

**INQUIRY INTO FOUNDATIONAL AND DISABILITY
SUPPORTS AVAILABLE FOR CHILDREN AND YOUNG
PEOPLE IN NEW SOUTH WALES**

Organisation: People with Disability Australia
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**PEOPLE WITH DISABILITY
AUSTRALIA**

**A voice
of our
own**

NSW Foundational Supports (0-9 Years Cohort)

PWDA Submission in Response to the Select
Committee on Foundational and Disability Supports
Available for Children and Young People in New
South Wales

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NSW Foundational Supports (0-9 Years Cohort)
Response to the Select Committee on Foundational and Disability Supports Available
for Children and Young People in New South Wales

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About PWDA

[People with Disability Australia](#) (PWDA) is a national disability rights and advocacy organisation made up of, and led by, people with disability.

We have a vision of a socially just, accessible and inclusive community in which the contribution, potential and diversity of people with disability are not only recognised and respected but also celebrated.

PWDA was established in 1981, during the International Year of Disabled Persons.

We are a peak, non-profit, non-government organisation that represents the interests of people with all kinds of disability.

We also represent people with disability at the United Nations, particularly in relation to the United Nations Convention on the Rights of Persons with Disabilities (CRPD).

Our work is grounded in a human rights framework that recognises the CRPD and related mechanisms as fundamental tools for advancing the rights of people with disability.

PWDA is a member of [Disabled People's Organisations Australia](#) (DPO Australia), along with the First People's Disability Network, National Ethnic Disability Alliance, and Women with Disabilities Australia.

DPOs collectively form a disability rights movement that places people with disability at the centre of decision-making in all aspects of our lives.

The work of PWDA embraces the 'Nothing About Us, Without Us' motto of the international disability community and Disabled Peoples' International, the international organisation representing national organisations of people with disability in over 130 countries.

Table of Contents

NSW Foundational Supports (0-9 Years Cohort)	1
<hr/>	
PWDA Submission in Response to the Select Committee on Foundational and Disability Supports Available for Children and Young People in New South Wales	1
<hr/>	
Copyright Information	2
<hr/>	
About PWDA	3
Introduction	5
<hr/>	
Summary of Recommendations	7
<hr/>	
A. Design and Development of Foundational Supports	10
<hr/>	
1. Ensuring Disability-led and Genuine Co-Design	10
2. Defining Foundational Supports	12
B. Equity and Accessibility of Foundational Supports	18
<hr/>	
1. Recognising Marginalised and Disadvantaged Cohorts	18
2. Acknowledging the Diverse Nature of Disability	19
3. Presenting Information in Accessible Formats	20
4. Ensuring Nationally Consistent Funding and Timelines	20
5. Enabling Disability Advocacy	22
6. Ensuring Consistency Regardless of Location, Age or Background	23
Conclusion	25
<hr/>	

Introduction

The *NSW Select Committee on Foundational and Disability Supports Available for Children and Young People in New South Wales (the NSW Inquiry; the inquiry)* was set up to inquire into and report on foundational and disability supports available for children and young people in New South Wales. The NSW Inquiry's [Terms of Reference](#) focused on the broad experiences within child development and early intervention services for children and young people with developmental concerns, delays, differences or disabilities in New South Wales.

In addition to the terms of reference, the NSW Inquiry presented a research paper that identified current issues, gaps and barriers with services and supports for the 0-9 years cohort. In this submission, PWDA discusses some overarching principles that we advocate strongly for throughout the development and implementation of all Foundational Supports to ensure that the services and supports available are equitable and accessible, including for children and young people.

It is vital that all Foundational Supports, including those for children and young people, be developed through authentic co-design and be led by people with disability at every stage in order to be effective, relevant, and inclusive. This includes early-stage planning, design, development, testing, implementation, monitoring and evaluation phases.

A co-design approach also complies with Australia's obligations under the United Nations [Convention on the Rights of Persons with Disabilities \(CPRD\)](#). It reflects a clear commitment to recognising and dismantling the barriers that continue to prevent people with disability from fully exercising their rights and participating in society on an equal basis.

The CPRD aligns with the '[social model](#)' of disability, which focuses on addressing societal attitudes, communication barriers, and environmental factors rather than problematising a person's disability. The social model recognises disability as a natural aspect of human diversity that does not require curing or fixing. Instead, appropriate supports should be provided based on individual needs. It recognises that the social, economic, cultural, and physical environments that must adapt to

ensure people with disability can participate fully and contribute meaningfully to society.

In the current policy context, [The DRC Final Report Volume 4](#), emphasises that all national disability strategy and governance should be focused on advancing equality, inclusion and the rights of people with disability. Design and implementation of Foundational Supports should reflect the recommendations of the [NDIS Review](#) and [Disability Royal Commission \(DRC\) Final Report](#).

Reframing the Approach of the NSW Inquiry

In addition to the guiding principles outlined in this document, PWDA believes that there is an opportunity to refine how this NSW Inquiry is framed to better reflect the needs and priorities of people with disability. Throughout this submission PWDA advocates that the NSW Inquiry should adopt the following key standards and approaches.

- PWDA advocates for the NSW Inquiry to adopt an intersectional lens that considers cultural, social and societal factors that impact and inform people with disability and their engagement with services and supports
- PWDA advocates for the removal of medical model terminology and frameworks, with an ongoing emphasis on moving towards a social model and human rights model of disability within the NSW Inquiry and across all governmental disability reforms.
- PWDA encourages the NSW Inquiry to address key attitudinal barriers including, but not limited to, ableism and ageism that may limit the scope of consultation for this inquiry.

Summary of Recommendations

Recommendation 1 The NSW inquiry should strongly recommend that the NSW Government, and all governments, utilise genuine co-design throughout the development, and implementation of Foundational Supports. Development and implementation of Foundational Supports in NSW must also include ongoing leadership by people with disability of diverse ages and backgrounds, and their representative organisations.

Recommendation 2 The NSW Inquiry should recommend strongly that all Governments ensure that all consultations include appropriate and accessible engagement with children and young people with disability, in addition to carers, parents and service providers, acknowledging the rights and valuable lived experiences of children and young people.

Recommendation 3 Children and young people with disability must be empowered and supported to contribute their views and advocate for their rights in ways that are accessible and appropriate to their age, both during the NSW Inquiry and throughout the design and implementation of Foundational Supports.

Recommendation 4 The NSW Inquiry should advise the NSW Government that collaboratively led community education on the scope, roles and purpose of Foundational Supports is needed to facilitate greater comprehension and understanding of these supports for the disability community.

Recommendation 5 The NSW Inquiry should strongly emphasise to the NSW Government that all definitions and service design of Foundational Supports must be co-designed and co-produced with people with disability and their representative organisations.

Recommendation 6 The NSW Inquiry should remind all governments to prioritise and uphold the rights of people with disability, rights enshrined in the Convention on the Rights of Persons with Disabilities and the Convention on the Rights of the Child, endorsed by Australia as a signatory, throughout the development and implementation of Foundational Supports.

Recommendation 7 The NSW Inquiry should highlight the need for Foundational Supports to be developed by all levels of government in a way that allows all people with disability, including children and young people, to have choice and control over access to and utilisation of services and supports.

Recommendation 8 The NSW Inquiry should strongly emphasise to the NSW Government that Foundational Supports must be designed to meet the specific needs of multiply marginalised cohorts, including First Nations, LGBTQIA+, CaLD communities, and people with disability in regional and remote areas, across all age groups.

Recommendation 9 The NSW Inquiry must strongly encourage the NSW Government to ensure Foundational Supports for children and young people with disability are flexible and tailored to their diverse and intersecting needs. A one-size-fits-all approach must be avoided, with design and delivery led by people with disability, including children and young people, and their representative organisations.

Recommendation 10 The NSW Inquiry should advocate that all information services and supports within the Foundational Supports ecosystem nationwide must be provided in a range of accessible and inclusive formats, recognising the different locations and ways in which people with disability access information and supports.

Recommendation 11 The NSW Inquiry must highlight that the Federal, State and Territory Governments must work directly with people with disability and their representative organisations (state or territory peaks as well as national peaks) to develop and implement a nationally led, streamlined approach to Foundational Supports. This approach should require/regulate the need for consistency, equity, and access for all people with disability, effectively addressing the risks of a "location lottery" in service provision.

Recommendation 12 The NSW Inquiry must highlight the importance of clear rules regarding eligibility for accessing Foundational Supports, along with well-defined, definition and scope of what these supports encompass, to avoid confusion, inequity, and unnecessary bureaucratic barriers. This will ensure that all people with disability

can have their support needs met, either through Foundational Supports or by accessing services and supports within the NDIS.

Recommendation 13 It is vital that the NSW Inquiry encourages all governments to ensure that Foundational Supports are fully and equitably developed and implemented throughout Australia before any further people with disability, including children and young people, are removed from the NDIS.

Recommendation 14 The NSW Inquiry must highlight the importance of the development of Foundational Supports at both a state and territory and federal Level recognising the value of local communities, informal networks, and advocacy organisations in building capacity, especially for children and young people from diverse social and cultural backgrounds.

Recommendation 15 The NSW Inquiry must recommend that all levels of government prioritise strategies that ensure equitable access to Foundational Supports, across all regions and demographics. This will help build trust and confidence in the system and ensure that no legislation is introduced that disproportionately impacts specific or vulnerable cohorts of people with disability.

Recommendation 16 The NSW Inquiry must encourage all Governments to engage in compulsory co-design and implement targeted strategies to build trust and confidence in Foundational Supports, including supporting children and young people to be active contributors to, and decision makers throughout this process.

Recommendation 17 The NSW Inquiry should address the urgent need for all levels of government to focus on ensuring equitable access across regions and demographics, in order to build lasting trust and confidence in Foundational Supports.

A. Design and Development of Foundational Supports

1. Ensuring Disability-led and Genuine Co-Design

PWDA believes that Foundational Supports in New South Wales cannot be successfully implemented without the genuine leadership and expertise of people with disability who bring unique lived experiences and perspectives to the table. As such, it is vital that people with disability of all ages and life stages play a central role in the development of Foundational Supports. Securing

In late 2024, PWDA conducted a series of member forums and surveys in relation to Foundational Supports. The overwhelming message was clear - people with disability must hold key leadership and decision-making roles and be actively involved in the co-design of all Foundational Supports at both a state and territory and federal level. PWDA members voiced a strong expectation that those most directly affected by these supports should play a central role in shaping them to ensure they are fit for purpose and genuinely responsive to real-world needs.

This sentiment was echoed by PWDA's Deputy CEO, Megan Spindler-Smith, who stated during these forums:

"PWDA is a disabled people's organisation, and this means the leadership expertise, the perspectives and the experiences of people with disability is at the heart of everything we do."

For Foundational Supports to be set up for success, Governments must go beyond tokenistic consultation and commit to continuous collaboration and partnership with people with disability throughout all stages of design and implementation of Foundational Supports, including mechanisms for engaging with individuals who are hard to reach and too often not represented in consultation and co-design.

For children and young people, co-design must include supporting them to self-advocate in ways that are age appropriate and accessible. Failure to include children and young people's voices and views would represent a missed opportunity

to access valuable insights and a wide breadth of lived experience that could greatly inform the design and delivery of Foundational Supports.

We are concerned by the lack of emphasis throughout the NSW Inquiry research papers and Terms of Reference on acknowledging and prioritising the voices of children and young people with disability. Based on these documents, the inquiry appears to prioritise the input of parents, carers and service providers over the voices of children and young people with disability and their families. Whilst we recognise and value the importance of input, feedback and views of parents and carers, we are concerned that children and young people appear to have been represented only through their parents, carers, or providers, rather than being consulted directly.

Whilst we acknowledge the integral role that parents and carers play in supporting young children with disability, we must regard children and young people as rights-holders with unique perspectives that should be sought out by this inquiry. It is essential that children and young people with disability are empowered to speak for themselves in ways that are accessible, age-appropriate, and respectful of their autonomy.

Recommendation 1 The NSW inquiry should strongly recommend that the NSW Government utilise genuine co-design throughout the development, and implementation of Foundational Supports. Development and implementation of Foundational Supports in NSW must also include ongoing leadership by people with disability of diverse ages and backgrounds, and their representative organisations.

Recommendation 2 The NSW Inquiry should recommend strongly that all Governments ensure that all consultations include appropriate and accessible engagement with children and young people with disability, in addition to carers, parents and service providers, acknowledging the rights and valuable lived experiences of children and young people.

Recommendation 3 Children and young people with disability must be empowered and supported to contribute their views and advocate for their rights in ways that are accessible and appropriate to their age, both during the NSW Inquiry and throughout the design and implementation of Foundational Supports in NSW.

2. Defining Foundational Supports

PWDA and the disability community remain concerned about the lack of agreed definition of Foundational Supports, clarity on what Foundational Supports will include, and how they will differ from mainstream and NDIS supports. Through PWDA'S survey on Foundational Supports in late 2024, 75.23% of our member respondents stated that they did not have a clear understanding of what the term 'Foundational Supports' means.

Clarity and communication are needed to ensure the disability community has a clearer and more comprehensive understanding of the scope, roles, purpose and an overall definition of Foundational Supports, with clear distinctions made on how these supports differ from mainstream and NDIS supports. We advocate for this inquiry and the State and Territory and Federal Governments to make clearer distinctions between Targeted Supports specifically intended for children aged 0-9 years with disability and General Foundational Supports.

As with all aspects of developing Foundational Supports, defining them needs to happen in co-design and direct collaboration with people with disability, including children and young people with disability and their representative organisations. Furthermore, all services should emphasise a disability and person-centred approach that acknowledges the diverse and intersectional lived experiences and support needs of people with disability throughout Australia.

Recommendation 4 The NSW Inquiry should advise the NSW Government that collaboratively led community education on the scope, roles and purpose of Foundational Supports is needed to facilitate greater comprehension and understanding of these supports for the disability community.

Recommendation 5

The NSW Inquiry should strongly emphasise to the NSW Government that all definitions and service design of Foundational Supports must be co-designed and co-produced with people with disability and their representative organisations.

3. Upholding The Rights of Children and Young People Convention on the Rights of Persons with Disabilities (CRPD) Article 7 – Children with disabilities

1. States Parties shall take all necessary measures to ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms on an equal basis with other children.

2. In all actions concerning children with disabilities, the best interests of the child shall be a primary consideration.

3. States Parties shall ensure that children with disabilities have the right to express their views freely on all matters affecting them, their views being given due weight in accordance with their age and maturity, on an equal basis with other children, and to be provided with disability and age-appropriate assistance to realise that right.

PWDA believes strongly that acknowledging the important role that decision making and inclusion play in the lives of children and young people with disability is critical to ensuring that the individual power and autonomy of children and young people is upheld in line with the Convention on the Rights of Persons with Disabilities (CRPD) Article 7. Moreover, we assert that this article should be at the foreground of the NSW Inquiry's thinking about the rights of children and young people in relation to Foundational Supports.

[The Disability Royal Commission \(DRC\) Final Report, Recommendations 5.2 and 5.3](#) emphasise that disability reforms and strategies should reflect the priorities and goals of [Australia's Disability Strategy 2012-2031 \(ADS\)](#) and that this should be a cooperative effort between the Federal and State and Territory Governments. The design and implementation of Foundational Supports throughout all states and territories should acknowledge the inherent rights of children and young people, as outlined in the [Convention on the Rights of Persons with Disabilities](#) (CRPD), [The Convention on the Rights of the Child](#) (CRC), the ADS and other relevant disability

strategies, reports and legislation. By taking such an approach, governments and policy makers can aid in preventing instances of infantilisation and underestimation of the ability of children and young people to make decisions for themselves, with appropriate support, and therefore feel included and heard.

Young people with disability can be unfairly prevented from making decisions about their life, big and small, and their right to dignity of risk is not always respected. Without effective decision-making power, young people with disability cannot enjoy the inclusion that comes with it.

Systemic and institutional ableism is disability discrimination that is built into the structures of society- otherwise said, it is when systems, institutions and environments are built without people with disability in mind. These systemic disadvantages can be further perpetuated by internalised or explicit negative attitudes towards disability.

Often times there are minimal built in supports for children and young people with disability who are seeking to engage with these systems, institutions and environments. In order to be fair and equitable to young people the design of Foundational Supports must consider the complexity of this type of potential discrimination.

Under a fair and equitable model of Foundational Supports that gives full reference to the child or young people's human rights the following would apply.

1. Children and young people with disability would be recognised as full and equal members of society, protected from discrimination in all areas of life, including education, health, employment and justice.
2. Children and young people with disability would have the right to express their views freely on all matters affecting them, with their opinions given due weight according to age and maturity. They would be involved in decisions about their lives, with access to information and communication supports as needed.
3. Children and young people with disability people would be supported to make their own choices, with assistance provided only as needed and in ways that

respect their will and preferences. Substitute decision-making would be a last resort, and only in the least restrictive manner.

4. Children and young people with disability would be protected from all forms of violence, abuse, exploitation, and harmful practices, including restrictive practices. Their physical and mental integrity would be respected on an equal basis with others.

Overall, within both state and territory and federal Foundational Supports ecosystems a strong human rights focus is essential. All aspects of policy, legislation, reform and inquiry that emerge from the development, implementation and maintenance of Foundational Supports must align with and uphold the both the CRPD and the CRC, both of which the Australian Government is signatory to.

Recommendation 6 The NSW Inquiry should remind all governments to prioritise and uphold the rights of people with disability, rights enshrined in the CRPD and the CRC, endorsed by Australia as a signatory, throughout the development and implementation of Foundational Supports.

Genuine Choice and Control

The need for genuine choice and control begins with the assumption that the person has capacity and capability to make their own decisions. Support is to be provided only where this is what the person with disability wants for themselves, and this should include the services and support they receive and who provides them. When children and young people have genuine choice and control, they are more likely to receive supports that align with their preferences, needs and goals.

By ensuring children and young people with disability can choose the services and supports they engage with, Foundational Supports would not only facilitate self-determination, but ultimately, improve quality of life for children and young people with disability as well as their families and carers.

Supported Decision-Making

Article 12 of the CRPD recognises the right of people with disability, including children, to make their own decisions and to receive support where needed to do so. Similarly,

Article 12 of the CRC affirms every child's right to express their views freely in all matters affecting them, with those views given due weight in accordance with the child's age and maturity.

Despite these protections, Australian frameworks still allow for substitute decision-making, where parents, guardians or administrators make decisions on behalf of a person with disability, often without their input. While some individuals may choose to delegate decisions to a trusted person, this choice must be voluntary and informed.

It is crucial that we move away from these models and towards approaches that respect the autonomy and evolving capacities of children and young people with disability. Governments must ensure that children with disability are supported to participate in decisions affecting their lives, in ways that are developmentally appropriate. Supported decision-making frameworks must prioritise the child's will and preferences, with safeguards in place to protect their rights.

Where it is genuinely not possible to determine a child or young person's will or preferences, any decisions must reflect the best interpretation of the child or young person's views and, as a last resort, be made with full consideration of the child's human rights.

Recommendation 7 The NSW Inquiry should highlight the need for Foundational Supports to be developed by all levels of government in a way that allows all people with disability, including children and young people, to have choice and control over access to and utilisation of services and supports.

B. Equity and Accessibility of Foundational Supports

1. Recognising Marginalised and Disadvantaged Cohorts

PWDA urges the NSW Government, through the NSW Inquiry, to ensure that Foundational Supports are developed to directly meet the needs of multiply marginalised children and young people with disability. This includes First Nations, LGBTQIA+, and CaLD individuals, as well as those living in regional and remote areas.

During PWDA's engagement on Foundational Supports via survey and member forums in late 2024, there were clear and repeated calls for inclusive, disability-focused services that reflect the diversity of young people and the multiple forms of marginalisation they may face. These cohorts continue to encounter significant barriers to accessing appropriate support, with many areas lacking culturally safe or accessible services altogether.

"There are limited supports, or culturally appropriate supports, for people from multicultural or non-English speaking communities... finding someone who could work with [my family member] in an empowering way has been really difficult."

For children and young people with disability, the need for early, accessible, and culturally safe supports is especially urgent. This includes services tailored to specific disability types, such as neurodivergence, as well as services grounded in trauma-informed care and best practice.

PWDA's Member feedback emphasised the importance of:

- Multilingual and in-person support options
- Community-led services that reflect local knowledge and expertise
- Culturally competent providers who understand and respect diverse identities
- Person-centred, disability-led and trauma-informed services that support navigation from a culturally informed lens

Recommendation 8 The NSW Inquiry should strongly emphasise to the NSW Government that Foundational Supports must be designed to meet the specific needs of multiply marginalised cohorts, including First Nations, LGBTQIA+, CaLD communities, and people with disability in regional and remote areas, across all age groups.

2. Acknowledging the Diverse Nature of Disability

Children and young people with disability are a highly diverse cohort, with differing needs, backgrounds, and life experiences. Foundational Supports must reflect this by being adaptable, inclusive, and developmentally appropriate.

PWDA reaffirms what our members consistently tell us: disability is not a one-size-fits-all experience. Each individual will have unique needs, even when sharing the same diagnosis. As one member shared during our member forums on Foundational Supports in late 2024:

“If you’ve met one person with autism, you haven’t met them all. If you’ve met one person with hearing loss, you haven’t met them all. [People with disability] all have different needs.”

Many young people also live with multiple disabilities, further complicating their access to suitable supports. As another member expressed during the forums:

“Often people with disabilities have more than one disability. You know, even though they say disability, some may have physical as well as intellectual.”

These reflections highlight the importance of flexible, person-centred supports that can adapt to the complexity of real-life experiences. Foundational Supports must be designed to provide safe, meaningful, and accessible options that empower children and young people with disability to engage in their communities and live full, inclusive lives.

Recommendation 9 The NSW Inquiry must strongly encourage the NSW Government to ensure Foundational Supports for children and young people with disability are flexible and tailored to their diverse and intersecting needs. A one-size-

fits-all approach must be avoided, with design and delivery led by people with disability, including children and young people, and their representative organisations.

3. Presenting Information in Accessible Formats

PWDA feels strongly that to appropriately recognise and respond to the diverse needs and lived experiences of people with disability of all ages, information supports must be provided through multiple accessible formats - both for this inquiry and throughout the design, development and implementation of Foundational Supports. We note that this was not always the case for this inquiry and advocate for future engagement to prioritise accessible information and processes. This includes, but is not limited to, Easy Read versions of all documentation and tools, AUSLAN interpreters and live captions at events, consultations and information/learning sessions directly with people with disability, and accessible documents/digital tools that can support the use of diverse screen reader types. Our members also emphasise that information should be provided in multiple locations and formats. As one member emphasised,

“Not all [people] use the internet. We need local information”

Recommendation 10 The NSW Inquiry should advocate that all information services and supports within the Foundational Supports ecosystem nationwide must be provided in a range of accessible and inclusive formats, recognising the different locations and ways in which people with disability access information and supports.

4. Ensuring Nationally Consistent Funding and Timelines

PWDA remains concerned about potential risks and inconsistencies if roles and responsibilities of all governments aren't clearly set out. We are especially concerned that, without nationally consistent standards and requirements for service provision and access, some people with disability may continue to be left behind.

At the time of this submission, the Federal and State and Territory Governments have not yet consistently specified the roles of State and Territory governments in the development, implementation, and maintenance of Foundational Supports. Combined

with the lack of definition, timelines and scope of Foundational Supports, it is unclear how nationally consistency is intended to be achieved.

[NDIS Review Recommendation 1](#) specifies recommended approaches to investment in Foundational Supports

Recommendation 1.1- National Cabinet should agree to jointly design, fund and commission an expanded and coherent set of foundational disability supports outside individualised NDIS budgets.

National Cabinet should agree to jointly invest in early supports for children with emerging development concerns and disability

These recommendations emphasise the importance of co-operative and adequate funding of Foundational Supports by the State and Territory Government. The NSW Inquiry should seek to clarify the level of investment the NSW Government is willing to finance in Foundational Supports. Recommendation 1 also emphasises the need for fairness, balance and sustainability within the Foundational Supports ecosystem.

It is critical for governments to acknowledge and address any risk of inequity in both the accessibility and provision of Foundational Supports across states and territories. We urge the development of a nationally consistent and streamlined approach that directly addresses the disability community's concerns around equity, ensuring that people with disability are not subjected to a "location lottery." This approach should guarantee equal access to services, regardless of geographic location.

Recommendation 11 The NSW Inquiry must highlight that the Federal, State and Territory Governments must work directly with people with disability and their representative organisations (state or territory peaks as well as national peaks) to develop and implement a nationally led, streamlined approach to Foundational Supports. This approach should require/regulate the need for consistency, equity, and access for all people with disability, effectively addressing the risks of a "location lottery" in service provision.

Recommendation 12 The NSW Inquiry must highlight the importance of clear rules regarding eligibility for accessing Foundational Supports, along with well-defined definition and scope of what these supports encompass, to avoid confusion, inequity, and unnecessary bureaucratic barriers. This will ensure that all people with disability can have their support needs met, either through Foundational Supports or by accessing services and supports within the NDIS.

Recommendation 13 It is vital that the NSW Inquiry encourages all governments to ensure that Foundational Supports are fully and equitably developed and implemented throughout Australia before any further people with disability, including children and young people, are removed from the NDIS.

5. Enabling Disability Advocacy

During previous engagement on Foundational Supports in late 2024, PWDA members emphasised that building capacity and community engagement for people with disability is not just about services, but rather it also includes helping people with disability to understand their rights, build independence, and advocate for their needs.

Our members told us that local, face-to-face networks are vital, especially when rooted in community knowledge and cultural safety. While technology can support remote access to services, it must be paired with ongoing training and support. Furthermore, supports to access the community and build capacity must also be flexible, acknowledging that disability needs and individual needs change over time and require consistent and ongoing review.

In addition to acknowledging the diverse and intersectional needs of people with disability of all ages, PWDA members emphasised the vital role of disability representative organisations (DRO's). DRO's provide trusted, disability-led guidance to help people with disability navigate systems, understand their rights, and advocate for their needs in a meaningful and crucial way. PWDA members described DRO's as essential, particularly for those from CaLD, LGBTQIA+, and First Nations communities, and for people living in regional and remote communities.

Recommendation 14 The NSW Inquiry must highlight the importance of the development of Foundational Supports at both a state and territory and federal Level recognising the value of local communities, informal networks, and advocacy organisations in building capacity, especially for children and young people from diverse social and cultural backgrounds.

6. Ensuring Consistency Regardless of Location, Age or Background

An area of significant concern for PWDA members, as reflected in recent survey data, relates to equitable access to services and supports for the disability community across Australia. During member surveys conducted in late 2024 on Foundational Supports, a substantial 92.79% of survey respondents expressed scepticism or concern about whether Foundational Supports will be equally accessible to people with disability, regardless of their location or background.

This feedback aligns with ongoing concerns raised through member forums conducted by PWDA, which consistently highlighted fears that current disparities will continue to exist within the Foundational Supports ecosystem. Concerns particularly existed in relation to regional, rural and remote areas, where there are already notable gaps in, and a lack of, appropriate services and supports for people with disability.

PWDA believes there is an urgent need for all levels of government to develop and implement strategies that ensure equitable access to Foundational Supports across all regions and demographics. This is essential to build trust and confidence in the Foundational Supports system. Members expressed particular concern that people living in regional and remote areas may be further disadvantaged, and that access issues currently experienced under the NDIS could also affect the rollout of Foundational Supports. As PWDA members have stated:

“People in regional and rural areas are already disadvantaged in accessing disability support, so I imagine this would continue to be an issue.”

“These things never are equally accessible because of the prejudices in our society and systems against people of colour... and those from low socioeconomic backgrounds.”

Members also identified additional concerns, including inequities due to ongoing shortages of qualified service providers, such as support workers and allied health professionals, the potential for gatekeeping (akin to barriers currently experienced through the NDIS), and financial barriers that may prevent or limit access to services and supports. PWDA members consistently reinforce that, without co-design and targeted strategies, Foundational Supports will not be accessible to all people with disability in Australia.

It should be additionally reiterated that access to information and referral services within Foundational Supports must be equitably distributed and nationally consistent regardless of location to avoid a ‘postcode lottery’ of service provision and supports.

A significant part of Foundational Supports at both the federal and states and territories level, involves the provision of information, peer supports, and advocacy. PWDA expresses concerns that the NSW Inquiry’s current approach of prioritising the voices of parents, carers and providers during consultation over the voices of children and young people with disability, will have the effect of limiting the rights and autonomy of children to be active participants in decision making regarding their supports.

PWDA emphasises that the provision of information and support solely to parents and caregivers is not an equitable or safeguarding-focused approach. It risks undermining the autonomy, safety and decision-making of children and young people in determining their own support needs. All service provision must exist within a framework of supported decision making that is age and stage appropriate and must be undertaken with reference to the rights of children with disability that are enshrined within both the CRPD and the CRC, to both of which Australia is signatory.

Recommendation 15 The NSW Inquiry must recommend that all levels of government prioritise strategies that ensure equitable access to Foundational Supports, across all regions and demographics. This will help build trust and

confidence in the system and ensure that no legislation is introduced that disproportionately impacts specific or vulnerable cohorts of people with disability.

Recommendation 16 The NSW Inquiry must encourage all Governments to engage in compulsory co-design and implement targeted strategies to build trust and confidence in Foundational Supports, including supporting children and young people to be active contributors to, and decision makers throughout this process.

Recommendation 17 The NSW Inquiry should address the urgent need for all levels of government to focus on ensuring equitable access across regions and demographics, in order to build lasting trust and confidence in Foundational Supports.

Conclusion

The recommendations outlined in this submission underscore the urgent need for the NSW Inquiry to present a renewed approach to the development and implementation of Foundational Supports, both in New South Wales and nationally, that centres the voices and experiences of people with disability of all ages and backgrounds. In the context of supports for children and young people in NSW, we advocate for recognising children as autonomous individuals with rights, needs, wants and preferences that must be acknowledged and considered in an age and stage appropriate manner, and in line with their human rights.

PWDA recommends that the NSW Inquiry adopt a disability affirming lens, and frame its inquiries and recommendations in a way that recognises the intersectional and diverse challenges and barriers faced by people with disability across the lifespan. Our recommendations support a Foundational Supports ecosystem that is rights based, inclusive and intersectional, moving beyond tokenistic consultation and focusing on dismantling the structural barriers that continue to prevent full inclusion and participation. These recommendations also underscore the importance of designing systems that reflect the diversity and complexity of the disability community.

Finally, the NSW Inquiry has a vital opportunity to lay the foundation for an inclusive and just Foundational Supports ecosystem, one that upholds Australia's obligations under the CRPD and CRC, ensures equitable access across all regions and demographics, and centres the voices of people with disability at every stage. To achieve this, all levels of government must work in partnership with people with disability and their representative organisations to co-design consistent, transparent and accountable supports. Only through these inclusive, rights-based approaches can we ensure that every child and young person with disability in NSW, and across Australia, is empowered to live a full and fulfilling life.



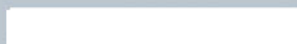
PEOPLE WITH DISABILITY
AUSTRALIA

People with Disability Australia (PWDA) is a national disability rights and advocacy organisation made up of, and led by, people with disability.

For individual advocacy support contact PWDA between 9 am and 5 pm (AEST/AEDT) Monday to Friday via phone (toll free) on **1800 843 929** or via email at pwd@pwd.org.au

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