

Baird Government response to People with Disability Australia pre election submission

Realise Inclusion

The Baird Government committed to protecting and promoting the rights of people with disability.

The Baird Government is proud to have delivered the *Disability Inclusion Act 2014* which enshrines the rights of people with disability into NSW law during and beyond the implementation of the National Disability Insurance Scheme (NDIS).

Central to the *Disability Inclusion Act 2014* is the NSW Disability Inclusion Plan (the Plan). The Plan will see the Baird Government take a whole-of-government approach to planning of services to make them more accessible and communities more inclusive – all in complete consultation with people with disability.

The Plan means that government departments, local councils and other public authorities are required to work together to provide better supports and services to people with disability. Disability Action Planning Guidelines are being developed to assist government departments and local councils in developing their Action Plans. Action Plans will outline how these organisations will make mainstream services and community facilities more accessible to people with disability, helping to build more inclusive communities in NSW.

Deliver disability support

The Baird Government is committed to ensuring that current support arrangements will continue for people receiving specialist disability services as they move across to the NDIS, and that people will continue to receive all the supports they need during the transition period.

Under the Baird Government, continuity of support is being monitored by the National Disability Insurance Agency, the Commonwealth and NSW Governments in the Hunter trial site to ensure that no person is disadvantaged by the rollout of the NDIS.

As you may be aware, the non-government sector already provides 60 per cent of disability and community care support in NSW. In some areas the non-government sector is in fact the only provider of support. The non-government organisations (NGO) sector has the flexibility and responsiveness to meet the needs of the most vulnerable people in our communities, including those with high or complex needs.

An important aspect for transition of NSW government services to the NGO sector will involve retaining the skills and expertise of NSW government staff to continue to deliver supports to people with complex needs.

Under national governance arrangements for NDIS design, NSW is working with other jurisdictions and the NDIA to develop strategies for sector and market development, including strategies for:

- building the capacity and capability of providers to deliver NDIS supports
- increasing broader system and market capacity

- building workforce capacity, and
- supporting participants to make informed choices about the supports they need to meet their goals.

The Baird Government is also implementing a major program of reform under Ready Together to support people with disability and the service sector to transition to the NDIS including a range of sector development initiatives.

The Industry Development Fund (IDF), delivered in partnerships with National Disability Services (NDS), has made significant investments in developing and delivering resources and supports to assist NGOs prepare for transition to the NDIS.

The IDF has focussed on delivering supports targeting NGO governance and leadership, implementing person-centred approaches, quality, strategic business planning and workforce development to ensure disability service providers have the right skills and capacities to successfully operate within the NDIS. IDF Sector Support Consultants are also working alongside NGOs in the Hunter to support the building of organisational capability and guide the development of priority plans for transition.

The NSW Government also established the Organisation Transition Fund, which made grants available to eligible service providers to purchase tools and resources to prepare their organisations for transition. Organisations applied for grants for a range of applications including marketing initiatives (marketing consultants, website upgrades and brochures), system and IT development (financial integration, client relationship management and staff portals) and consultancy support to assist with their transition.

The Baird Government will ensure that quality assurance and safeguards are in place before the transition to the NDIS.

All Australian governments are currently working together to finalise a quality and safeguards framework which will make sure the national scheme will provide good quality supports and will maximise the choice and control of participants and ensure the rights of people are protected.

When the full scheme is established, the NDIA will be responsible for the sustainability of the market, including dealing with the potential for market failure.

During the period of transition the Baird Government will ensure that the government will work closely with the NDIA to ensure that processes and expertise are established to ensure the sustainability of the market.

With regards to the Aids and Equipment Program under EnableNSW, the Ministry of Health continues to assess and support as required the need for non-recurrent enhancements during transition to state-wide implementation of the NDIS. Patient centred care underpins the NSW State Health Plan and applications for EnableNSW funding. The person, their family and carers are the front and centre of all decisions about their care. The 2014/15 Aids and Equipment Program has grown by over 120% since 2005/06, from \$24 million to \$53.5 million.

Living in the Community

The NSW Government's Family and Community Services – Land and Housing Corporation (LAHC) Design Standards include design features that equal or exceed the 'Gold' level of the Liveable Housing Design Guidelines referenced by Australian Network for Universal Housing Design (ANHUD), which exceeds the National Dialogue target set for 2014.

The Baird Government is committed to the closure of large residential centres by 2018 and the NSW Government has already committed \$360 million to the redevelopment of government and non-government large residential centres.

The redevelopment of the Riverside Centre at Orange and the Westmead and Rydalmere Centres in western Sydney are well advanced. Together they involve the construction of 75 new domestic scale homes in 53 separate projects. 25 homes have been completed and opened, a further 17 are under construction and the rest are in either design or planning approval stages. They represent the greatest level of dispersal into the community for the redevelopment of large residential centres that have been achieved to date in New South Wales.

The devolution of the Hunter Residences is continuing, in the 2014-2015 Budget the NSW Government allocated a further \$30 million for land acquisition.

Further, projects to close large residential centres operated by 14 non-government organisations are also well advanced.

In developing the NSW Disability Inclusion Plan and the NSW Disability Inclusion Action Planning Guidelines, the Baird Government has undertaken extensive consultation with Local Government NSW (LG NSW) including the following specific actions:

- LG NSW and FACS undertook a collaborative research project to identify the current status of disability planning across local government and to identify priorities for focused development and resourcing.
- FACS and LG NSW co-hosted a Local Government forum with representation from over 100 local councils to provide information on disability access planning, to inform the development of the NSW Disability Inclusion Plan and to promote the Liveable communities" initiative announced by the Minister at the conference.
- FACS regularly meets with LG NSW policy and program staff and they have participated in all phases of development of the Disability Inclusion Act, the NSW Disability Inclusion Plan and the development of the Disability Inclusion Planning Guidelines.
- LG NSW is involved in other FACS initiatives involving carers and ageing issues.

The incorporation of universal design features into new infrastructure was an action in the National Disability Strategy (NDS) NSW Implementation Strategy being led by Finance and Services. These and other principles are understood to be incorporated into the specifications for new properties. The Building Code of Australia identifies the minimum standard of design and construction for new buildings the building codes are set.

The Baird Government wants to make travel for customers with a disability as easy as possible, and recently announced a package of improvements for customers with a disability.

The Baird Government is now developing a new electronic payment system for customers using the Taxi Transport Subsidy Scheme, replacing the out-dated paper docketts currently used. Transport for NSW will continue to work closely with stakeholders, including customers, drivers and the taxi industry as this project progresses.

In addition, disability training for taxi drivers will be improved, and more wheelchair accessible taxis will be encouraged.

The Baird Government is also investing \$85,000 in the development of new real-time public transport apps for customers with a disability. These apps will be available for customers by the end of this year.

Deliver on jobs and training

The Baird Government is committed to allocating resources to initiatives that strengthen cross-sector and cross-government strategies that promote employment for all people with disability.

The Baird Government has a number of key employment initiatives aimed at meeting these goals:

- Employment Enablement Strategy (EES).
 - The 2014/15 NSW Budget saw the Government announce a reshaping of the Payroll Tax Rebate Scheme with \$6 million to increase employment opportunities.
 - The Employment Enablement Strategy has two main focuses;
 - Providing over 200 Individualised funding packages to support adults with intellectual disability to develop the skills and confidence needed to move into employment. On the job support will also be offered for people who gain a job, and
 - Funding to build the capacity of businesses to employ people with disability.
- Disability Enterprise Procurement Program
 - In 2011, the NSW Government engaged National Disability Services to maintain a register of disability organisations and to act as contract manager, supporting public sector agencies to engage with the most suitable disability organisation to meet their procurement needs. This program is known as the Disability Enterprise Procurement Program.
 - The Disability Enterprise Procurement Program has helped 43 disability employment organisations gain work. A total of 469 people with disability have been employed in providing goods and services to the NSW Government.
- Transition to Work
 - Transition to Work is a two year program designed to support recent school leavers with moderate to high needs to develop skills necessary for employment and/or further education.

- In 2013/14, approximately 2,319 participants were funded in the program at an annual expenditure of \$33 million. The 2014 Transition to Work outcome figures report that 422 or 55.7% of participants who began their program in 2011 achieved employment or further education. In 2014/15 \$33 million is forecast to support an estimated 2,429 places in the program.
- Transition Support Program
 - The Transition Support Project is a joint partnership between ADHC and the education sectors (NSW Department of Education and Communities, Catholic Education Commission and NSW Association of Independent Schools) aimed at ensuring that secondary school students with disability are better assisted to decide what they want to do when they finish school so they enter a post school environment with the necessary skills and confidence.
 - It is anticipated that approximately 700 students will be assisted over five years.

A key role of the COAG's Disability Reform Council is to provide national leadership toward greater inclusion of people with disability. Although the Commonwealth Government has the responsibility for employment (including employment for people with disability), it is appropriate that NSW has a key role in the development of the national jobs plan through the Disability Reform Council.

A Baird Government will continue to work in partnership with federal, state and territory governments to inform the jobs plan and in particular to promote successful approaches being used in NSW such as the Transition to Work Program.

Prevent violence and ensure justice

The NSW Government has legislation and policies to deal with and report abuse and neglect of people with disability living in NSW supported accommodation and residential settings. NSW Government policies require abuse or neglect of a child to be reported to the Child Protection Hotline and dealt with through the child protection procedures, that all sexual and physical assaults of people with disability must be reported to the NSW Police, and for any sexual assault to be referred to a sexual assault service, any medical care should be provided including arranging for an ambulance to hospital. Victims are to be put in contact with victim support services and also legal advice services, or referred to such services.

The policies also require prevention measures to be put in place such as having good recruitment processes and screening of staff (the Disability Inclusion Act 2014 has employment screening requirements for disability workers who work directly with people with disability and for those board members who work directly with people with disability), training, risk identification and management, case coordination, and encouraging a culture where people with disability do not fear making a complaint.

Incidents of abuse and neglect must be reported to senior managers, and appropriate measures put in place to prevent further abuse or neglect. Also, under the Ombudsman Act 1974, "reportable incidents" (e.g. serious incidents of abuse and neglect, fraud against a person with disability, contravention of an apprehended violence order and unexplained serious injury) must be reported to the NSW Ombudsman. Oversight by the Ombudsman is

to improve the systems of residential care and respite services in managing and reporting incidents, and thereby improve the safety and welfare of people with disability.

The NSW Government is also involved in developing a safeguards framework within the context of transitioning to the NDIS. There is, and continues to be, training of disability support workers and team leaders of accommodation and respite services about abuse and neglect and reporting serious incidents to the Ombudsman.

In February 2014, the Australian Human Rights Commission released their 'Equal before the law: Towards Disability Justice Strategies' report. This report recommended that each jurisdiction consider establishing a Disability Justice Strategy.

The Department of Justice, in consultation with its Justice Disability Advisory Council, decided to progress the issues identified in this report through its Disability Strategic Plan 2014-2016. This plan includes strategies to reduce barriers that people with disability face in accessing the justice system and strategies to address the level of incarceration of disabled people. The Disability Strategic Plan 2014-2016 is available online at:

<http://www.diversityservices.justice.nsw.gov.au/>

The NSW Government has developed a range of strategies to support those in contact with the criminal justice system (CJS). Supports include the Justice Policy, the Criminal Justice Resource Manual and the support provided by the Community Justice Program (CJP).