

Submission  
No 50

**INQUIRY INTO SERVICES PROVIDED OR FUNDED BY  
THE DEPARTMENT OF AGEING, DISABILITY AND  
HOME CARE**

Name: Name suppressed  
Date received: 05/08/2010

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*Partially Confidential*

## **Inquiry into services provided or funded by the Department of Ageing, Disability and Home Care.**

### **Background**

I / We are interested in Legislative Council's Standing Committee on Social Issues in relation to services provided or funded by the Department of Ageing, Disability and Home Care.

My / Our interest comes as a result of having a loving brother, who was born on the [redacted] with Downs Syndrome. [redacted] was raised in a loving family of nine children and our parents have been deceased for 46 and 20 years respectively. [redacted] has been a member of the [redacted] community for the past 12 years and lives a caring and supportive community.

We are concerned that decisions made by ADHC in the past 12 months have greatly complicated and compromised [redacted] and his funded co residents living situations at NSW.

### **The Terms of Reference of the Inquiry into services provided or funded by the Department of Ageing, Disabilities and Home Care.**

- I. That the Standing Committee on Social Issues inquire into and report on the quality, effectiveness and delivery of services provided or funded by the Department of Ageing, Disabilities and Home Care (ADHC) and in particular:
  - a. The historical and current level of funding and extent of unmet demand.
  - b. Variations in service delivery, waiting lists and program quality between:
    - Services provided, or funded, by ADHC
    - ADHC Regional Areas
  - c. flexibility in client funding arrangements and client focused service delivery.
  - d. Compliance with Disability Service Standards.
  - e. Adequacy of complaint handling, grievance mechanism and ADHC funded advocacy services.
  - f. Internal and external program evaluation including program auditing and achievement of program performance indicators review and
  - g. Any other items

### **Response to ADHC Inquiry**

Our main concerns relate to the terms of reference points (e), (d) and (b) above.

We are gravely concerned about the adequacy of ADHC's capacity to make reasonable placements of referred people with special or additional needs into residential care which are compatible with existing household residents. Further we have grave concern about ADHC capacity to take on reasonable responsible action when repeated formal complaints are made in relation to high risk placements.

There is an expectation that ADHC should comply with Disability Service Standards. However we are gravely concerned that due to a lack of resources and or the lack of willingness to listen to community complaints means that ADHC is not able to respond to breaches in their standards in a reasonable time frame or in a reasonable manner in at least a significant proportion of cases.

We are concerned that there are inadequate facilities to provide for members of the Community in NSW who have special or additional needs for residential care. This unfortunately places pressure on ADHC to make inappropriate placements and to stay with decisions which are locked in due to the lack of additional places or funding to provide suitable alternative accommodation.

### **General Comments**

There is a community expectation that many people with disabilities or special and additional needs require community support which enable them to live their lives in a supportive, safe and caring community. The varying degrees of disabilities, special and additional needs places these vulnerable members of our community in the classified need categories consistent with that of Child Protection requirements. The level of care needs to be such that their risk of harm is minimised and that their level of care is consistent with that of their special needs. Compatibility of residential care needs to be closely allocated, monitored and managed. Judgements need to be responsibly and professionally conducted to ensure suitable placement of residents and staff to ensure that the care is consistent with special needs of all parties concerned.

Collaborative work with other relevant agencies and departments needs to be developed and enhanced to ensure that people with disabilities, special and additional needs are being met as full members of the community and society. This means that people with disabilities, special and additional needs should have support and opportunities in relation to activities, work experience, health, housing, financial, educational and social aspects of modern standards of living in keeping with expectations for all Australians.

The United Nations Universal Declaration of Human Rights 1948 states in Article 25.  
(1). Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.