC take steps to improve the capacity of the system to deliver contemporary supports through:

- the allocation of specific funding for service development and capacity building;
- government and non government sector training;
- the funding of a number of demonstration projects that:
  - provide real jobs for people with high support needs. Although these projects would focus on work, Family Advocacy believes they are a State responsibility at this stage because the target group is traditionally seen as a State responsibility. The success of demonstration models would provide a case for the

Commonwealth to play a more significant part in developing work options for people with high support needs.

- o enable people with high support needs to be enrolled in or audit post secondary or higher education courses.

## **Block funding**

The Minister indicated that the existing individualised funding prevented the achievement of the outcomes that the government intended. People with disability were informed that:

- block funding gives incentives and capacity for providers;
- people will enter services through a system of vacancy management;
- there will be regular review of participants and program outcomes will be monitored.

The decision to move away from funding individual people with disability (through individual packages) to funding services via a block grant, is a regressive step that is inconsistent with the principles of choice and flexibility.

**Individualised funding** allocates resources to targeted, named people for specified purposes. It provides opportunities for outcomes that are personalised and flexible.

### **Impacts of individualized funding**

For the individual

- supports portability: being able to change services or move geographically because the resources are transferable with the individual;
- supports choice and flexibility: when the resources 'belong' to the individual, their bargaining position in negotiating the types of support they need and want is enhanced.

For the service

- creates incentives to be responsive to participants to retain their involvement. 50% of services supported individualized funding, recognising that it gave people with disability and their families greater control over their lives;
- requires financial and outcome acquittal processes that are more onerous;
- services claim this leads to more casual staff because of the uncertainties year to year of the number of participants. The actual mobility of people with individualized funding is very low and so this claim seems to lack much substance.

### **Impacts of block funding**

For the individual

- limits mobility and flexibility of people with disability and thereby their families, because people will no longer be able to:
  - o choose the service they want;

- move if they decide that they want something different, or the quality is not good;
- take their funding to another area of NSW.

For the service

- encourages consideration of the needs of the service over the needs of the individual;
- creates disincentives to being responsive to participant goals and needs because the service will continue to receive funding even if dissatisfied consumers leave;
- creates a requirement for vacancy management which means that services must work with participants who do not want to attend their programs.

### **Recommendation 6**

That DADHC change the funding system to include two components:

- individualised funding packages that are:
  - targeted to named individuals;
  - transferable with the individual;
  - allocated according to a common procedure;
  - based on a functional assessment of the person's support needs in participating in valued adult roles in the community;
  - guaranteed on that basis and indexed to cost increases;
  - responsive to changing need;
  - able to be flexibly deployed.
- core funding for non government agencies for infrastructure costs.

### **Recommendation 7** (to be discussed in Term of Reference 2)

That Government funding for school leavers and adults with disability covers:

- the costs of support 5 days per week to enable eligible individuals to participate in on-going adult education, vocational training and employment on a full time or part time basis;
- the extra costs of disability resulting in the need for transport, mobility support and personal care.

## **Impact of Vacancy Management**

Under a system of vacancy management, a new individual coming into the system or a person wanting to change services or move geographically must wait for a vacancy at one of the local services. If this vacancy management system operates in the same way as that in the DADHC accommodation services, an individual will be given a limited number of options and if they do not accept one of these, they will go to the bottom of the waiting list. Some of the difficulties include:

- service options offered to an individual are often totally unsuitable;



- options may be geographically distant from the person. Given that the cost of transport is not covered in TTW and CP Programs, families must bear the cost of transport which will limit the distance it is feasible to travel;
- services are required to support people who do not want to be there.

This will have a negative impact on:

- people with disability forced into a service they do not want to be in;
- the other participants of service who must put up with difficult behaviour that results from forcing people to attend centers they do not want to attend;
- the service that will have little control over who becomes a participant and may be forced to accept participants who they believe are totally unsuitable for their programs.

### **Recommendation 8**

That DADHC remove the system of vacancy management.

### **DADHC Monitoring**

Whilst the Policy Framework indicates that there will be regular review of participants and program outcomes will be monitored, Family Advocacy believes that 'review of participants' is pure rhetoric. Any review will be undertaken by the organisation providing the service without incentives to review the effectiveness of support rather than the deficits/failings of the individual.

In addition, there is absolutely no confidence in the capacity of DADHC to monitor the non-Government sector when DADHC provides very poor quality day programs that do NOT conform to the *NSW Disability Services Act, 1993* (DSA) and does not monitor itself.

### **Recommendation 9**

That DADHC implement an effective system of monitoring based on the principles of person-centred planning.

### **Impact of the Program structure**

The DADHC changes to programs for school leavers and young adults with a disability will lead to a growth in services which will contravene the Objects, Principles and Applications of Principles of the *NSW Disability Services Act, 1993*.

## Term of Reference 2

### The adequacy and appropriateness of funding arrangements for the new program

**Family Advocacy believes that the funding levels are both inadequate and inappropriate.**

#### Government rhetoric about funding

- **Rhetoric:** The Government has provided increased funding for school leavers and adults with disability.

**Fact:** In July 2004, the Minister stated that the Government is committed to improving outcomes for school leavers with disability and has raised annual funding for the new programs from just over \$50m this year to over \$60m by 2007/8.

In fact, the budgeted increase reflects the cost of the projected increase in the number of school leavers with disability and reflects a **decrease** per existing participant. The budget allocation to PSO and ATLAS is identified as a growth item only because neither of these programs have ever been part of the Budget Forward Estimates, not because of any growth in funding.

The real cost of maintaining the ongoing commitment to PSO and ATLAS participants, as well as providing support to school leavers with disability over the next 4 years, is \$130m. Instead the Government budgeted for \$54m, a savings of \$18m per annum for 4 years. Table 4 indicates cost savings to government.

The budgeted increase to \$60m by 2007/08 reflects the cost of projected increase in the number of school leavers with disability and reflects no increase per existing participant.

- **Rhetoric:** The reforms should not reduce the hours of support an individual receives each week.

**Fact:** It is now clear that the two new programs have meant a cut in funding and service to individuals including:

- A significant number of people with high and complex needs placed in the Community Participation program are receiving at best two days support. Those receiving more hours are in services where the ratio of staff to participants is reduced resulting in congregate day care which does not comply with the DSA..
- A significant number of ATLAS participants receive less hours of support compared to their hours prior to the changes.
- People on the TTW Program who do not achieve work in 2 years will be moved to the CP Program and less hours of support.
- Some PSO participants now receive less hours of support and must now pay for transport. One parent who contacted Family Advocacy told how

her son's support was reduced from 16 to 12 hours per week and she was now forced to pay an extra \$105 per week for transport.

- o PSO participants who are engaged in 8 hours of work will be exited from the program.

**Table 4: Program costs and savings to Government in the changes to post school programs**

	Pre reform levels	Implementing reforms of July 2004	PSO exemption	PSO exemption and Community Participation up to \$13,500
1,419 PSO participants	1419 x \$19,600 = \$27.8m	1419 x \$11,500 = \$16.3m	1419 x \$19600 = \$27.8m	1419 x \$19600 = \$27.8m
1,635 ATLAS participants	1635 x \$15,699 = \$26.2m	1635 x \$11,500 = \$18.8m	1635 x 11,500 = \$18.8m	1635 x \$13,500 = \$22.1m
TOTAL	\$54m	\$35.1m	\$46.6m	\$49.9m
Savings generated for government	\$0	\$18.9m	\$7.4m	\$4.1m

Assumptions

1. Costs per program averaged:

- PSO - \$19,600,
- ATLAS - \$15,699
- Community Participation as at 6.7.04 - \$11,500

2. The majority of people from PSO and ATLAS are allocated to Community Participation.

**Even given the increase in the rate of support for people in the Community Participation Program, Family Advocacy believes funding levels remain inadequate for the following reasons:**

- **Funding levels have been slashed**

The projected cost over 4 years of support to people on PSO and ATLAS was \$130m. The Budget forecast of \$54m represented a saving of \$18m per annum to Government.

See Table 4

- **Hours and quality of service will suffer from the funding cuts**

The Minister stated that the reforms should not reduce the hours of support an individual receives each week. However, assuming an approximate cost of \$22/hr, \$13,500 will provide about 12 hours per week for 48 weeks. This is less than the current level of service and contradicts the Government's commitment of 3 days/20 hours per week. For many years, Family Advocacy has been lobbying the Government to provide **certainty and sufficient funds** for quality support 5 days a week. Instead, funds have been reduced.

The funding cuts will not ensure that young people with disability have access to the intensive, individualized, developmental programs and support they need. School leavers and young adults will be forced into day care. Parents, mainly women, will have to give up work, lower their hours, or decide not to enter the workforce in order to fill the gap. The reduction in funding will create increased pressure on other forms of Government funding including respite, supported accommodation and Home Care.

- **The 'high needs pool' is inadequate**

Family Advocacy estimates that the high needs pool of \$1.4m will at best assist 150 individuals. This is totally inadequate to meet the need. Eligibility criteria, method of allocation and portability of this money remain unresolved. The Director-General of DADHC stated that decisions about eligibility for and allocation of these resources would be made by Government and service providers, using "a business case basis against criteria". People with disability and families are once again excluded, with little or no say in accessing this funding.

- **Critical costs not addressed**

The issues of the cost of transport and mobility have not been addressed. This is more critical than ever because under the new system of block funding and vacancy management, families may need to transport their adult sons and daughters a much greater distance to a vacant place in a service.

In addition, funding for the TTW Program omits costing for the support that many people need to engage in adult education, vocational training, and work-related skill development in the wider community.

**Family Advocacy believes the proposed funding levels are inappropriate for the following reasons:**

- **Young people with disability will represent a cost saving to the Government**

The Minister stated that the Government is committed to improving outcomes for school leavers with disability and yet this commitment to improvement is based on a decrease in funding.

- **Level of funding is not related to need**

The Minister justified the lower average funding under the Community Participation Program as reflecting the less intense support that needs to be provided. However, people placed in the CP Program are those with high and complex support needs. Common sense would indicate that these people need more rather than less support. With a reduction in funding, they must receive less hours unless ratios of staff to participants are reduced resulting in congregate day care which does not comply with the DSA.

- **Level of funding is related to year of completion of school**

The Minister's exemption of PSO participants from the reforms was on the basis that people on the PSO Program had been given an ongoing commitment by Government and that their support needs were different to those of ATLAS participants. This is inaccurate: the only difference between PSO and ATLAS participants is the year they left school. The participants have the same profiles, the same needs and the same aspirations. Their families have the same expectations of ongoing Government support. It is unjust and inappropriate that ATLAS participants are discriminated against.

- **Needs and Expectations of families are consistent over time**

The Minister emphasizes that families were informed of ATLAS's two year commitment upon entering the program in 1999. Annual extensions of the commitment and an assumption that the Government would treat all school leavers equally gave families a reasonable expectation that ATLAS funding would continue.

- **Individuals will lose control of their funding**

The move to block funding will substantially decrease choice and flexibility for individuals and their families. People with disability and families query why the Department was so swayed by service providers in determining policy and does not take a leadership position and listen to their views.

- **Young people are being made to pay the price of Departmental mismanagement**

The changes were necessary because service providers are not properly accountable for the funding they receive. It is unconscionable that the Department's inability to manage its funding relationship with service providers is then used to hammer people with disability and families by reducing funding, portability and future opportunities.

- **NSW is seeking to move to the 'lowest common denominator' of State practice**

The Minister indicated that the Government's decision on funding levels was driven by the levels allocated in other States and that a national perspective is necessary. There is conflicting information as to the level of funding in other states but ultimately the level is

a demonstration of the level of priority the Government accords the needs of vulnerable people.

If, however, the Government wishes to model itself on funding arrangements in other States, Family Advocacy recommends the Western Australian model be followed. The WA system is noted for its flexibility, which is sadly lacking in NSW and has been dramatically eroded with the changes. Two examples of flexibility in WA which should be followed in NSW are:

- an individual can receive funding under both PSO and the Adult Alternatives To Employment Program which is equivalent to the NSW Community Participation Program if they are able to work more than eight but less than 20 hours per week. In NSW, an individual can receive funding under one program only, reducing vocational opportunities for many individuals.
- individuals are allocated to one of four funding bands depending on support needs, and funding levels are determined accordingly. This means that funding is proportionate to need. Funding is tied to the individual, who can choose an individual or group service.

#### **Recommendation 7**

That Government funding for school leavers and adults with disability covers:

- the costs of support 5 days per week to enable eligible individuals to participate in on-going adult education, vocational training and employment on a full time or part time basis;
- the extra costs of disability resulting in the need for transport, mobility support and personal care.

## **Term of Reference 3**

### **The role of advocates both individual and peak groups in the consultation process**

#### **The Minister states:**

- the new programs were the result of previous program reviews, pilot programs run by service providers and working groups that included representatives of service providers;
- the Government consulted widely in developing these reforms.

#### **The facts**

**1. Previous program reviews:** Government has spent many hundreds of thousands of dollars on reviews of program for school leavers and adults with disability. These include: reviews by Ernst and Young in August 1997, Spice Consulting in 1998 and Brian Elton & Associates in 2000.

These reports have not been released so there has been no community discussion.

**2. Pilot programs:** In 2003, DADHC commissioned several pilot programs to look at improved practice and better linking with Commonwealth programs. A research study to identify the costs in the PSO/ATLAS Program was also commissioned. At the time of announcement of changes in July, 2004, the studies had not been finalised and no account was taken of the emerging knowledge.

**3. Working groups:** DADHC established 3 Working Parties to guide the reform process. Two of the groups met on one occasion only and the third met on a number of occasions but DADHC kept changing the agenda of issues under discussion.

The key contentious issues of funding, the division of participants into 2 programs and the move to block funding were NEVER agreed to.

**4. Consultation after the announcement:** Whilst senior staff of the Department and the Minister's Office met with representatives of a number of advocacy groups, it appears that only the voice of ACROD has been heard.

In the changes to post school programs, people with disability and families have been removed from making key decisions.

The changes announced have been planned via discussion with service providers, particularly their peak group ACROD. Discussion with people with disability, families and advocacy groups was obviously not valued. The additional funds allocated for people with very high support needs will be allocated for service providers and DADHC is working with service providers on the criteria for allocating the funding. Once again the voice of families and advocates is excluded.

#### **Recommendation 10**

That in major processes of reform, DADHC is required to follow the Community Compact, negotiated by the NSW Government as the framework for introducing change in the non government sector and the Consultation Protocol negotiated with the former Department of Ageing and Disability.

## **Term of Reference 4**

### **The impact of the exclusion of students enrolled or proposing to enrol in post secondary and higher education from eligibility for assistance under the new programs**

Family Advocacy believes that the exclusion of students enrolled or proposing to enrol in post secondary and higher education from eligibility for assistance under the new programs will unnecessarily limit the life opportunities of school leavers and adults with disability.

There are two broad groups of students for whom this will have a negative impact:

1. students who meet the eligibility criteria for a post secondary and higher education course but will be unable to participate in the course of study because the institution provides inadequate support to meet the student's needs;
2. students who wish to 'audit' a post secondary and higher education course but who are now prevented by this new policy regulation. (Auditing students pay a small fee to attend lectures, they are not required to submit work for assessment and they do not receive any qualification). This would include programs at universities, TAFE and private providers.

#### **1. Students who meet the eligibility criteria for a post secondary and higher education course but will be unable to participate in the course of study because the institution provides inadequate support to meet the student's needs.**

##### **Support available for students with disability in higher education**

The Commonwealth Government is responsible to fund support for students with disability attending higher education. There are two major sources of funds for support for students with disability at university:

- student services funded by each university out of their operating budgets. Whilst some universities make adequate provision, others provide the most minimal support, completely inadequate to meet the need;
- funding available through the Additional Support for Students with Disabilities (ASSD) Program which provides approximately \$500 per student per semester to purchase note taker and personal care support as well as purchase assistive technology.

##### **Support available for students with disability in courses provided by private providers**

There is no formal source of funding for private providers to meet the additional costs of enabling a student with disability to access their courses.



## **Profile of potential students affected**

This exclusion will impact on:

- students with a significant physical disability whose support needs may include personal care, assistance with eating, assistance with mobility within the campus and transportation to and from the campus;
- students with autism whose support needs may include support with communication, behaviour and transport.

The life opportunities of students who complete a post secondary and higher education course are enhanced compared those with less formal education. For intellectually capable students with autism and high physical support needs, the attainment of higher levels of formal education is critical to their future opportunities including opportunities to achieve employment.

Family Advocacy recognises that DADHC is ill-resourced to pick up the inadequacies of other government funding programs. However, if lack of support prevents students from succeeding in post secondary and higher education courses, these young people will certainly be forced into State funded post school programs that are less suitable to their needs and aspirations and the State Government will be required to meet the costs of their long term support. They are unlikely to be eligible for the TTW Program because given the nature and level of their support needs they are unlikely to achieve employment within 2 years without the additional qualifications that come from further study.

## **2. Students who wish to 'audit' a post secondary and higher education course**

There are a small number of innovative post school programs that facilitate the participation of people with intellectual disability in the social and educational life of universities. These programs operate at Flinders University in South Australia, Alberta Canada<sup>13</sup> and Finland. This submission will describe the features of the program at Flinders' University, demonstrating that the target group for CP Programs can achieve valuable outcomes from auditing a post secondary or tertiary education course and that funds for people in the CP Program would be valuably used to support students in these programs.

## **"Up the Hill": the Post School Program at Flinders University**

"Up the Hill" is a post secondary educational program<sup>14</sup> based in the School of Special Education and Disability Studies, Flinders University. The project provides opportunities

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<sup>13</sup> Uditsky, B., Frank, S., Hart, L., & Jeffery, S. (1988). *On Campus: Integrating the university environment*. Paper presented at the SHAPE Conference, Australia.

Weinkauf, T., & Bowman, P. (1995). *Inclusive post secondary education in Alberta*. Alberta Association for Community Living, vol3, no 2, p 5-7.

for people with intellectual disability to increase their range of experiences, exercise their rights for continuing education, enhance their vocational opportunities and develop their social networks.

Between 1999 and 2001, 14 people with intellectual disability have been enrolled as auditing students at Flinders University through the “Up the Hill” Project.

**The Mission Statement** of the Up the Hill Project indicates that it endeavours:

*to provide a quality service at Flinders University that enables people who have an intellectual disability to access the university environment, to develop social skills & social networks and to experience a range of educational opportunities and activities.*

The **aims** of the Up the Hill project are:

- to facilitate the educational development and functioning of people with intellectual disabilities in a positive and supportive environment;
- to provide opportunities to develop the social networks of people with intellectual disabilities;
- to provide opportunities to increase the range of interests and knowledge of people with intellectual disabilities;
- to enable people with intellectual disabilities to exercise their rights to continue formal education;
- to facilitate the development of self-esteem and self confidence for people with intellectual disabilities;
- to enhance the vocational opportunities for people with intellectual disabilities;
- to provide opportunities for both academic staff and students to benefit from interactions with people with disabilities.

### **Selection of participants**

To be a participant, a person must have an intellectual disability, be eligible to receive the Disability Support Pension, have an interest in further education, be able to display reasonable interpersonal skills (ie be non-disruptive in social and educative settings) and have an interest in establishing new relationships and participating in new experiences.

The Up the Hill project is an approved Post School Option Program in South Australia supported by students undertaking the Bachelor of Applied Science (Disability Studies) degree. The students receive credit towards the practica requirements of the degree for their involvement and contribution to the project. They provide mentor support to the individuals with disabilities to familiarise them with the university campus, choose topics to study, meet, brief and support the lecturers concerned, navigate the enrolment procedure and attend lectures.

The individuals with disabilities, referred to as 'participants', gain access to the university by enrolling as auditing students and paying an audit fee for each topic to be studied. Although an auditing student is officially limited to attending the lectures, a number of additional benefits have been negotiated, for example, the allocation of a student card,

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<sup>14</sup> The program commenced as part of an honours thesis undertaken by Gibson, C. J. (1997). *The next step: A pilot study of inclusive university education for a selected group of people with an intellectual disability*. Unpublished honours thesis, The Flinders University of South Australia.

access to and use of library facilities and the inclusion in excursions, projects, tutorials and seminars.

An equally important part of the mentor's role is to increase the social networks of the participants by facilitating contacts with other students within the university. For example, meeting students for coffee and lunch breaks, taking part in recreation activities, club membership and being involved in the wide range of functions and events that occur throughout the university year. Mentors also extend their support to the participant in off-campus activities that may involve reciprocal invitations to share time with family and friends.

#### **Recommendation 4**

That DADHC restructure the Community Participation Program so that all participants have real opportunities to implement goals and strategies that come from person centred planning. All aspects of policy, service specifications and data collection must document the opportunities provided to participants of the CP Program to receive support in work or self employment and to be enrolled in or audit post secondary and higher education and vocational training.

#### **Recommendation 5**

That DADHC take steps to improve the capacity of the system to deliver contemporary supports through:

- the allocation of specific funding for service development and capacity building;
- government and non government sector training;
- the funding of a number of demonstration projects that :
  - provide real jobs for people with high support needs. Although these projects would focus on work, Family Advocacy believes they are a State responsibility at this stage because the target group is traditionally seen as a State responsibility. The success of demonstration models would provide a case for the Commonwealth to play a more significant part in developing work options for people with high support needs.
  - enable people with high support needs to be enrolled in or audit post secondary or higher education courses.

#### **Recommendation 11**

That support available to participants of the Community Participation and Transition to Work Programs be available to purchase the support required to enable an eligible student to enroll in or audit a post secondary or higher education program.

#### **Recommendation 12**

That DADHC negotiate with the NSW Department of Education and Training to ensure that adequate funding is provided for support for students with high support needs to undertake TAFE courses.

**Recommendation 13**

That DADHC negotiate with the Commonwealth Department of Education, Science and Technology to ensure that adequate funding is provided for students with high support needs to undertake courses of higher education through both the public and private systems.

## **Term of Reference 5**

### **Appropriateness of assessment methodology used to identify school leaver support needs and to stream school leavers into the new programs**

#### **Purpose of assessment**

According to statements made by the Minister, the purpose of assessment was to plan for the future for individuals. She assured Parliament and the public that proper assessment would enable the Department and service providers to better tailor their assistance to participants.

In addition, DADHC information indicated that a further purpose of assessment is to ensure maximum opportunities for people to enter employment.

#### **Process of assessment**

The assessments were undertaken by the Commonwealth Rehabilitation Service (CRS) and the Home Care Service using three questionnaires:

- the HACC screening tool “to provide information about a person’s support needs”- Form 3 in the 2004 School Leaver Registration Package;
- a Behaviour assessment “to determine the student’s behaviour” - Form 4 in the 2004 School Leaver Registration Package;
- a Domestic Activities of Daily Living Assessment “as it is a good predictor in identifying work readiness”- Form 5 in the 2004 School Leaver Registration Package.

These assessment tools do not help people to plan for the future. They provide a checklist:

- designed to be completed in less than one hour;
- derived from an assessment used on elderly people who are growing more dependent;
- designed to identify deficits but has no place to discuss:
  - strengths;
  - aspirations;
  - interests;
  - networks;
  - opportunities.

It cannot show whether someone is ‘work ready’ (whatever that means) and yet it is being used to determine program eligibility for Commonwealth employment, Transition to Work or Community Participation.

## **Perverse incentives in the assessment process**

### **1. Incentive to indicate lower support needs than exists in order to keep costs low**

The incentive for the Government was to assess as many people as possible as having “moderate” support needs in the CP Program in order to maximize savings for the Government. Obviously, the Government’s cost saving calculations in July 2004 were based on an estimated number of participants in the then 4 options of Transition to Work and the then 3 levels of CP Program (moderate, high and very high able to access the high needs pool).

Family Advocacy is aware of many ATLAS participants who have very high support needs who were assessed as having moderate support needs. It is of concern that the assessment tools were of such poor quality as to make such serious errors. The only other interpretation could be that DADHC formally or informally briefed the CRS and the Home Care Service as to the likely proportion of people falling into each of these categories and the assessors felt obliged to return assessments within certain bands.

### **2. Incentive to assess only people with low support needs as eligible for the Transition To Work Program**

The desire to report positive employment outcomes from the TTW Program leads to selection criteria that ensures that only those with very low support needs get into the TTW Program.

### **3. Incentive to assess people as ‘work ready’ and thereby exit them from State funded programs**

The clear goal of passing people to Commonwealth responsibility was demonstrated in the confusion around people on PSO being reassessed for work readiness. The Minister indicated that the Government would not exit people from the PSO Program if there was no job for them to go to. This contradicted a letter to PSO participants from the Director General of DADHC stating that if participants were ‘work ready’ they would be assisted to make the transition to employment and, irrespective of the availability of jobs, would need to exit the PSO program.

It is of concern to Family Advocacy that a move to a sheltered workshop (today known as Commonwealth Business Services) is considered a positive employment outcome. The concern is based on the fact that Business Services are segregated services in which large numbers of people with disability are engaged in repetitive piece work in poor conditions usually earning as little as \$1/hour. The numbers of people choosing Business Services declined dramatically when the State Government introduced the PSO and ATLAS Programs because life in a sheltered workshop was seen as boring, demeaning and providing no developmental or financial reward. PSO and ATLAS Programs were seen to offer better opportunities. Now as a result of the reforms, ‘success’ is considered as a move to an option that people previously rejected.

**Recommendation 14**

That DADHC develop a new assessment tool that functions both to determine eligibility for a post school program and begin a process to identify aspirations and interests.

**Recommendation 3**

That DADHC commit to move to a genuinely person-centred planning framework for all services including:

- training for service providers that supports changed practice;
- the development of transition plans that demonstrate how services will move from a service-centred framework to a person-centred framework;
- a changed framework for monitoring of service provision that reflects the changes that will take place as a result of person-centred planning.

## **Term of Reference 6**

### **The adequacy of complaints and appeals mechanisms established in relation to the implementation of the new programs, and particularly in relation to assessment decisions**

Family Advocacy believes that the absence of any complaints and appeals mechanism is an utter disgrace. Having an adequate complaints mechanism is a requirement of all services that receive funding from DADHC. The absence of this procedure, so fundamental to procedural fairness, must be rectified immediately.

Family Advocacy believes that the current culture in DADHC does not provide confidence that DADHC will deal with complaints about itself and its processes in a fair and impartial manner. We thereby seek the establishment of a process external to DADHC to deal with complaints about DADHC. In addition, we seek the commitment that the performance agreement of the Director General include an indicator related to the fair resolution of complaints in a timely fashion.

#### **Recommendation 15**

That a complaints and appeals mechanism, external to DADHC is established to deal with complaints about DADHC.

#### **Recommendation 16**

That the fair resolution of complaints in a timely fashion is a key performance indicator in the performance agreement of the Director General.



## **Term of Reference 7**

### **Whether appropriate and sustainable further education, vocational training and employment outcomes for people with a disability are likely to be achieved as a result of these changes**

#### **Family Advocacy assessment of the implications of the changes**

##### **School leavers and adults with disability will**

- suffer from inadequate assessment and limited life planning;
- not have the opportunity for 3 days a week, as the tender benchmark indicates, let alone the 5 days per week required;
- will face more group activities where skill development is much harder to achieve. Individual support to follow more personalized approaches to membership of the wider community and the building of relationships will remain severely compromised;
- have no real option to receive service support to take on valued adult roles as an individual member of the community;
- have no real choice either between services or as to activities within services;
- lose skills and develop new challenges leading to a higher level of service need;
- receive little response to changing needs;
- have no ability to change services;
- have no quality assurance. The processes of block funding and vacancy management mean that dissatisfied users cannot change services and services will not experience negative consequences for poor performance;
- be judged as failing if the economic environment, availability of work or poor focus of the program mean that they have not achieved employment within 2 years;
- lose relationships by being forced to change programs if they fail to achieve employment;
- not attain new relationships in the community.

The experience of people across NSW will be variable, not in a manner that is locally responsive, but in response to differential vision, imagination, knowledge, skills and experience of services.

##### **Families**

- are already experiencing a significant level of stress and distrust;
- will lose employment as one member will need to provide support on days without program support;

- have already indicated that they will lose their home if they face reduced income;
- will experience a loss of expectations, vision, desired future for the person with disability;
- The capacity of the family to care will be further impaired leading to the call for additional respite and supported accommodation.

#### **Services will**

- receive no guidance, service development, demonstration of 'innovative' models, training or mentoring to translate the rhetoric of Policy into changed practice;
- be forced to make staff redundant;
- not provide even 3 days per week for many participants;
- be forced to reduce staff/ participant ratios if they are to meet the benchmark of 3 days service provision;
- have no capacity to implement the vision, objectives and principles underpinning the program – they will be forced to provide day care;
- have many reluctant participants who have been placed through a process of vacancy management, or had their funding reduced if the Transition to Work program is unsuccessful in assisting them attain work;
- There will be no transparency as to the decision made for Community Participation services;
- The 'train and place' model foreshadowed in the tender documents for Transition to Work will not achieve employment outcomes. Evidence is clear that an on the job approach is more effective and yet barriers of Commonwealth/State relations and program design will inhibit successful outcomes.

#### **Government will face**

- a further deterioration of trust by all major stakeholders including people with disability, families, services;
- community perception that the Government is uncaring;
- a loss of the philosophical underpinnings of the *NSW Disability Services Act, 1993*;
- people with disability losing skills, thereby increasing the demand for personal care and support;
- loss of opportunities from whole of government approach for adults with disability;
- a reduction in the capacity of the family to care in the long term;
- Services operating on an inadequate budget will be forced into practices that are not in conformity with the *NSW Disability Services Act, 1993*. This will lead to appeals to the NSW Administrative Decisions Tribunal;
- Not realising the anticipated savings because of increased demand for respite and accommodation services.

## **What is necessary to achieve appropriate and sustainable further education, vocational training and employment outcomes for people with disability?**

This submission has outlined key components of what is necessary to move beyond the current difficulties and achieve valued outcomes that are sustainable for people with disability. These include:

- appropriate identification of the target group;
- a Government commitment to support for eligible people with life long disability at times when unemployment, change of need or change in family circumstances means that additional support is required;
- a genuine commitment to person-centred planning and the organisational change that it involves;
- a restructure of the Community Participation Program so that all participants have real opportunities to implement goals and strategies that come from person-centred planning;
- a strategy to improve the capacity of the system to deliver contemporary supports including the funding of demonstration projects that provide real jobs for people with high support needs and opportunities to enrol in or audit post secondary and higher education courses;
- a change to the funding system to include individualised funding packages (that meets the cost of 5 day per week support, transport, mobility and personal care) as well as core funding to non government organisations for infrastructure;
- the use of TTW and CP funding to purchase the support required to enable an eligible student to enrol in or audit a post secondary or higher education program;
- the development of a new assessment tool;
- the development of a complaints and appeals mechanism external to DADHC;
- the removal of the system of vacancy management;
- the development and implementation of an effective system of monitoring based on the principles of person-centred planning;
- a commitment to follow the Community Compact and the Consultation Protocol as the framework for introducing change;
- negotiations with DET and DEST to make adequate provision for students with high support needs wishing to enrol in or audit courses in post secondary or higher education.

Family Advocacy believes that the reform process needs to be recommenced and refocused.

### **Recommendation 17**

That DADHC restart a reform process:

- focussed on the implementation of quality contemporary supports;

- driven by individuals who have credentials in the area of inclusive supports for people with high support needs;
- a commitment by government to a robust monitoring and review system which reflects the spirit and intent of the *NSW Disability Services Act, 1993*.