

NSW DISABILITY NETWORK FORUM

National Disability Strategy (NDS) NSW Implementation Plan 2012-2014

Thank you for the opportunity to respond to the DRAFT NDS NSW Implementation Plan 2012-2014. The NSW Disability Network Forum convened a special meeting to develop their response and additional comments were also provided by member organisations prior to submission.

The DNF understands that a Baseline Report that accompanies this Implementation Plan will provide much more detail towards accountability reporting, mirroring that for *NSW 2021*.

The DNF is willing to review the Baseline Report while in draft form so that the best possible NSW Plan and outcomes can be achieved. Can you please advise if this will be possible, and the DNF will make appropriate scheduling arrangements?

Should you require more information on the content of this submission, the NSW Disability Network Forum or its member organisations can be contacted directly or through the NCOSS secretariat via Christine Regan chris@ncoss.org.au ph. 92112599 ext. 117 or Val Kors (Tues-Thurs) val@ncoss.org.au ph. 92112599 ext. 123.

Initiated in June 2011, the NSW Disability Network Forum (DNF) comprises non-government, non-provider peak representative groups whose primary aim is to promote the interests of people with disability. The aim of the NSW Disability Network Forum is to provide an avenue to build capacity within and across all organisations and groups so that the interests of people with disability are advanced through policy and systemic advocacy.

Overall Comments on the NSW Plan:

UN Convention on the Rights of Persons with Disabilities

While the *United Nations Convention on the Rights of Persons with Disabilities* (UNCRPD) is referenced in the introduction to the Plan, the DNF is concerned that further reference to the Convention is lacking and that some of the Key Actions (see Specific Comments) do not address or comply with the intentions of the UNCRPD. The NSW NDS Implementation Plan would be greatly enhanced by referencing the Convention in each of the Key actions and deliverables under the six policy areas. This would give effect to the UNCRPD rather than just an initial acknowledgement and would generate a genuine understanding amongst NSW Government agencies of the provisions of the Convention.

All people with disability

The DNF recognises that the NSW NDS Implementation Plan focusses “on issues outside the specialist disability sector” for a broader population of people with disability, not specifically or uniquely the people with disability who traditionally have used services provided or funded by ADHC. Many of the Key Actions and Deliverables, however, appear to be confined to the ADHC population of people with disability. While this is certainly a group of people with disability requiring deliberate and broad ranging strategies towards inclusion and participation, so too do other people with disability with differing support needs. The NSW Implementation Plan and its participating agencies should reflect this.

People with mental health issues

The DNF is alarmed at the lack of strategies for the inclusion of people with mental health issues in the NSW Implementation Plan.

Independent monitors

The DNF recommends the engagement of different monitors with specialised expertise for different sections of the Plan, including the NSW Ombudsman and Liveable Housing Australia, for example. Others have been indicated within sections of this submission. Real commitment to achievement under the NSW Implementation Plan will not revolve around government agencies’ self-regulation but will expect external scrutiny as an opportunity for development and improvement.

Firm commitments

DNF recommends the deletion of the term ~~wherever possible~~. There should be a firm commitment to an inclusion and/or participation strategy for any people with disability for whom that action is appropriate.

Housing

The NDS NSW Implementation Plan should cover all the realms of community living of people with disability e.g. by using the phrasing ‘where they live’ rather than

referring to disability accommodation etc. The housing mode or style of people with disability does not always need to be designated. Comments on inclusive housing for people with disability occur in several sections: Inclusive Communities, Rights, Economic Security.

The right of people with disability to have housing that is located within communities is contained within the UNCRPD. Housing for people with disability can often be located away from reasonable access to employment opportunities, education facilities, transport, shops, businesses, community hubs, leisure facilities etc. The provision of housing in locations that provide ready opportunities for participation and inclusion of people with disability in the local community will minimise the barriers and maximise the possibility for personal outcomes.

Advocacy

The DNF is concerned that the important role and functions of independent advocacy has not been recognised or included in this Plan. Advocacy is vitally important to underpin and support the effective inclusion and participation of people with disability. Advocacy will also provide important supports to strategies that promote inclusion and participation. Also refer to larger discussions and explanations in this submission at page 6 (Decision Making Tools) and page 11 (Independent Advocacy and Independent Information).

Information

As for independent advocacy, the provision of independent non-aligned information is critical to informed choices of people with disability and the provision of options and referrals by workers. Similarly, staff in government agencies will require access to information to appropriately and respectfully interact and respond to people with disability. The provision of independent information is far greater than just the collection, collation and dissemination of data. It involves the expert understanding of disability needs and issues, understanding and interpretation of queries across a broad range of sectors, navigation and understanding of systems, expert negotiation and matching of data and often research on difficult or very specific queries. This can serve to provide a firm basis for advocacy if the matter is taken further.

Specific Comments on the NSW Plan:

Section 3: OVERARCHING NSW STRATEGIES

B) RESEARCH ON BARRIERS TO COMMUNITY INCLUSION.

- Regarding *ADHC will conduct research and disseminate the findings on accessing the local community*. This is inaccurately described. Accessing the local community can be very different from participating or being included in the local community. One can access the local community but still not be included or participate in it in any positive or valued way.
- The DNF strongly recommends replacing “accessing” with “participating” or “being included” in the local community.
- Further, the DNF strongly recommends research to identify barriers to the cultural and systemic change proposed under the new disability action planning.

C) NEW DISABILITY ACTION PLAN GUIDELINES

- *A more effective approach to disability action planning will result in cultural and systemic change*. The DNF recommends this new approach references the UNCRPD to guide advances in agency responses to people with disability.
- The DNF recommends that the proposed guidelines require inclusive practices rather than provide information on them to government and additionally the guidelines could provide persuasive practical information to local government, non-government sector, business and the community as a whole.
- The DNF would be willing to provide additional input on and feedback to the proposed Disability Action Plan Guidelines while in draft form.

D) DECISION MAKING TOOLS FOR PEOPLE WITH A DISABILITY AND THEIR FAMILIES AND CARERS

- The DNF supports decision making for people with disability and their families and carers as an Overarching Strategy for the NDS NSW Implementation Plan.
- The DNF is very concerned that the focus is only on the development of *tools*. This section should not be about tools but rather should be about capacity building for people with disability and their families and carers. The development of tools may not reach the very people whose decision-making may need to be supported, and assumes the resources and expertise to implement them which are often not available. The danger in the development of tools for decision support, e.g.

checklists, manuals or tick-box sheets etc, is that it provides a 'prescriptive way to follow' that does not respond to person centred approaches and life span decisions. It also reduces decisions to set of basics that incorrectly indicate an overly simple process.

- This section needs to link to the *Living Life My Way* consultation outcomes and consultations.
- The DNF recommends that this Overarching Strategy should encapsulate, for the broad range of government agencies comprising the NSW NDS Plan, the elements of decision making supports necessary for the valued inclusion and participation of people with disability in their communities. The DNF recommends that the Disability Action Plans should have a focus on the decision making of people with disability and so additional Key Actions and Deliverables may be necessary to reach this outcome. The DNF has workshopped some of the elements to achieve a range of decision supports for people with disability. The actual decision supports and the resources necessary to provide them should be developed and allocated by the various government agencies.
- The elements to achieve decision making supports include:
 - Strengthening across government opportunities and infrastructure for people with disability and families to participate
 - investment from multiple sources, not just tools
 - involving all government authorities, with expert advice (including UNCRPD Article 4¹)
 - Identifying ways for valued inclusion
 - How are government agencies going to empower/enable people?
 - Where in the government agency will this occur i.e. who needs to do it?
- People with disability are the experts in their own lives. It is suggested there may be a tendency by government to appoint the same familiar people with disability to government advisory committees etc. The DNF and its member organisations could provide advice and nominations around people with broader expertise from representative bodies to be appointed (refer UNCRPD Article 4).
- The importance of independent non-aligned information cannot be overstated in supporting decision making by people with disability, their families and carers. Information provided, navigated by an independent body, that assists the person to understand and access data on organisations and the services and the supports they provide will form the basis of informed choices by people. Information must be independent and non-aligned, i.e. not attached to an agency

¹ UNCRPD Article 4 reads:

“3. In the development and implementation of legislation and policies to implement the present Convention, and in other decision-making processes concerning issues relating to persons with disabilities, States Parties shall closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organizations.”

or provider, so as to avoid the person being preferentially, overtly or subtly, captured or channelled into services to enhance their income or outputs, regardless of personal choice or preference.

- Independent Advocacy must also be available to support the informed decisions of people with disability, families and carers about life choices and how to navigate complex service systems. For reasons stated above, advocacy must be non-aligned and provided at both individual and systemic levels.
 - On an individual level, a person and their family and or carer may want an independent person/expert to sit beside them when meeting their case manager or similar to develop plans, or to make decisions, or to identify issues or to solve problems. Some people with disability and families may not have the confidence to do this alone nor feel equipped to deal with time-pressured professionals.
 - On a systemic level, this would provide an opportunity to address systems issues efficiently and proactively, as well as reducing the tedious and expensive duplication of resolution of individual issues that have potential policy solutions.
 - Also see page 11 Independent Advocacy and Independent Information

Section 4. NSW NDS PRIORITIES & ACTIONS 2012-2014

1) *Inclusive and Accessible Communities*

Key Actions and Deliverables 1 – the first two years

- 1a) *Make all NSW Government websites easier to access*: Replace “easier to access” with “accessible”. This should include a ‘listen to this website page’ or *speakaoud* tool which provides spoken word version of writing on websites. DNF emphasises the importance of government avoiding an over-reliance on websites for information for people with disability, their families and carers. Information must be available to them in a variety of ways and formats.
- 1b) iii) *Improve access to buildings and housing*: DNF was concerned at the unclear nature of this Key Action in relation to public housing.
 - *implement and monitor* could be read in a number of different ways. It will be very difficult to create a *deliverable* or *outcomes measure* for this action and so evaluation may be ineffective and vague.
 - Universal Housing Design must be made explicit in this Key Action as well as how it is applied to both new buildings and the retrofit plan to be spelt out.
 - Regarding Monitoring: The DNF recognises that the Minister has overall responsibility but fears an ineffective paper-based self-assessment by

agencies. The DNF strongly recommends the inclusion of the following monitoring actions in the Plan:

- A more appropriate monitoring body could be the new Liveable Housing Australia body (with appropriate resourcing) to monitor all new developments and retrofits
 - NSW Housing would be required to put their stock up for external review.
 - This monitoring process would involve site inspections.
 - Outcome measures: In a truly equitable world, the wait time for social housing with accessible features should be the same as the wait time for other social housing, with all wait times subject to continuous improvement and review. To meet this measure will need affirmative action to bring all housing stock up to par.
- 1 c) *accessible toilets*: Replace “Improve availability to accessible toilets” with “Increase the number and improve availability to accessible toilets”.
 - Accessible toilets should not be used as storage areas.
 - Provide accessible toilets on train stations that are actually open. The DNF identified issues for people with disability using accessible toilets on the rail system especially in country areas where there are many possible barriers/breakdowns to accessibility. Accessible toilets need to be open, not locked.
 - 1 d) i) *housing products and services to people with disability*: Modifications must be timely. This must be included as a measure or Key Action.
 - Addition: The specific inclusion of resolution of issues with modifications within Aboriginal Housing and the provision of housing and renovations and upgrades to Aboriginal people with disability. This will involve the clear delegation of responsibility and costs between agencies, reasonable timeframes, appropriate responses to residents’ needs etc.
 - 1 d iv) *Location need*: The DNF strongly supports the easy and close access of people with disability to their local community (refer this submission page 3 Overall Comments see *Housing*.) However, location should be a positive consideration to respond to the person with disability, not a negative criteria for rationing or delays in handling applications (i.e. too hard basket).
 - 1 d v) DNF agreed with *appropriately trained staff* but questioned the use of the term ‘supported accommodation’ to possibly indicate only group homes. It was acknowledged that the chronic health needs of people in group homes and supported accommodation must be improved. However, the DNF strongly recommends either replacing “living in supported accommodation” with “wherever they live in the community” and/or adding other places in the community in which people with disability live where they may require appropriately trained staff to support their chronic and complex health needs

such as in their own home with drop in support, with their family, with their spouse, etc.

- DNF is concerned about people with disability with chronic health needs not identified in this section; for example people with disability living in licensed or unlicensed Boarding Houses.
- DNF believes that the partners of NSW Health, ADHC and community care services must be listed here.
- 1 e) *Transport in NSW more accessible*
 - Dot point one:*including pedestrians, wheelchairs and mobility scooter users*. The DNF recommends adding the words ‘and other mobility aids’ at the very least.
 - private transport providers should be stipulated as partners for this action.
- 1 f) i) *information on car modification and licensing*. DNF advises that the provision of information is insufficient. As exists in Victoria and Queensland, the DNF recommends that NSW must provide a subsidised car modifications scheme to enable people with disability to drive privately owned vehicles. Long term social and financial benefits clearly outweigh the short term investment involved.
 - A Lead Agency must be identified for this action.
- 1 g) *Local Government*. Replace “to plan” with “to provide” *more inclusive communities*
 - 1 g) i) delete the term “wherever possible”. The DNF contends that local government should be required to meet clear responsibilities to people with disability in local communities.
 - Another aspect of the *approaches to and actions under the NDS and NSW Implementation Plans* is community development. This is a recognised strength of local government and should have a specified and attributed action in this section.
- 1 h) *Participation in the arts*: DNF recommends:
 - Inclusion of outputs targets = more accessible seating
 - Wheelchair places not always grouped together
 - accessible seating in better spaces “not way down the back” & in valued locations.
- 1 k) *Event Access and Inclusion*:
 - Provision of Companion Card: It was reported to the DNF that one Government operated venue i.e. Allphones Arena, is markedly more difficult to negotiate with when trying to purchase tickets with a Companion Card compared to other venues for the same event from the same promoter/distributor. Government venue and event operators should demonstrate leading practice in the use of the Companion Card and responsiveness to people with disability.

- DNF recommends that access to the Companion Card must be increased through wider eligibility and greater promotion.
- 1 l) *Community Participation, Life Choices and Active Ageing*: Several views were shared on this section: “*continue to implement*” should not be part of the NSW NDS Implementation Plan as it is a maintenance action; these programs increasingly (but not yet completely) involve people with disability in individualised ways; there is importantly no mention of community development. It was agreed that day programs should emphasise improvements towards participation and inclusion of people with disability with valued roles etc.
 - The DNF recommends that *Community Participation, Life Choices and Active Ageing Day Programs* “continue to work to reshape day programs into truly inclusive programs in the community”.
 - There should be a stronger emphasis on community development to increase the scope and availability of opportunities for people with disability to participate.
- Addition: 1 m) The DNF recommends the addition of a Key Action on the role of community development in creating and improving *Inclusive and Accessible Communities*. The focus of the person centred and individualised reforms is to create opportunities for people with disability to connect and participate in their local communities with mainstream organisations, facilities, commercial operators and leisure pursuits before seeking supports from the disability specialist system. Doing this will require approaches to people and organisations not involved in specialist disability services to inquire and negotiate how they can welcome and include people with disability. A range of methods can be effective in this regard, in short community development. Community Development, however, is a deliberate strategy that must be intentionally undertaken with resourcing, therefore necessitating a Key Action in this Plan.
- *Outcome Measures*: The DNF recognises that the yet to be released Baseline Report could contain more detail but these measures to assess progress are not real or actual targets and are indeterminate.

2) ***Rights Protection, Justice and Legislation***

The Right of people with disability to have housing that is located within communities: The DNF acknowledges that housing for people with disability can often be located away from reasonable access to employment opportunities, education facilities, transport, shops, businesses, community hubs, leisure places etc The provision of housing in locations that promote ready opportunities for inclusion and participation of people with disability will serve to minimise the segregation, isolation and barriers while maximising the prospects for personal outcomes.

There is no mention of the critical role of advocacy in the NSW NDS Implementation Plan, nor are there any actions for the development and progress of advocacy to

support people with disability in NSW. Advocacy sits across several NSW priorities and actions and involves systemic, individual and representative as described in UNCRPD Article 4.

NSW Priorities

- First arrow: *United National Convention on the Rights of Persons with Disabilities* UNCRPD: The DNF expressed concerns around the *promotion of acceptance* of the rights of people with disability for the UNCRPD and possible actions to achieve this. How can this be measured and sanctions applied?
 - Replace “acceptance of” with “compliance with”.....the UNCRPD
 - The DNF recommends an additional priority: Each government agency has to identify the areas of change required to bring their operations into line with the UNCRPD.

Key Actions and Deliverables 2 – the first two years

- 2 a) iv) *progress reforms arising from the NSW Government Senior Officers Group*: This is not a *specific action* and while indicating a list of reform areas, does not indicate what the reforms actually are or the objectives of the reforms. The DNF recommends the Plan is much more explicit here.
- 2 c) *Continue to fund*: This is a maintenance action rather than a progress or building action as indicated by the *Purpose* of the NSW Plan on page 1.
 - Questions remain regarding whether these bodies will be merging within the next two years.
 - The DNF recommends a Key Action working towards improvements to *the high levels of protection* for people with disability requiring the services of these bodies
 - The DNF strongly recommends an action that the identified agencies explicitly prepare for and respond to person-centred approaches and reforms and ensure that the people with disability using their services are supported to access the benefits of these reforms.

Independent Advocacy and Independent Information

The DNF wishes to highlight the critical nature of the role of independent advocacy and independent information to support people with disability, their family and carers as the uptake of individualised portable funding arrangements is introduced in NSW. Further, with the implementation of the National Disability Strategy, which rightly emphasises person centred approaches and the focussing of control over decisions affecting a person’s life with the person with disability, the importance and demand for non-aligned support, advice and information will escalate. The DNF is currently working on the roles and functions of systemic and individual advocacy and information under the national and NSW frameworks, but generally these would entail at least: safeguards for people with disability in access to and use of disability

specific and other supports and services, as well as capacity building for people in both accessing and making the decisions that affect their lives.

In NSW, resources to independent advocacy and independent information have not been increased to address the known and anticipated growth in both the population of people with disability requiring this support, nor the demand for service, for nearly a decade. The DNF agreed that expansion to the provision of independent advocacy and independent information should sit under the Rights Protection, Justice and Legislation Priority Area but there were varying views about where the corresponding Actions should appear in the document.

Consequently please see Actions 2c) and 2n) below:

- Additional: 2 c) ii) Expand the *Advocacy and Information Program* to provide systemic and individual advocacy protections to people with disability. [Please also see additional point 2 n)]
- 2 f) *Incorporate and reflect the NDS ...and UNCRPD...* Replace “reflect” with “ensure compliance with”.
 - The NDS and UNCRPD should also be integrated by Government agencies so the DNF strongly recommends the addition of the phrase “and in Disability Action Plans” after *legislation and regulations*.
- 2 g) *Supported Decision Making Framework*: The DNF agrees with a Framework developed and implemented for people with disability under the Public Guardian. This should be clearly specified in the Key Action.
 - The DNF recommends that the critical role of independent advocacy for people with disability under the Public Guardian is integrated into the Supported Decision Making Framework.
 - The DNF recognises the need for a Supported Decision Making Framework to maximise the autonomy of people with disability outside the Public Guardian system. The DNF contends that the Public Guardian is not the appropriate body to develop such a Framework on the autonomy of people with disability outside the Public Guardian system.
- 2 h) *disability awareness training*: The DNF strongly supports training for staff in the justice sector and member organisations can assist with aspects /sources of that training. The DNF has come to a strong view that people who interact and work with people with disability require something more effective than *awareness training*. Awareness training is about disability and will inform the participant on types of disability, possible supports needs, stereotypes, barriers to inclusion and issues involved. If provided, good awareness training will also cover values and attitudes. However, staff who work with and for people with disability need to understand how to respectfully and effectively interact with people and to listen and support them, not just “about them”. This leads to authentic inclusion and genuine outcomes with and for the person with disability and the worker involved.

Therefore the DNF recommends that staff in the justice sector is provided with training for the inclusion of people with disability in their agencies and programs.

- 2 j) *Corrective Services*: Again *continue to fund* is maintenance not progress.
 - The DNF recommends a review of programs with the objective of reframing Corrective Services programs to achieve
 - A focus on re-learning and growth for people with disability
 - Eliminating the retention of people with disability in restrictive environments beyond sentence durations
- 2 k) *Improve access to voting sites*: Replace “to voting sites” with “for all voters”.
 - The DNF strongly recommends that all polling places are to be fully accessible.
 - ADHC should require all eligible adults in ADHC provided or funded accommodation services are registered and supported to vote, as required by law.
- 2 l) *Community Justice Program (CJP)*: The DNF is concerned that people in the CJP are effectively incarcerated longer in locked facilities in the community than they would have been in jail. The CJP requires increased resources for learning, training and growth.
- Additional 2 n) Expand resources to independent systemic and individual advocacy and independent information to support people with disability, their families and carer to be included and participate in the community, to access and use mainstream generic supports in the community, as well as disability specific supports and services where required.
- Additional 2 o) The DNF strongly recommends the inclusion of the Key Action: Improve access to effective legal assistance for people with disability. The Plan should encompass expanding the capacity of NGO partners as well as improvements within government processes.

3) *Economic Security*

NSW Priorities

- Fourth arrow: The DNF is concerned about the phrasing of *choice-based accommodation options*. This is a new term unfamiliar to members of the DNF and requires explanation. There is concern that the phrase could be defined as ‘group accommodation’.

Key Actions and Deliverables 3 – the first two years

- 3 b) *employment opportunities*: The DNF considers that the improved economic inclusion and participation of people with disability is more appropriately achieved by open and mainstream employment opportunities. Segregated employment in sheltered workshops or business services may not constitute the most inclusive, valued or equitable employment options for people with disability. Therefore government actions should more progressively advance open employment initiatives for people with disability.
 - The DNF recommends the deletion of 3 b) ii) in its entirety, where *registered disability employers* refers to business services.
 - Add another point in this section: The DNF recommends that NSW Departments engage with open employment job support agencies for recruitment and procurement strategies.
 - Addition: The DNF recommends the development of a reasonable adjustment policy to facilitate the employment of people with disability.

- 3 c) *pathways for school leavers*: Following on from above comments, the DNF recommends the deletion of the term “supported employment programs (where required)”. This is in line with the UNCRPD which focusses on open employment opportunities as providing the best and most appropriate employment outcomes for people with disability.
 - Some school leavers with disability for whom access to tertiary studies could provide future inclusion and career prospects have not had the encouragement or opportunity to progress to further study like their non-disabled peers. Nor have they been informed about or provided with appropriate or adequate access to tertiary studies or supports to enable same. The DNF was concerned that the numbers of people with disability entering tertiary studies to increase career prospects is consistently and alarmingly disproportionately low. This is necessarily a worthwhile investment. Pathways for school leavers with disability in the NDS NSW Implementation Plan must include continuous improvement towards parity of access to tertiary studies. [see also page 16 Additional point 5 h) iii)]

- 3 c) ii) It was reported to the DNF that deafblind people and others with similar communication issues have automatically been channelled into Community Participation without the opportunity to enter Transition to Work. If there is a real commitment to employment pathways for school leavers with disability, a Key Action must include:
 - Working with school-based and disability-specific assessors to increase understanding of and open up the possibilities and support options of deafblind people towards employment and work readiness programs, including further study.
 - new and effective ways, including research, of working with people with disability to enable opportunities for employment and economic security.

- ii) The DNF is concerned that the “increased pathways” between Transition to Work to Commonwealth Employment Programs, especially inferring disability specialised and segregated employment, becomes the outcome for Economic Security rather than steps towards actual authentic employment for people with disability. Further concern that this could read like a shift to the Commonwealth.
- 3 f) The DNF recommends simply to increase the supply of adaptable and accessible housing to tenants with disability. This would allow an outcome measure for evaluation purposes.
- 3 g) The DNF recommends the addition of the phrase “underpinned by the UNCRPD” following *choice of accommodation for people with disability*. Note this does not and must not include large or congregate accommodation ‘centres’ as an available choice.
- 3 g v) The DNF supports *options to assist future planning to assist... older people with disability and their carers...* It is critical to consider the changing needs of people with disability who are growing older and how this can impact on their families and carers. The DNF cautions however that this should not offer an opportunity to inappropriately refer people with disability to Commonwealth aged care programs, nor should people with disability at the age of 65 be subtly or overtly compelled to enter residential aged care when most older people without pre-existing disability do not typically enter residential aged care until their mid to late 70s at the earliest. Individualised planning should provide suitable responses if the appropriate resourcing can be made available.
 - The DNF queries how *consider options* can be a Key Action and what a deliverable arising from this could be?

Outcome Measures

- Delete last dot point in line with comments on segregated congregate disability employment above.
- Additional outcome: Increase in the number of adaptable and accessible housing options in new housing developments for tenants with disability.

4) Personal and Community Support
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NSW Priorities

The fundamental role of independent advocacy and independent information should be included here in the first three arrow points. As explained, the adequate provision of Independent Advocacy and Independent Information is critical to the success of person-centred reforms, choice and flexibility, life-span approaches, increased opportunity and individualised funding arrangements for people with disability.

Key Actions and Deliverables 4 – the first two years

- 4 a) iv) *measures to build the capacity*: The essential role of independent advocacy and information must be acknowledged and implemented under this Key Action and as an important deliverable.
- 4 a) vi) The DNF are concerned that *planning* is not effective unless cooperation is also built into cross agency approaches. The DNF recommends the addition of ...*joint planning* “and cooperation”.
 - DNF recommends the inclusion of people with mental health issues (being part of the population of all people with disability) in this Key Action.
 - NSW Health should be specified as a partner for this Key Action
- 4 e) *Assistive Technology*: Delete the word “services” and insert “and training.” This acknowledges that person centred approaches must be applied to the delivery of the technology, not to the service that delivers it, i.e. the primary benefit is to the person with disability, not to the provider. Further, that training must be included as part of this delivery.
- 4 i) *Priority access*: Include the phrase to read: *Provide priority access for adopted and long term foster children and young people with disability*. This acknowledges the issues of long term foster families of children and young people with disability.
- 4 h) The DNF queries whether there is a specific planning process with guaranteed resources for children with disability, their parents and carers under the *National Framework for Protecting Australia’s Children*, and especially its effectiveness for this population.

5) *Learning and Skills Development*

NSW Priorities

- Fourth arrow: delete “Upgrade disability awareness training” and replace with: “Implement training to facilitate the inclusion of people with disability” to mainstream early childhood. The DNF reported that disability awareness does not necessarily result in a change in the practice of training participants whereas targeted training that facilitates inclusion will result in measurable outcomes for children and adults with disability [refer previous comments at point 2 h) on page 12].

Key Actions and Deliverables 5 – the first two years

- *Lead Agency*: In all the Key Actions on Page 38, there is only one agency listed, Department of Education and Communities. All other policy areas in this Plan identify a lead agency with partners in the collaboration and achievement of Key

Actions and Deliverables. The DNF contends that the *Learning and Skills Development* policy area is no different, does not occur in isolation from other aspects of life and must involve (and demonstrate the involvement of) other agencies as partners, especially ADHC, in early childhood, teacher training, support options, personalised support planning, access issues, cross agency cooperation, pathways after school, and further skills development. The Commonwealth Department FaHCSIA should also be identified as a partner.

- 5 c) *Early childhood and teacher training curricula*: Delete “Influence” and replace with “ensure”. There can be few if any outcomes measures for *influence*. Further the DNF strongly recommends a preferred wording for this Key Action: “Ensure inclusive education underpins all curricula and course content for early childhood and teacher education courses.”
- 5 f) DNF is greatly concerned that the wording of this Key Action seems to indicate (use of words *continue to improve, where required*) that schools and student amenities would only become accessible “as the need arose” instead of providing a rolling plan of access renovations resulting in all schools and education facilities being accessible over time. Delete “Continue to improve access to” and replace with “Provide accessible *education facilities*.”
- Addition 5 h) iii) *Facilitate smooth pathways*: ADD: “Increase the participation of people with disability in higher education”. As this is an NDS Plan, the DNF is concerned that there is nothing about broader pathways to tertiary education, including university for people with disability. The Australian Bureau of Statistics² reports on the education of people with a physical disability indicate that 30% of participants had completed year 12 and only 13% had completed a bachelor degree or higher. This is compared to 49% and 20% for people without a disability. Consequently, the DNF strongly recommends the addition of another Key Action to increase the participation of people with disability in higher education. This Key Action should have a corresponding Outcome Measure.
- 5 j) *education in community welfare and health care*: There were concerns that the Plan identified only the *Community Services and Health Industry Skills Council*. DNF advises that there are other willing and capable partners that have valuable expertise to enhance worker education relating to people with disability. Some DNF member organisations are specific examples.

6) ***Health and Wellbeing***

NSW Priorities

² Survey of Disability, Ageing and Carers (SDAC) conducted by the Australian Bureau of Statistics (ABS) throughout Australia, from June to November 2003

- *First arrow: Keep people with a disability healthy and out of hospital:* While not the intention, this phrase could be misconstrued as meaning “keep people with disability out of hospital”, implying that they may not be subtly or intentionally allowed hospital admission. The DNF recommends adding either “where appropriate” or replacing with ‘reduce inappropriate admissions’. The DNF acknowledges that people with disability already have a tough time within the health system but they must be able to easily and readily access health services, not be kept away.

Key Actions and Deliverables 6 – the first two years

- 6 b i) DNF recommends the development of protocols on good communication with people with intellectual disability for clinicians and health professionals. The DNF member organisations can assist in development of such protocols.
- 6 b ii) *Referral Pathways and challenging behaviours:* The DNF recommends that NSW Council for Intellectual Disability could provide more information on this issue.
- 6 b iii) *state-wide patient-client database:* The DNF found this Action very unclear in relation to e-Health records, person-centred approaches and privacy and medical issues, including personal autonomy. What does this Action mean?
- 6 c) *Attending or admitted to hospital:* DNF recommends inserting new terms to read *attending*, being *admitted to* or leaving *hospital...*
 - DNF recommends that the Health Care Complaints Commission is specified as a partner in this section.
- 6 c) i) DNF recommends that the term “discharge planning” is included in this point because it effectively describes the development, implementation and access to discharge planning.
- 6 c) ii) *Electronic Admissions System:* This should include information about the person’s medical condition, their disability and their medications, and their situation while respecting privacy issues.
- 6 f ii) *families of infants with hearing loss:* The DNF strongly recommends the participation of experts in hearing loss in the development and implementation of this Key Action.
- 6 h) *Aboriginal Health Plan:* The DNF supports the development of a 10 year Aboriginal Health Plan. There were concerns, however, in this Health Plan at no specific reference to Aboriginal people with disability. The DNF acknowledges the whole-of-community nature of the Health Plan and indeed the context of disability within the Aboriginal community, but the Health Plan must specifically

address Aboriginal people with disability in order to reach and support this very vulnerable group.

- Further, the DNF strongly recommends the participation of the NSW Aboriginal Disability Network in the development of this Plan.
 - Add the term “and implement” to read:
Develop and implement a 10 year Aboriginal Health Plan....
- Layout: There are 2 points labelled 6 i) both *MOU on children and medical assessments on children...* Subsequent numbering should be amended.
 - 6 j) *Medical assessments in out of home care:* delete “requiring attention” and replace with “and prioritise receiving attention”

Section 5: PUTTING THE PLAN INTO ACTION

Governance

The DNF recommends the Minister also engages independent monitors to assist in the evaluation of outcomes of various sections of the Plan. This will give the Minister a more accurate picture of the progress of the Plan and possible improvements along the way. Some suggestions have been included in this submission.

The DNF is concerned that the Plan makes no distinction between outputs and outcomes measures, sometimes using outputs as outcomes measures. Output measures are necessary to chart progress but outcomes measures demonstrate benefit. Also, there is no starting benchmark given in many measures so identifying whether an increase is incremental or excellent is not possible.

The DNF understands there will be a Baseline Report to accompany the NSW NDS Implementation Plan and is willing to provide useful input and feedback into the development of that Baseline report in its draft form.