

**Submission
No 52**

INQUIRY INTO POST SCHOOL DISABILITY PROGRAMS

Organisation: Challenge Armidale Ltd

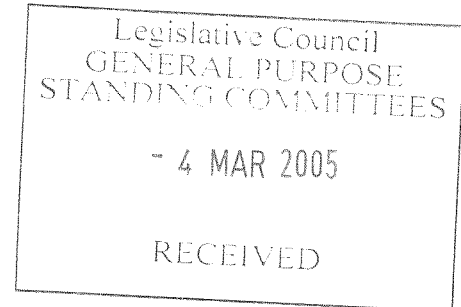
Name: Mr Kevin Mead

Date received: 4/03/2005

Incorporating:

Community Living Service
Challenge Day Services
Armidale Network Employment Centre
Business Services
- Acacia Park Contract Services
- EzyPeel Vegetable Preparation
- Office Paper Recycling

President : **Warwick Olphert**
General Manager : **Kevin Mead**
Date : **March 2, 2005**



**To The Director,
N.S.W. Legislative Council,
General Purpose Standing Committee No. 2
Inquiry into changes to Post School Programs
For Young Adults with a Disability**

Background

Challenge Armidale is a non-government, community based, charitable organisation providing a range of services to 113 people with a disability. Starting operations in 1955, Challenge Armidale will celebrate its 50th Anniversary in 2005. The services Challenge Armidale provide include community integrated accommodation support services, quality assured open and supported employment services and a range of day programs. The aim of Challenge Armidale is to provide high quality services based on individual need.

Challenge Armidale has been a provider of Post School Options and ATLAS programs since 1993. In 2002 a new day services centre was built with community and Government support. The day program now caters for 43 people with significant and complex disabilities as well as those transitioning to employment.

Opening statements

We welcome the opportunity to submit information to this inquiry into changes to Post School Programs for Young Adults with a Disability. This has been an issue that has created a significant amount of stress, worry and concern for our clients, their parents, carers and other family members, as well as the staff and members of the general community. It is incredibly sad that a state Labor Government has chosen to attack one of the most vulnerable groups of people in our community, and one that has a limited capacity to speak for itself.

The entire ATLAS program has been in a state of chaos for many years, and Challenge Armidale supports the move to separate the time limited ATLAS program and divide the program into an ongoing, recurrently funded Community Participation program and a time limited Transition to Work Program. Unfortunately, the rationale for this decision

appears to have been arrived at from concerns regarding future funding implications and a goal of removing smaller service providers from the marketplace, rather than any desire to provide people with intellectual disabilities and high support needs with a program that addresses the inherent flaws within the system.

The lack of any valid consultation prior to the announcement of the reforms with the service users and their parents, who are after all the primary stakeholders, is an example of the fact that the reform process was not intended to achieve client focused outcomes, and instead was purely a cost cutting measure. During an information session conducted by the Department of Ageing, Disability and Home Care for service providers in Armidale, a departmental figure admitted that many senior staff had advised the Minister at the time that the reforms would not work, but this advice was ignored.

As a charitable organisation whose function is to support people with intellectual disabilities, we hope that this inquiry process underlines the duplicity of both the Department of Ageing, Disability and Home Care and the Labor Government in general. To claim better service will result from funding cuts is not only impossible, it shows the contempt in which the government holds people with intellectual disabilities, their families and carers, and the disability sector in general.

Response to the Specific Terms of Reference

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

Challenge Armidale welcomes some of the changes associated with the reform process of the ATLAS program. It is clear that the ATLAS program required a significant overhaul, however, it could be argued that this was primarily due to the lack of consultation and inconsistent program structure that the Department of Ageing, Disability and Home Care had established in the years since ATLAS's implementation in 2000.

It is of concern that there are only two possible pathways and funding frameworks for individuals leaving school. Standard Two of the NSW Disability Services Standards (the State Government's legislated standards and a requirement for Service Providers to meet) says that, "*Each person with a disability receives a service which is designed to meet, in the least restrictive way, his or her individual needs and personal goals,*" and; "*The agency tailors its service to meet the assessed needs of consumers in a flexible and responsive manner, not fitting consumers into the service approach*". The limited policy framework surrounding the proposed Transition to Work and Community Participation Programs, associated with the reduced funding levels, make it almost impossible for service providers to actually meet the standards as specified by the State Government's own legislation.

The philosophy and program structure of the Community Participation is vague. It would appear to exclude training and therapeutic programs, so essential to those with high support needs. Challenge Armidale has invested significant funds and human resources into developing such programs, e.g. augmentative communication programs,

occupational therapy, physiotherapy, music therapy, and sensory integration therapies. These programs meet DADHC's policies in regards to meeting individual needs and basic human rights and we have received a significant degree of recognition from DADHC staff, at both a local and state level, that we are providing an appropriate service. This organisation will not be able to provide these programs under the new funding levels. We fear a return to the inappropriate situations of clients being taken out for "watered down" or ineffective "community access" programs only, and we will no longer be able to achieve the specific and holistic outcomes truly required for each individual.

The eligibility process to become a Community Participation Program provider was a tick box exercise with little regard to quality of service provision. Just about any applicant could become eligible because of the low level of quality standard required. This reflects the low level of program expected for the funds available and opens the way for poor quality services. DADHC appears to have no interest in higher level, professional services producing outstanding outcomes for participants through innovation and best practice.

The eligibility process to become a Transition to Work provider was even more farcical than the equivalent option for Community Participation. A formal written tender was required, but no information was provided to tendering organisations in relation to the projected number of clients within the program. As such, we provided a tender that incorporated various program options depending upon whether we only received one client or up to twelve. Naturally, one client does not provide a very cost-effective option, but with the lack of information provided by DADHC, it was felt that all possibilities must be canvassed. Our tender was then rejected purely on the basis of this one issue of cost effectiveness, with our option of one client being used as the example. This was in spite of the tender document specifically detailing the arrangements for more than one client.

One other factor that still concerns us as a service provider is the fact that eligibility is still limited to school leavers. There are presently very limited options for people in the community to enter a day program. There is a significant level of unmet need in the community in relation to appropriate day support options for people with intellectual disability, but the ATLAS replacement process still fails to address this serious issue.

2. The adequacy and appropriateness of funding arrangements for the new programs.

Challenge Armidale considers it positive that organisations will have continuity, with Community Participation funding to be recurrent. It is of great concern, however, that this continuity comes with less funding and less support for those with the highest levels of disability. People who are assessed for the Community Participation Program typically have much higher support needs, more medical and personal care needs, and often challenging behaviours requiring a higher level of staffing support and expertise. These are also the families needing the most support and the most hours.

To reduce funding to the individuals with the highest support needs appears not only illogical, but also highly counterproductive. A considerable amount of funding is provided to children through the Early Intervention Program and then during their schooling years, but if funding is then reduced dramatically at the end of the school years, any benefits associated with this expense will quickly disappear. Challenge Armidale has found that most parents are shocked to discover that, on their child's completion of schooling, services will not continue on the same five-day a week basis. A three-day a week program naturally results in a dramatic change to the parents' lifestyle, as they now cannot have a full-time job or study. To cut that further, which is the only possible result of a funding reduction, will have a clear flow-on to families and their ability to maintain a semblance of a normal life.

Standard One of the NSW Disability Services Standards states that people with a disability should have access to services based on relative need. *"People with a disability receive support which most appropriately meets their needs and goals, provided by an agency which has the skills to meet these needs in an efficient effective manner."* The Department's decision to provide a "one size fits all" \$13,500 pa level of funding for the Community Participation program, which is less than existing Post School Options funding and ATLAS funding, does not meet this standard. This decision discriminates against current ATLAS service users and all future service users.

In 1993 Post School Options funding was in three levels, \$13,500, \$16,500 and \$18,500 recognising low, medium and high support needs. With indexation the State average is currently \$19,000 with some individuals receiving more than \$22,000. In 1998 when the ATLAS program began, funding dropped to a fixed \$15,000 for all and was limited to a two-year program. The current decision to drop the funding to \$13,500 replicates the 1998 discriminatory decision.

Challenge Armidale now has inequities in funding levels between programs with essentially similar cohorts funded differently in different years. We have individuals pooled under one base funding level without consideration for assessed individual needs and support requirements. Rather than just complaining about the system and not suggesting any solutions, Challenge Armidale conducted a great deal of research into the models of service provided in other states in Australia. We have brought to the attention of DADHC a far more individual and cost effective funding model currently running successfully in Western Australia. This has been ignored by DADHC, in spite of the fact that it would achieve better outcomes for the service users at overall funding levels equivalent to what is proposed.

We have grave concerns about the funding levels that have been announced for the Community Participation Program, and that these funding levels are significantly less than adequate to maintain current service levels, and will therefore lead to reduction in services. Many of our clients have particularly high support needs which will not be able to be met with the significant reductions proposed in the new program. Our preliminary calculations based on the information to hand, is that our Day Programs will experience a funding reduction of \$93,500, therefore creating the need to reduce services to clients or be totally unviable. The flow-on effect is the loss of experienced and trained staff.

Challenge Armidale has spent significant funds (in excess of \$40,000 over the past two years) on accredited training of its staff, and the Reform process will eventuate in a waste of human and financial resources, as staff will inevitably be shed.

Our internal surveys have shown that families are requesting additional day time support, not a reduction. Any cut to service will result in a flow-on effect to families, carers and supported accommodation services that will have to pick up the shortfall. There is a large number of families who are currently under pressure and only just surviving; they will not be able to cope with this added responsibility for day time care. This will further affect their ability to maintain some semblance of a normal life, and they are already indicating to us that they would have to quit work or study in order to provide this additional care to their sons and daughters with a disability. Some families have said that they will have no choice but to leave their adult children in the care of the Department, thereby resulting in additional costs to the Government of hundreds of thousands of dollars on a recurrent basis.

Challenge Armidale is greatly concerned that there have been no pricing studies to determine these funding levels. In fact, the University of Wollongong was commissioned at great expense to conduct a pricing study on this exact issue, but the decision regarding the funding levels was announced before the pricing studies had even been completed, let alone analysed. It is our understanding that none of the groups involved with DADHC in the development of the service models were involved in the financial modeling; the question remains as to why their expertise in this area was overlooked.

It is shameful that DADHC and the Labor Government have targeted the most vulnerable group of people with a disability who need the most support. To reduce funds and then to claim a better service outcome is deceitful and does not fool service users or their families. Even taking into account the \$1.4m for participants with high support need, if one in two services users were to access it, only an additional \$1,866 would be available or \$3,733, if one in four service users are approved. For individuals with the highest support needs, this would therefore result in funding equivalent to the 1993 level of funding for people with intermediate support needs.

At the same time that individuals are having their funding reduced, organisations such as Challenge Armidale are facing significant increases in relation to their Occupational Health and Safety and DADHC reporting requirements. Occupational Health and Safety is a massive issue for service providers assisting individuals with high support needs and challenging behaviours, and to reduce the funding to this group further only increases the likelihood of significant incidents occurring. The ability of service providers in rural areas to access appropriate protective behaviours training is already extremely difficult and expensive; with a reduction in funding it will become even harder. DADHC has also introduced more reporting requirements for service providers in such diverse areas as Swallowing Checklists and quarterly Minimum Data Sets. Whilst we support these improvements and recognise the necessity of them, they naturally involve a significant amount of administration. As administration costs increase, the service levels to the clients decrease. This problem becomes even larger with the smaller service users groups

common to country NSW. This therefore further reduces the capacity of smaller rural organisations without a large internal infrastructure to provide a cost-effective service.

DADHC has reported the increased numbers of future clients as a reason for the reforms. In real terms, therefore, the reduction in funding relates to cost saving measures and a desire to get rid of smaller day program providers. It appears obvious that DADHC has decided to reduce funding in order to meet the future demand. Rather than trying to address the problem and provide a quality service for all members of the community on an equal basis, it appears that the Department's policy to simply reduce the options available to individuals with a disability.

3. The role of advocates, both individual and peak groups in the consultation process.

Standard Three of the NSW Disability Services Standards talks about decision making and choices. It stresses the need for participation, consultation and choice in decision making around the service a person with a disability is to receive. The process undertaken by DADHC to introduce these changes has been without consultation with the service users, their families or advocates, or the service providers. DADHC has not followed its own Disability Services Standards in introducing the changes.

Peak groups were involved in initial discussions on the reform processes, but were not involved in the decisions surrounding the framework that was released. It is also worth recognising that many smaller rural organisations are not members of peak bodies, as they are not able to justify the annual cost as this comes at the expense of clients' programs. No consultation prior to the reform decision announcement occurred with smaller day service providers, and this tends to support the commonly held belief that DADHC is seeking to reduce the overall number of providers in NSW to less than ten state-wide.

The way in which the post-decision consultations were conducted was an example of worst practice. There was no consultation, and the DADHC representatives simply came to tell service users, their families and carers, and service providers that this was the situation that would occur. The consensus is that the whole 'consultation' process, which occurred after the decision was announced, was a waste of time and money for both DADHC and service providers. The disability sector repeatedly sees large amounts of money wasted on meaningless bureaucratic exercises, and yet the funding for people with a disability is inevitably reduced.

People with a disability, their families and service providers have been extremely active and vocal about their distress, anxiety and disbelief in the way they have been treated during this process. The whole process could be easily described as one of the worst examples of change management possible.

Challenge Armidale greatly objects to the tendering process, as we feel this undermines the rights of the client, parents and carers to select a service provider of their choice. This

is contrary to the Disability Standards, and impinges upon their personal rights as valued members of our community.

We fear that the disability sector will again see designated respite beds being permanently blocked due to families entering a crisis from the stress created by the reduction in day-time services. Pressure will also be increased upon accommodation support services, which will be required to service these clients for extra time at home, creating further viability issues. It would appear clear that the consequences of the Reform process have not been fully considered by DADHC, including between DADHC's own departments of Day Programs and Accommodation, and demonstrates the lack of consultation with all stakeholders.

The Minister declined numerous invitations to attend community meetings throughout the State during 2004. Following a considerable level of community outrage, a very well attended rally was held outside Parliament House in Macquarie St. The Minister agreed to meet with a delegation in Jubilee room in Parliament House after the rally to discuss the issues, but in actuality this merely involved the Minister reading a prepared statement and then leaving the room. Left to face the questions was the new Program Manager, who had been in the job only a few weeks, and the standard response to questions was simply 'I don't know'.

Challenge Armidale would also like to express its concerns regarding the time-frame constraints placed upon the families and advocates by DADHC. The response times for the submission of service application forms was found to be inadequate by many families. An example of this relates to one family who were away on annual holidays at the time, and as such, were not able to return their service choice form within the limited time-frame. They are still awaiting notification that their child is eligible to commence the Community Participation program. The Department did not explain clearly to families and advocates that the implications of a late return would be that the individual with a disability would not commence service at the expected time. The inflexibility of the process is clearly disadvantaging many individuals through no fault of themselves.

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.

Armidale is a thriving country town with a significant educational infrastructure. The University of New England, a large TAFE college and many local Registered Training Organisations form a significant part of the focus for programs for people with disabilities. By excluding students who are either enrolled in, or who propose to enrol in post-secondary and higher education, DADHC appears to be indicating that ongoing training and education are not high priorities. This is contrary to studies that indicate that a positive approach to lifelong education helps people to find and maintain employment, and to escape from the 'welfare mentality' to become self-sufficient.

5. The appropriateness of the assessment methodology used to identify school leaver support needs and to stream school leavers into the new programs.

The current assessment system, which was originally a Home Care Assessment for the Aged and aims to determine functional skills within the home for the geriatric population, is a grossly inadequate assessment tool to determine a potential vocational outcome. We would suggest that the use of specific vocational assessment is not only logical, but a prerequisite of any such methodology. The fact is that there are already more appropriate options available, such as the Prevocational Assessment Tool developed by Dr Vivienne Riches in conjunction with Professor Trevor Parmenter of the Centre for Development Disability Studies. Why a generic accommodation tool for the ageing was considered more appropriate than a specific vocational one for people with intellectual disabilities remains a significant mystery, and is yet another example of the lack of planning associated with this reform process.

We would suggest that rather than fixed levels of funding, individual support needs should be determined, and individualised funding packages be developed to meet the support needs. The Department of Ageing, Disability and Home Care already has developed appropriate tools, such as the Support Needs Assessment Profile that could be used to more accurately determine individual support needs. The West Australian model reflects this suggestion, using tiered funding to meet individual needs. We have repeatedly put forward the Western Australian model as a more appropriate option that would actually be more cost effective than the proposed system in NSW, but we have not received any indication as to why this could not be considered.

One of the main criticisms that service providers resented greatly was the claim by DADHC that we had “failed” because only a small number of service users had achieved a work outcome. Firstly, the purpose of the ATLAS program was not merely aligned only to vocational goals, as it includes individuals with high support needs for whom work is not a realistic outcome. Secondly, it is our opinion that the main reason why there was such a low “success” rate (i.e. a work outcome of 8 hours per week minimum) in the ATLAS program of only 3% (however this figure was quoted by a Departmental representative at the 2003 ATLAS Conference as being 1.5% clients gaining work and the remaining 1.5% dying), was due to the fact that the assessment tool used (the HACC Screening Tool) is totally inappropriate for school leavers.

Challenge Armidale received a lot of complaints from parents regarding the assessment process. The main criticisms surrounded the fact that the parents had no knowledge of the precise questions that were to be asked prior to the assessment taking place, the purpose of the assessment was not explained clearly, and that the person completing the assessment did not know the individual to any significant extent. The questions within the assessment tool are not flexible enough even to cope with a situation in which the person with a disability is non-verbal. For many questions, a person may be able to complete the task with one-to-one support from an aide, but the assessment tool could not reflect this. This would therefore result in a person being classed as competent in a skill, but this is highly inaccurate for the real world as they would only be able to complete this task with permanent support. This also showed the inconsistencies in the assessors, with some

classing individuals as not competent and others as competent, for individuals with very similar skill levels and support needs.

It is easy to demonstrate an example of the inappropriateness of the tool. We have two service users, one who is verbal and with good interpersonal and pre-vocational skills, and another who is non-verbal with autism and many challenging behaviours. The higher functioning service user received Community Participation funding, and the individual with high support needs was streamed into the Transition to Work program. Both placements are completely inappropriate, and in fact the individual with Community Participation funding is keen to enter open employment as soon as possible. This is merely one example within our service; every service provider we talk to has similar stories of the tool's inherent failings.

6. The adequacy of complaints and appeals mechanisms established in relation to the implementation of the new programs, and particularly with respect to assessment decisions.

Challenge Armidale has considerable concerns about the complaints and appeals mechanisms. As mentioned earlier, our initial tender as a Transition to Work provider was rejected. Our understanding of the decision not to approve the application was based on one area of the selection criteria only, i.e. cost efficiency and effectiveness. We immediately appealed, as we felt it very clear that the panel had misunderstood our application. This misunderstanding was the direct result of the lack of information or clear direction provided by DADHC in relation to the tendering process, as it is impossible to provide an accurate budget when the number of clients is not known.

We received a letter from the Director-General stating that our application was unsuccessful in that we did not meet the specific criterion of cost efficiency and effectiveness. There was no explanation of how the application did not meet this criterion. Information was also provided about the appeal process.

Upon phone enquiry we were informed that the unit cost was too high and the hours not enough for the cost. We explained the difficulties encountered as expressed above, and also explained that in the application a three-day program was being described, including an accredited training course in work readiness along with extensive individual and work preparation skill development, job search and placement, ongoing training and support.

We also asked that if there were any uncertainties requiring clarification why did the panel simply not make contact with the nominated contact person. The tender application form required the organisation to nominate a contact person who would be available for four weeks following the closing date.

Most disturbing at this point, even before the Appeal Process, the Director-General stated to us in the letter rejecting our tender : "The Department is currently negotiating with state wide service providers in relation to extending their services to Armidale; given that there will be a demand from existing participants and 2004 school leavers for a Transition to Work service." This immediately indicated to us that it was a foregone conclusion that

the Department's agenda is actually the removal of smaller community based services of choice to make way for state wide organisations.

In preparing our appeal letter we included information that had come to light since the original application, and provided clarification on the budget explaining how the unit cost and 1:1 hours could also be translated to group shared hours as explained in the text. By this time we knew there would be 6 participants. The appeal was rejected on the basis that new information was provided. How can one clarify without additional information being given? The appeal process was obviously a meaningless bureaucratic procedure.

Challenge Armidale made its application through its service outlet, Armidale Network Employment Centre as the most appropriate provider. Challenge Armidale Network Employment as well as Challenge Supported Business is fully independently Quality Assured against the National Disability Services Standards. Challenge Armidale is the only provider of open and supported employment services in Armidale. On what basis are external service providers able to do a better or more cost effective job than Challenge Armidale? This is exemplified by the situation we are now experiencing in which a Transition to Work participant living in Armidale is being serviced by an organisation based in a town over 100 kilometres away, but this organisation is now requesting that they broker this service user to us as it is not cost effective for them to service only one client. This naturally just adds another layer of administrative costs, and further reduces the amount of funding available to assist the individual to achieve an employment outcome. The result is a highly undesirable situation in which the service user is still being serviced by Challenge Armidale, but their actual level of service is less than other similar people with a disability due to the increased administration costs of having two separate organisations involved. The service user is clearly the main loser in this situation.

The assessment and decision making process was clearly inflexible in that the panel appeared not to be able to take into account all of the variables within the application. In addition, the appeal process is flawed in that it does not allow for clarification, nor is it a meaningful and transparent process. The whole process appears cloaked in secrecy and hidden agendas.

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

We would have to strongly disagree that the Transition to Work Program can achieve an outcome in two years, particularly in rural areas where employment opportunities are limited. We have this experience first hand, as our organisation also runs Open Employment and Supported Employment Services. It is extremely challenging to find employment for higher functioning individuals referred to our Open Employment Service by CentreLink, and this will be further compounded by referrals from clients in the Transition to Work Program who would not be fully work ready and able to participate in employment. In addition, in Supported Employment, the Department of Family and Community Services has implemented rigid guidelines in regards to employment

outcomes for people with a disability. We predict that it is going to be extremely difficult for Transition to Work participants to transfer to supported employment without having already achieved a high level of proven productivity as required by FaCS Standard 9: Employment Conditions.

Conclusion

While Challenge Armidale recognised the need for change, this reform process is one of the most flawed and problematic systems ever implemented. DADHC needs to introduce a more flexible funding system based on assessed individual need and then to provide individual funding to match identified support needs. DADHC needs to understand the real needs of people with disabilities, their families and service providers and treat them with dignity and respect.

DADHC has restructured itself on numerous occasions, with assurances at each costly restructure that this process will bring about better client outcomes. In fact, DADHC appears to be in “costly chaos”, for all processes concerning accommodation and day services. Service users are, once again, the losers in this latest so called “reform” process, with increased restrictions to services occurring.

In closing, we would again draw attention to the fact that the Reform initiatives will affect adversely the group of clients and their families who are amongst the most vulnerable and disadvantaged group in our society. We would sincerely hope that this outcome was not the intent of DADHC's thinking in developing the Reform initiatives. We therefore urge the State Government to reconsider the implementation of the Reform process by entering into full consultation with all stakeholders, understanding all implications and in particular, reviewing the totally inadequate funding levels.

On behalf of Challenge Armidale Ltd, its service users and staff,



Kevin Mead
General Manager