

4 September 2018

Mr Robert Fitzgerald AM
Commissioner, Productivity Commission
Locked Bag 2, Collins St East
Melbourne VIC 8003, Australia

RE: NSW Carers Advisory Council submission to the National Disability Agreement Review

Please find attached a submission to the National Disability Agreement Review on behalf of the members of the NSW Carers Advisory Council.

The Carers Advisory Council has reviewed the Productivity Commission's National Disability Review's Issues Paper and is pleased to provide the following submission.

The Council would like to thank the Productivity Commission for accommodating the Council's request for an extension and the opportunity to provide input into the review of this important agreement for those with a disability and their carers.

Yours sincerely

Prue Warrilow
Chair
NSW Carers Advisory Council

About the NSW Carers Advisory Council

The Carers Advisory Council is established under the NSW Carers (Recognition) Act 2010 to advance the interests of carers. It provides advice to the NSW Minister for Disability Services on legislation, policy and other matters relating to carers. The majority of Council members are carers. Visit: <https://www.facs.nsw.gov.au/inclusion/advisory-councils/carers>

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NSW Carers Advisory Council submission on the 2018 National Disability Agreement Review

1. Purpose and scope of the NDA

The Council supports the continuation of a National Disability Agreement (NDA), or an equivalent agreement, that holds all levels of the Australian Government accountable and enhances cooperation between the levels of government. Such an agreement should continue to ensure that “people with disability and their carers have an enhanced quality of life and participate as valued members of the community”.

National agreements, such as the NDA, enable Australian and state/territory governments to work in partnership and respond to social and economic challenges in a coherent and collaborative manner fostering an effective public policy environment.

The Council maintains that the NDA can remain relevant by:

- maintaining its high-level objective in addition to the current stated outcomes and high-level performance indicators. These elements should not change, irrespective of the mechanisms used to achieve them, such as the National Disability Insurance Scheme (NDIS)
- periodic revision of the roles and responsibilities when required in response to major policy shifts such as the introduction of the NDIS
- ensuring whatever mechanisms are put in place to implement the NDA include a continuous, robust and outcomes-based evaluation that directly informs Government policy.

The Council supports the broadening of the NDA’s scope to include:

- all people with disability and not just those eligible for specialist disability services under the NDIS
- all carers of people with disability
- mainstream services
- specialist disability and carer support services.

The Council advocates for one over-arching document with an emphasis on stronger links between the NDA, National Disability Strategy (NDS), Information Linkages and Capacity (ILC) program and the Integrated Carer Support Service (ICSS) program in addition to other related agreements, policies and strategies. This document should outline the vision of federal, state and territory governments on how they plan to promote the social and economic inclusion of people with disability and their carers. The document should also indicate how this will be achieved and how performance will be measured and reported.

2. Objective, outcomes and outputs of the NDA

The Council supports the high-level objective of the NDA and believes the Agreement and its primary objective are still relevant.

The Council also supports the outcomes of the NDA that describe the impact that government activity is expected to have on community wellbeing i.e.:

- people with disability achieve economic participation and social inclusion
- people with disability enjoy choice, wellbeing and the opportunity to live as independently as possible
- families and carers are well supported.

Outcomes should be rephrased to reflect the fact that clients have the right to choose what services they need to meet their needs.

The Council is supportive of the aspirational nature of these outcomes and advocates for the inclusion of one additional outcome, namely:

- carers achieve social and economic inclusion.

This is particularly important given that the NDIS focuses so strongly on people with a disability while the rights of carers are often overlooked in the development of NDIS plans.

The Council strongly supports the linking of specific performance measures to the above outcomes, including the additional carer outcome.

3. Roles and responsibilities of government

The Council supports the realignment of roles and responsibilities to reflect the changes made to disability services with the introduction of the NDIS. For example, the NSW Government is no longer responsible for the provision of specialist disability services however retains responsibility for most people with a disability that access mainstream government services.

The Council would like to see a recognition of the responsibility and accountability of all government to ensure access to mainstream services for people living with disability strengthened in the NDA. It is acknowledged that this responsibility is shared across federal, state and local governments.

The Council supports the notion that the NDA should set out responsibility for all significant areas of regulation that affect people with a disability. In this way the document would be a definitive record of which level of government is responsible for services and regulations that impact on people with a disability.

The Council understands that access to services has been reduced for some people with disabilities that do not have a NDIS package, as providers focus on assisting those who do have a package. The Council supports the explicit inclusion of metrics that measure the delivery of mainstream services to people with a disability, including those outside of the NDIS.

There still exist many barriers for these people in accessing mainstream services and governments have a vital role to play in helping overcome these barriers.

The Council considers that there needs to be ongoing funding for carer services independent to the services provided to the people they are caring for.

4. The NDA's Performance framework

The indicators within the performance framework include outcomes for both people with disability and their carers; yet the quantifiable target for carers is yet to be developed. This seems to have influenced the policy responses to carers; that is limited support and inclusion in the NDIS, and the focus on Information, Linkages and Capacity Building (ILC) – carers most often want practical support, not capacity building.

To maintain relevance and inform policy development contemporary data must be available. The data should also specifically differentiate between older people with a disability (in both aged care or NDIS) and younger people with disability, as the people from these cohorts and their disabilities differ significantly.

The public reporting of indicator data helps to improve transparency and accountability of government operations and as such the Council supports a well publicised and public release of indicator data. The Council supports the performance indicator criteria in Figure 2 in the Productivity Commission's Issues Paper. Measures of the economic inclusion of carers would be a useful addition.

5. Reform and policy directions

It is the opinion of the Council the NDS and NDA should be consolidated into one over-arching document that places into context important policy and legislative frameworks across the country including the ILC, ICSS and aged care.

Such a consolidated document should:

- articulate a vision for people with disability in Australia that is supported across all levels of Government.
- indicate how this vision will be achieved (including the policy directions and respective roles and responsibilities of Australian, state and territory governments)
- indicate how performance will be measured including benchmarks and targets that all levels of government have agreed to.

At the very least, strategic policy directions from the NDS and NDA should be aligned.

6. General Feedback

The Commonwealth Department of Social Services acknowledges that while 18% of Australians have a disability, NDIS packages will support around 2% of Australians. This means most Australians with a disability and their carers will not be supported by the NDIS and will need other means of support.

There needs to be greater recognition of the fact that NDIS recipients represent a small percentage of high needs people with a disability while most people in Australia with a disability are not eligible to receive an NDIS package.

Due to the removal of block funding, some disability services have become unviable and either have or will be ceasing service delivery. As a result, providers that were once supplementary to these services are now overburdened in some cases.

While the move to provide the same standard of care and the transferability of services across states and territories is to be welcomed for people eligible for the

NDIS and aged care packages, the results of funding arrangements have left some carers worse off. For example, under the NDIS there is an expectation that carers are equipped to provide significant amounts of evidence about the support the person they care for requires and can be expected to coordinate communications between therapists and other service providers in addition to their caring duties. Access to respite is also limited.

The Council also considers the policy architecture supporting the NDA in Figure 1 of the Productivity Commission's Issues Paper should reference national and state carer strategies and legislation.

To discuss this submission further, please contact Prue Warrilow, Chair, NSW Carers Advisory Council by emailing the Council at NSWCarersAdvisoryCouncil@fac.s.nsw.gov.au

Or call the Council secretariat on 02 8753 9339.