



**FOURTH AND FINAL SIX MONTHLY REPORT**

**IMPLEMENTATION OF THE GOVERNMENT RESPONSE TO THE  
RECOMMENDATIONS OF THE REPORT OF THE  
BOARD OF INQUIRY INTO DISABILITY SERVICES**

**Authorised by**

**Minister for Disability, Housing and Community Services**

**September 2004**

# **FOURTH AND FINAL SIX MONTHLY REPORT ON THE IMPLEMENTATION OF THE RECOMMENDATIONS OF THE REPORT OF THE BOARD OF INQUIRY INTO DISABILITY SERVICES.**

## **Introduction**

The following report outlines progress that has been made against the Government Response to the Recommendations of the Board of Inquiry into Disability Services, since the Government Response was originally tabled in the ACT Legislative Assembly in September 2002.

The Board of Inquiry made a total of 50 recommendations for reform intended to result in significant changes to affect the quality of services and quality of life for people with disabilities. Of these 50 recommendations, the Government agreed to 31 recommendations, two with qualifications. Another 12 were noted, 11 of which were subsequently acted upon. The Government agreed to further consider 1 recommendation.

Six recommendations were not agreed to by the ACT Government or were for information only and did not require action to be taken.

## **Summary of Progress**

50 recommendations:

- 6 Not Agreed or did not require action
- 30 Completed
- 13 Currently In progress
- 1 Still Noted

In the six months from April 2004-September 2004 the Government has:

- Consulted on and launched *Future Directions: A framework for the ACT 2004-08* ('*Future Directions 2004-2008*'). *Future Directions 2004-2008* identifies four key strategic directions and includes priorities for 2004-05 and 2005-08.
- Proposed the establishment of the Human Rights and Service Review Commission, incorporating a Disability Services Commissioner, following community consultations on the Review of Statutory Oversight and Community Advocacy Agencies
- Developed an ongoing training calendar, with improved recording and follow-up mechanisms
- Provided training for Individual Support Services staff including:
  - Senior First Aid, including Cardio-Pulmonary Resuscitation
  - Medication training
  - Managing Challenging Behaviours

- Professional Assault Response Training (PART)
- Manual Handling
- Advanced Driver training for staff who transport clients in Disability ACT vans
- Personal Efficiency Program for Network Co-ordinators
- Continued to roll out the Active Support Program in all government-run group homes
- Developed a Performance Management Planning process specifically for Disability Support Officers
- Supported a number of projects to explore ‘self-governed’ support packages
- Completed evaluation of and community consultation on, the Individual Service Plan (ISP) process and formed an ISP group to advise Government on revised ISP processes
- Contracted with a respite service provider to provide services, either in-home or centre-based to people with disabilities who are from a culturally and linguistically diverse background and who are:
  - People with dementia
  - Older carers
  - Younger people with disabilities
- Negotiated 3 year funding contracts with 36 non-government agencies to provide services for people in key target groups
- Advertised the 2004-05 funding round for people with high and complex needs
- Continued to pilot Disability Phonenumber, to be staffed by a person with specialist knowledge to provide ACT-wide disability information, advice and referral
- Released the *ACT Public Service Employment Framework for People with a Disability*
- Completed an Access Audit across all government agencies
- Extended the Taxi Subsidy Scheme to under-16 year olds
- Allocated funds in the 2004-2005 budget to support implementation of *the Caring for Carers Policy*. *The Caring for Carers in the ACT – A Plan for Action 2004 – 2007* was released in August 2004 outlining 13 strategies and 34 actions to implement over the next 3 years.
- Conducted a sector-wide survey of the workforce supporting people with a disability and those providing respite services. Disability ACT is negotiating with a registered training organisation to deliver the Certificate IV course in disability work, commencing in 2005.
- Engaged with the Australian Government to undertake a joint project to evaluate the effectiveness of current post school services and supports provided to people with a disability in the ACT and to identify ways to facilitate community and employment participation.

- Allocated \$50,000 in grants to 20 individuals under the Digital Divide project.
- Established the 2004 Community Governed Innovations Grants Program.
- Allocated a total of \$500,000 to 28 agencies to assist them to build capacity, strengthen infrastructure, and improve quality.
- Initiated a number of cross-government projects, including between Disability ACT and various agencies including ACT Health, Housing ACT and the Department of Education and Training.

In the six months from September 2003-April 2004 the Government:

- Completed a draft Forward Plan – *Future Directions for Disability ACT 2004-08*. Community consultation on this Plan will occur in mid-2004 with the final Forward Plan to be released in late-2004.
- Reviewed and updated a range of client safety procedures across Individual Support Services in Disability ACT, including:
  - a reinvigorated and more comprehensive Periodic Service Review Program
  - enhanced medication practice procedures
  - enhanced and more regular risk assessments
  - more stringent first-aid training for disability support officers
- Commenced expansion of the Active Support Program from a pilot to a full implementation in all government-run group homes.
- Prepared a business plan for the implementation of a ‘new approach’ for Individual Support Packages.
- Assessed and allocated funds from the 2003-04 Budget to people with high and complex needs.
- Through ACT Health, issued a Request for Proposal for innovative service options for respite services. New services will commence following the completion of contract negotiations.
- Initiated a project to enable residents of Disability ACT group homes to hold individual tenancy agreements.
- Received a Report on the Review of Statutory Oversight and Community Advocacy Agencies. Community consultation on this Report occurred between December 2003 and February 2004.
- Through the Chief Minister’s Department and the Department of Disability, Housing and Community Services, commenced work on a service-wide ACT Public Sector employment strategy for people with a disability.
- Issued a Request for Tender for disability access auditors. A panel of auditors will be established to assist ACT agencies undertake their disability access audits.
- Held a successful International Day of Disability on 3 December 2003, including the inaugural ACT Inclusion Awards.
- Initiated a project to introduce a single point of contact within the Department of Disability, Housing and Community Services for ACT-wide disability information, advice and referral.
- Formally launched, in February 2004, a Caring for Carers Policy.

- Conducted a sector-wide survey of the workforce supporting people with a disability and those providing respite services. A Request for Proposal was also issued for a registered training organisation to deliver the Certificate IV course in disability work.

In the twelve months from September 2002 – August 2003, the Government:

- Established the new Department of Disability, Housing and Community Services, with Disability ACT as a dedicated disability agency.
- Completed a restructure of Disability ACT into three areas: Individual Support Services, Policy and Planning, and Sector Development and Support.
- Established a new Disability Advisory Council that replaced the former Disability Advisory Committee and Disability Reform Group.
- Introduced a number of initiatives into the Individual Support Services (ISS) in Disability ACT – previously known as the Disability Program:
  - commenced a pilot of the Active Support Model in two group homes
  - introduced a new structure with the following streams: Accommodation Support, Community and Family Support, and Operational Support
  - commenced a pilot of a Community Linking and Needs Assessment Service
  - revised the role of the Placement Committee to one of safeguarding the transition of people in, out and across ISS
- Established a single therapy service for children and adults, combining the Multi-Disciplinary Team and the Child Health and Development Service into a separate Group in the Department, known as Therapy ACT.
- Formally approved the Disability Reform Working Group workplans for 2003-2004, in the areas of Housing, Workforce, Quality, Legislation, and Access, Eligibility and Funding.
- Completed an evaluation of the Individual Support Package Program.
- Completed a scoping study on current and future approaches to accessing services offered and funded by the Department.
- Successfully introduced the revised Taxi Subsidy Scheme.
- Successfully developed and launched, in conjunction with the Disability Advisory Council, an *Access to Government* Audit Kit.
- Developed the Interim Planning Guidelines for Access and Mobility, to assist the development industry and the ACT Planning and Land Authority to meet their responsibilities under the Commonwealth and Territory Discrimination Acts.
- Developed Public Forum Access Guidelines to improve opportunities for participation by people with sensory impairment or mobility restrictions.
- Entered an agreement, through the Chief Minister's Department, to allocate a grant of \$50,000 to providing people with a disability basic IT access and skills.
- Developed an Information Management Plan, whereby the Australian Bureau of Statistics has agreed to assist Disability ACT with obtaining

information to better inform planning and policy development.

- Provided input to the preparation of disability questions for the 2006 Census.
- Funded six innovation pilots to be conducted over 2003-04.
- Completed a review of all service purchasing agreements between Disability ACT and non-government service providers.
- Conducted a series of workshops with a wide range of people with disabilities, their families, carers and service providers, exploring the implications of the Disability Reform Group's *Vision and Values* Statement for the future directions of disability in the ACT.
- Commenced implementation of a student-centred approach to allocating resources to special and mainstream schools for students with a disability.
- Signed the third 5-year Commonwealth-State/Territory Disability with the Australian Government.

<i>Recommendation</i>	<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>	
<b>General Recommendations</b>			
<p><b>1</b></p>	<p>The Disability Services Act 1991 should be amended to change its focus from distribution of funds to a person centred approach. The ACT Act adopted the approach of the prior Commonwealth Act of 1986. Since its enactment, development in the provision of services to people with disabilities has evolved significantly so that the Act does not reflect best practice.</p>	<p><b>Agreed.</b> The Government agrees that amendments to the Disability Services Act 1991 (ACT) (DSA), developed in consultation with the sector and tabled in the Assembly in 2003, are necessary to:</p> <ul style="list-style-type: none"> <li>• provide statutory powers and responsibility for the independent monitoring of compliance with standards and legislation, with particular focus on the health and safety of people with a disability. The Government will legislate to create a statutory officer (Disability Services Commissioner) with powers to undertake routine and random service performance audits, conduct inquiries and reviews, issue binding directives to improve and rectify services, administer a community visitor scheme, and provide education and support to services to assist service improvement. The Commissioner will have these powers in relation to all government funded disability services, and will be independent, reporting directly to the Minister for Disability;</li> <li>• establish a community advisory body to work in partnership with Government; and</li> <li>• provide the framework for flexible and individualised support for people with disabilities.</li> </ul>	<p><b>Status:</b></p> <ul style="list-style-type: none"> <li>• The final report on the Review of Statutory Oversight and Community Advocacy Agencies, conducted by the Foundation for Effective Markets and Governance (FEMAG) was received by the ACT Government in October 2003. The Government’s response to the FEMAG Review was contained in <i>The Right System for Rights Protection: ACT Government Position Paper on the System of Statutory Oversight in the ACT</i>, released in August 2004.</li> </ul> <p><i>The Right System for Rights Protection</i> outlines a new model for statutory oversight in the ACT, including the establishment of a Human Rights and Service Review Commission (HRSRC). The HRSRC will be comprised of a number of Commissioners, including a Disability Services Commissioner, to be appointed for 5 years.</p> <p>The position of Disability Services Commissioner will be established under legislation and have functions and powers which enable him or her to undertake monitoring and compliance activities as well as investigating complaints about disability services.</p> <p>It is intended that legislation to establish the HRSRC will be tabled in the ACT Legislative Assembly in March 2005.</p> <ul style="list-style-type: none"> <li>• The Disability Advisory Council has been established pursuant to the Commonwealth State/Territory Disability Agreement 2003-2007 (Multilateral) Schedule 2. It is a Ministerial Advisory Council, with members being appointed by the Minister and endorsed by Cabinet.</li> </ul>

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<b><i>General Recommendations</i></b>			
			<ul style="list-style-type: none"> <li>In August 2004 Disability ACT released a consultation paper on proposals for a new approach to Individual Service Packages (ISPs). Disability ACT will consult with individuals and agencies that may be affected, including people with disabilities, their families, carers, service providers and brokerage agencies, with a view to providing ISPs that provide flexibility, increased control by consumers and improved accountability.</li> </ul>
2	When the Inquiry 's Interim Report of 1 June 2001 is read in conjunction with this Report it will be noted that its findings in relation to the deaths of three disabled men in the care of the Disability Program focus fundamentally on the Terms of Reference. That report should be read together with the further findings and recommendations contained in this Final Report.	<b>Not Agreed</b>	<p><b>Status:</b> No action required</p>

<i>Recommendation</i>	<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>	
<b>General Recommendations</b>			
3	<p>The ACT Government should create a new statutory body which might be entitled ACT Disability Services Commission whose exclusive area of operation is the supervision, planning, policy, funding allocation, purchasing and monitoring of all disability services, including the Disability Program. These responsibilities and functions should be removed from the Department of Health, Housing &amp; Community Care. It is apparent from the totality of the findings made in this Report against the Department and its senior managers that it has not adequately responded to the many opportunities given to it for reform and implementation of best practice over the years. Its history of management has been such as to warrant a significant reform of divorcing the administration of disability services from the Department to the proposed statutory Commission. The Government may be assisted in considering the form and structure of such a body by reference to the disability services legislation in WA.</p> <p>Consideration should be given to including the following matters within the aegis of the proposed Commission:</p>	<p><b>Agreed with qualification.</b> The ACT Government has not established a new statutory body. In line with the Government's response to the <i>ACT Health Review</i> and with the endorsement of the Disability Reform Group, on 1 July 2002 the ACT Government established a new <i>Department of Disability, Housing and Community Services</i>, including a dedicated disability agency, <i>Disability ACT</i>. The agency has specific functions and responsibility for disability matters including planning, policy, funding allocation, purchasing and monitoring of all government-funded disability services. Disability ACT is an integrated operating agency within the new department, reporting directly to the Chief Executive and the Minister.</p> <p>The Disability Reform Group strongly recommends that the position of head of Disability ACT be a statutory officer with statutory powers backed by appropriate legislation.</p>	<p><b>Status: Completed.</b></p> <p>The structure of Disability ACT has been finalised, with the establishment of the following functional areas:</p> <p><u>INDIVIDUAL SUPPORT SERVICES (ISS) TEAM</u></p> <p>ISS (previously known as the Disability Program) aims to provide services in a way that focuses on each individual and his or her unique abilities and needs for support.</p> <p>ISS has been restructured into 3 streams:</p> <ul style="list-style-type: none"> <li>• <i>Accommodation Support</i>, providing support people in their own home (usually a group home) and to access the community;</li> <li>• <i>Community and Family Support</i>, providing centralised respite services, the aCe day activity program and the Community Linking and Needs Assessment, and</li> <li>• <i>Operational Support</i>, responsible for staffing, monitoring for quality across all activities, and general administrative support.</li> </ul>

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<b>General Recommendations</b>			
<b>3</b>	<ul style="list-style-type: none"> <li>(i) Planning, policy and strategy for disability services in the ACT including children and adolescents with all forms of disabilities and their families,</li> <li>(ii) Planning, policy and strategy for the delivery of home care services in the ACT;</li> <li>(iii) Funding and contract negotiation/oversight for the range of services for people with disabilities;</li> <li>(iv) Supplementary funding where people with disabilities access other mainstream services or systems (eg primary and secondary education);</li> <li>(v) Development and introduction of community integration programs for people with disabilities;</li> <li>(vi) Promotion and sponsorship of new and innovative service delivery projects;</li> </ul>		<p><b>Active Support Model:</b> Following a successful pilot, ISS is implementing the active support model across all Group Homes. Active support refers to a model of systematic support that focuses on engaging people in personally meaningful activity and the deployment of staff to do this. Active Support aims to:</p> <ul style="list-style-type: none"> <li>• increase the time people spend in purposeful activities.</li> <li>• ensure that those people who require more support receive it</li> <li>• ensure that people receive support in the form they can best use it.</li> </ul> <p>Benefits include allowing people to practice and master a range of skills, preventing or reducing an individual's frustration and boredom and co-ordinating the efforts of staff to maximise effect.</p> <p>Implementation of the active support model is to be completed in 2005.</p> <p><b>Community Linking and Needs Assessment Service</b> A pilot of a Community Linking and Needs Assessment Service commenced in 2003. This service is providing support to individuals and families who were seeking a group home placement or who have presented to Disability ACT in crisis. Families are assisted with accessing community supports where appropriate.</p>

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		<p><b>Local Area Co-ordination</b></p> <p>In response to the unmet support needs of people with disabilities, the ACT Government provided \$1.25 million growth monies in the 2004-2005 budget increasing to \$1.5 million in 2005-2006 to introduce Local Area Coordination and fund support for people with unmet needs</p> <p>To ensure community involvement in funding decisions Disability ACT is working with the Access, Eligibility and Funding Working Group and the newly appointed Local Area Coordination Reference Group to determine the funding processes to distribute the funds and strategically plan for the implementation of Local Area Coordination.</p> <p><u>POLICY AND PLANNING</u></p> <p>Policy and Planning undertook extensive community consultation to inform the development of <i>Future Directions: A Framework for the ACT 2004-2008</i>, which outlines focus areas and priorities for action over the next four years. (see Recommendation 5)</p> <p><i>Future Directions 2004-2008</i> was launched in September 2004, together with <i>Challenge 2014 - a ten-year vision for disability in the ACT</i>, an aspirational statement based on the <i>Vision and Values</i> that challenges everyone in the community, including government and community sectors, to take responsibility for change and meet the expectations identified by people with disabilities.</p> <p>The implementation strategy for <i>Future Directions 2004-2008</i>, together with detailed action plans will now be developed in consultation with the community.</p> <p>Policy and Planning has also been involved in a number of cross-government projects, outlined below in 3(vii).</p>

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		<p data-bbox="1458 293 1935 320"><u>SECTOR DEVELOPMENT AND SUPPORT TEAM</u></p> <p data-bbox="1458 331 2096 576">Sector Development is managing the funding and contract negotiation/oversight for service providers, and developing and implementing a funding framework that will assist providers to deliver person-centred services. Funding contracts are being more specifically targeted to ensure that government resources are directed towards services for people in the key priority groups and those with the highest levels of need.</p> <p data-bbox="1458 616 1783 643"><u>2004-05 Funding Agreements</u></p> <p data-bbox="1458 651 2112 799">Funding agreements were negotiated with 36 non-government agencies to provide services over the next three years for people in the key target groups. The new agreements comply with the ACT Government's Community Sector Funding Policy.</p> <p data-bbox="1458 839 1666 866"><u>Innovations Grants</u></p> <p data-bbox="1458 874 2018 927">Seven projects were funded in the 2003-04 round of innovation grants including:</p> <ul data-bbox="1458 935 2112 1278" style="list-style-type: none"> <li>• Two research projects, including a project surveying the needs of youth transitioning from school.</li> <li>• A project on 'Do-it-yourself' planning</li> <li>• A consumer strengthening project, aimed at building the self-advocacy skills and confidence of people with disabilities</li> <li>• Development work on a new housing service and support models</li> <li>• Two projects targeted at specific disabilities, designed to provide information and assist people to build informal networks.</li> </ul>

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		<p>Disability ACT has contracted with two parent advocates to establish and manage the 2004-05 Community Governed Innovation Grants Program. With the assistance of a community reference group, the two parents have developed a grants selection process and an application package. Successful applicants will be notified in November 2005.</p> <p><i>Infrastructure Grants</i></p> <p>Disability ACT allocated a total of \$500,000 to 28 agencies to assist them to build capacity, strengthen infrastructure, and improve quality, as well as a respond to those critical issues raised in recent audits and subsequent meetings conducted by Disability ACT, Sector Development and Support. The grants were directed towards</p> <ul style="list-style-type: none"> <li>➤ The purchase of equipment, either for the individual agency or for an individual person with a disability</li> <li>➤ Workforce development</li> <li>➤ Quality Initiatives</li> </ul> <p><u>Community and Economic Participation Project</u></p> <p>Disability, Housing and Community Services and the Australian Government Department of Family and Community Services (FaCS) are jointly sponsoring a project to evaluate the effectiveness of current post school services and supports provided to people with a disability in the ACT. It will identify ways to facilitate community and employment participation, and develop future directions that will maximise the effectiveness of service delivery and coordination. The project is expected to begin in November 2004 and be completed by April 2005.</p>

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		<p><u>Individual Support Packages (ISP)</u>  Disability ACT has completed an evaluation of its ISP mechanism, particularly in relation to the flexibility and person-centredness of current arrangements. Following the evaluation, an ISP Reference Group was established and a community consultation paper released, to canvassing possible changes to enhance the effectiveness of ISPs as tool to enable people with disabilities to live in the community, have choices and take control of their lives.</p> <p>Consultation was completed in September 2004. Feedback on the consultations will be provided to the ISP Reference Group in October 2004 to inform changes to the ISP process</p>
	<p>(vii) Liaison with other ACT Government agencies which deliver services to the disabled, such as educational institutions, transport services, land planning and building standards and accommodation services to best ensure their needs are addressed.</p>	<p><b>Agreed:</b> The Government strongly supports the need for liaison between government agencies that deliver services to people with disabilities, to facilitate a whole-of-government approach to reforms. Disability ACT and relevant government agencies will establish a series of agreements, with associated practice protocols, to ensure comprehensive planning for life-cycle services for people with a disability. These agreements will be in place by December 2003.</p> <p><u>Access to Government Strategy</u>  On 28 July 2003, the ACT Government launched the Access to Government Strategy. The Strategy requires ACT Government Departments and Agencies to conduct a disability accessibility audit and develop action plans. The Strategy launch included an Audit and Information Kit, which was developed in partnership between the ACT Disability Advisory Council and Disability ACT.</p> <p>Department of Disability, Housing and Community services is the lead agency in the Access Strategy and has been working closely with agencies in developing plans and processes while creating a network to disseminate Access related information. Department of Disability, Housing and Community Services will also have an In progress role to evaluate the progress of each action plan against objectives.</p>

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		<p data-bbox="1464 277 1877 303"><u>Access to Government Strategy (cont)</u></p> <p data-bbox="1464 341 2119 523">As part of this information process, Department of Disability, Housing and Community Services is organising a series of information seminars about issues critical to the Access Strategy. The first seminar has already been held which focused on alternative media and communication formats.</p> <p data-bbox="1464 561 2119 679">Most agencies now have a draft Access Action Plan that is undergoing final consultations. Agencies are required to report on these action plans in their Annual Reports starting in 2004-2005.</p> <p data-bbox="1464 718 2119 871">The Department of Disability, Housing and Community Services Access Strategy has been formulated into an Action Plan following the initial audit and reports provided by a Consultant. The Strategy covers areas such as Physical Access, Information, Training and Business Process.</p> <p data-bbox="1464 893 2074 951"><u>ACT Public Service Employment Framework for People with Disabilities</u></p> <p data-bbox="1464 995 2119 1145">In September 2004 the ACT Government released the ACT Public Service Employment Framework for People with a Disability, developed jointly by the Chief Ministers Department and the Department of Disability, Housing and Community Services.</p> <p data-bbox="1464 1184 2119 1302">The aim of the Framework is that people with a disability are able to access secure and sustainable employment opportunities with the ACT Public Service commensurate with their skills, capabilities, interests and potential.</p> <p data-bbox="1464 1324 2119 1474">The Department of Disability, Housing and Community services is currently working on implementation plans for this strategy with a view to increasing the number of people with disability in the Department of Disability, Housing and Community Services.</p>

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		<p data-bbox="1464 352 1888 379"><u>Applied Behavioural Analysis Program</u></p> <p data-bbox="1464 400 2107 612">Disability ACT, in conjunction with the Department of Education and Training, continued to support a pilot project in the ACT education system for four children with autism. A service provider specialising in autism has been contracted to train teaching staff and provide support to the children. The effectiveness of this project will be evaluated in late 2004</p> <p data-bbox="1464 643 2063 700"><u>Working Group on Hospital Procedures for People with Disabilities</u></p> <p data-bbox="1464 730 2107 788">Disability ACT and ACT Health have established a working group to:</p> <ul data-bbox="1464 802 2107 1121" style="list-style-type: none"> <li>• Identify the range of issues for people with a disability presenting for hospitalisation.</li> <li>• Identify the concurrent issues for hospital staff when caring for a person with a disability.</li> <li>• Identify current procedure policy gaps for both DACT and hospital based services in the continuum of care procedures in relation to a person with a disability.</li> <li>• Identify key policy that would underpin a <i>guidelines and procedural manual</i> for continuum of care for people with disabilities.</li> </ul> <p data-bbox="1464 1129 2107 1157">The final meeting of the working group will be held in 2004.</p>

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		<p data-bbox="1464 316 2074 371"><u>Dual Disability Intensive Care and Treatment Feasibility Study</u></p> <p data-bbox="1464 408 2107 655">Disability ACT received funding in the 2004-05 funding round to undertake a Dual Disability Feasibility Study to explore the range of service responses and associated accommodation requirements to meet the needs of young people in the ACT who have an intellectual disability and a mental dysfunction/disorder and/or complex behavioural problems and who are at risk of entering the criminal justice system.</p> <p data-bbox="1464 692 2107 876">Disability ACT has contracted with a specialist consultant to undertake the Dual Disability Feasibility Study, in consultation with all key stakeholders, including ACT Health, ACT Magistrates and Judges, the Department of Justice and Safety and the ACT Office for Children, Youth and Family Support.</p> <p data-bbox="1464 912 1711 936"><u>Elder Abuse Taskforce</u></p> <p data-bbox="1464 973 2107 1094">Disability ACT is a representative on the Elder Abuse Prevention Implementation Taskforce, established to implement the recommendations for eliminating elder abuse in the ACT.</p> <p data-bbox="1464 1131 1653 1155"><u>Access initiatives</u></p> <p data-bbox="1464 1192 2092 1375">The Access City Reference Group, comprising representatives from community, individual with expertise in the urban environment and representatives from Disability ACT, Department of Urban Services and ACT Planning and Land Authority, oversees three access projects:</p>

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		<p><u>Access initiatives (cont)</u></p> <p><i>Access City Hotline</i></p> <p>Disability ACT provides funding to the Citizens Advice Bureau of the ACT (formerly CIRSACT) to provide a referral service in relation to access issues in the ACT.</p> <p><i>AccessAdapt</i></p> <p>Housing ACT has renewed the contract for the AccessAdapt until 31 July 2005. Prior to the expiry of the contract, the service will be reviewed for its effectiveness, including the level of service provided to individuals and community awareness of its services.</p> <p><i>Mapping project</i></p> <p>The Department of Urban Services is funding a project to map the accessibility of public spaces and buildings in the Civic area.</p> <p><u>Service Partnership Agreements</u></p> <p>The Department of Disability, Housing and Community Services is developing Service Partnership Agreements with other ACT Government agencies to improve community outcomes through agreed actions and timeframes. A framework to facilitate development of Service Partnership Agreements across the Department is expected to be completed by the end of 2004. Service Partnership Agreements will be negotiated with other agencies during early 2005. It is intended that agreements will address the management of cross-government services for people with a disability.</p>

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<b>General Recommendations</b>			
<b>(3) cont.</b>	Such a body [an ACT Disability Services Commission] would give Canberrans a single point of contact when approaching the ACT Government for services thereby overcoming the uncertainty some people have in knowing which level of government and which agency to approach. It will also provide a continuity of support to people with disabilities throughout their lives.	<p><b>Agreed.</b> The Government places a high priority on assisting individuals and families to get the information and assistance they need to maintain control over their own lives and pursue their goals.</p> <p>The Government will establish service access mechanisms as a central point of access where people with a disability can receive information, referral, service planning and coordination assistance.</p>	<p><u>Linking and Needs Assessment Service</u></p> <p>Individual Support Services (ISS) has introduced an innovative support service, the Community Linking and Needs Assessment Service (CLANAS).</p> <p>CLANAS supports individuals and their families to identify their own needs and work with them to develop a support network that includes informal and community supports as well as any paid support.</p> <p>CLANAS will be evaluated to assess the potential for expanding such a service in the ACT.</p> <p><u>Disability Phonenumber</u></p> <p>Following the report on the Client Access Scoping Project, Disability ACT has commenced a trial of the Disability Phonenumber for people with a disability, their families and carers. Members of the community can ring the phonenumber, which will be staffed by a person with specialist knowledge who can answer queries and refer people to appropriate services.</p>

<i>Recommendation</i>	<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>	
<b><i>General Recommendations</i></b>			
4	<p>It is important that staffing for this new statutory Commission be consistent with Dr Kendrick's recommendations regarding leadership and experience qualities.</p>	<p><b>Agreed.</b> Disability ACT and the Disability Reform Group have developed the following staffing criteria to apply to key positions:</p> <ul style="list-style-type: none"> <li>▪ extensive knowledge of and appropriate experience in the Disability/Community Services industry;</li> <li>▪ willingness and ability to commit to establishing services and supports to assist people with disabilities to take their place as full and equal members of the ACT community;</li> <li>▪ demonstrated commitment to promoting the inherent right of people with disabilities to dignity and respect;</li> <li>▪ demonstrated strategic and leadership skills;</li> <li>▪ demonstrated managerial skills and the capacity to work effectively with other people;</li> <li>▪ dynamic, entrepreneurial leader able to construct, motivate, guide and evaluate;</li> <li>▪ highly skilled at communicating with diverse groups, individuals and stakeholders;</li> <li>▪ demonstrated keen sense of the worth, dignity and rights of people with a disability;</li> <li>▪ relevant tertiary degree/diploma, or equivalent experience; and</li> <li>▪ demonstrated ability to lead and manage change.</li> </ul> <p>The key positions will be widely advertised and filled by December 2002.</p>	<p><b>Status: Completed.</b></p> <p>The staffing criteria developed by Disability ACT and the Disability Reform Group were used in the recruitment of the personnel selected for the three senior management positions in Disability ACT, the Executive Director, Director, and Senior Manager.</p> <p>All staff recruited to Disability ACT are required to demonstrate a commitment to the vision and values of Disability ACT and a possess knowledge of current trends, practices, policies and legislation in relation to supporting people with disabilities in their communities.</p>

<i>Recommendation</i>	<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>
<b>General Recommendations</b>		
<p><b>5</b> A change manager with proven experience in the operation of individualised service provision to the disabled and proficient in world best practice should be appointed to manage the implementation of the changes and service improvements recommended in this Report. In undertaking that task, it may be of assistance for that person also to have regard to the submissions received by this Inquiry and the extensive research materials and literature, both national and international, gathered by the Inquiry secretariat.</p>	<p><b>Agreed.</b> Disability ACT has embarked on a change management process through a series of strategies, including:</p> <ul style="list-style-type: none"> <li>▪ establishing a partnership with the Disability Reform Group;</li> <li>▪ obtaining advice from experts in the disability field;</li> <li>▪ extensive community consultations undertaken by RPR Consulting;</li> <li>▪ establishment of senior positions in Disability ACT with expertise in change management and disability services;</li> <li>▪ research within Disability ACT;</li> <li>▪ establishing a register of local and interstate experts in the disability field; and</li> <li>▪ commitment to a program of reform and innovation that will commence in 2002.</li> </ul> <p>The Government agrees with the Disability Reform Group recommendation that targeted technical advice be made available to consumers and their supporters, service providers and government officials to assist them in moving to more personalised support arrangements</p>	<p><b>Status: Completed</b></p> <p>In September 2004 the ACT Government launched <i>Future Directions: a framework for the ACT 2004-2008</i> which provides a framework for supporting people with disabilities to achieve their <i>Vision and Values</i>.</p> <p><i>Future Directions 2004-2008</i> identifies four strategic directions:</p> <ol style="list-style-type: none"> <li>1. Influence policy and culture to promote an inclusive society</li> <li>2. Strengthening the capacity of people with disabilities, their families and carers to maximise control over their lives</li> <li>3. Improve planning and use of available funding to meet the needs of people requiring In progress support</li> <li>4. In partnership with the Community Sector, strengthen the sustainability and responsiveness of the Service Delivery Sector.</li> </ol> <p><i>Future Directions</i> focuses on various ages and stages of life for people with a disability, in particular targeting transition times and the following target groups:</p> <ul style="list-style-type: none"> <li>• Families with young children</li> <li>• Youth and Young Adults</li> <li>• Older Adults with a disability</li> <li>• Mature Carers</li> </ul>

<i>Recommendation</i>	<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>
<b>General Recommendations</b>		
<p><b>6</b> In establishing this body, the ACT Government should appoint senior managers with the following skills to plan, develop and implement initiatives and service arrangements:</p> <ul style="list-style-type: none"> <li>(i) Change management and reform expertise to establish a new organisation and new culture;</li> <li>(ii) A clear understanding of the wants, needs and aspirations of all people living with a disability, their families and carers;</li> <li>(iii) A capacity for service development - this would require managers to have vision, inventiveness and a desire to trial and test new and innovative arrangements; and</li> </ul> <p>Contract management and negotiation skills - this might involve external specialists to advise or participate in negotiations with service providers.</p> <p>It may assist the ACT to approach or engage local and interstate experts (such as Professor Shaddock, Ms Anne Cross and Mr Jeff Chan) to provide advice on directions and options that might be pursued during the early years. Professor Shaddock is a local, highly qualified world expert. On its interstate visits the Inquiry was most impressed with the breadth of knowledge and practical experience demonstrated by Ms Cross and Mr Chan.</p>	<p><b>Agreed.</b> The Government has established a new disability agency structure and has a strong commitment to carrying out the functions of the agency in partnership with disability stakeholders, and in a way that reflects the values inherent in the Disability Reform Group's Vision Statement, the National Disability Service Standards and human rights legislation.</p> <p>The Government will establish an advisory structure that incorporates strong community involvement, and the agency's responsibility to accept advice from stakeholders through the advisory structure will be clearly articulated. This advisory structure will be in place by February 2003. Disability ACT will establish a recruitment policy to ensure that appointment of staff is guided by the advice of the Board of Inquiry and the recommendations of the Disability Reform Group in their submission to the Reid Review.</p> <p>Disability ACT, in partnership with the Disability Reform Group, has established a register of consultants, both local and interstate, from which can be drawn expertise on a range of specialist topics. Appointments to the register will be finalised in October 2002.</p>	<p><b>Status: Completed.</b></p> <p>See update on Recommendation 5.</p>

<i>Recommendation</i>	<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>	
<i>Recommendations in response to term of reference (a)</i>			
7	<p>The objectives of the new statutory Commission should include:</p> <p>(i) Gradual adoption of the person-centred approach to assessing and delivering services to people with disabilities, in consultation with them and their families.</p>	<p>The following responses are made on the understanding that the new agency has not been created as a statutory Commission.</p> <p><b>Agreed.</b> There is widespread support in the sector for increasing participation of families and for moving gradually towards a wider variety of person-centered and integrated care and support arrangements.</p> <p>Disability ACT, in partnership with disability stakeholders, will take a strong role in establishing the principles and policies that will guide service improvement and development.</p>	<p><b>Status: Completed</b></p> <p>A central tenet of <i>Future Directions 2004-2008</i> is the provision of person-centred, flexible supports for people with disabilities.</p> <p>Specific services currently being piloted include:</p> <ul style="list-style-type: none"> <li>➤ <u>A Family Governed pilot project</u> - developed in partnership with Sharing Places Incorporated, currently being implemented by a small group of families. This project will increase the control that participating families have over services allocated to family members with a disability</li> <li>➤ <u>Consumers in Control</u> - this project will explore mechanisms for people with disabilities to directly control financial resources allocated to them.</li> </ul>

<i>Recommendation</i>	<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>
<i>Recommendations in response to term of reference (a)</i>		
<p>(ii) Adoption of a policy of progressively withdrawing from the group home model as the predominant residential support arrangement, moving towards an individualised and integrated care and support model.</p>	<p><b>Noted.</b> Disability ACT will target innovation and growth funds towards flexible personal and family supports while maintaining options where service users are satisfied with current arrangements.</p> <p>The Government recognises that for a number of people the group home model is working well and should continue to be supported. The objective of reforms will be to increase the range and flexibility of options without threatening existing successful arrangements, and to further develop and improve existing models.</p>	<p>Disability ACT continues to support residents in group home settings, however is not expanding this model of accommodation and support.</p> <p>A joint Disability ACT and Housing ACT group, with representation from DHCS Strategic Policy, is currently reviewing alternate accommodation and support models for people with disability.</p> <p>See recommendation 7(i) for information on innovative, self-governed support projects.</p> <p>Individual Support Services (ISS) has introduced an innovative support service, the Community Linking and Needs Assessment Service (CLANAS).</p> <p>CLANAS supports individuals and their families to identify their own needs and work with them to develop a support network that includes informal and community supports as well as any paid support.</p> <p>CLANAS will be evaluated to assess the potential for expanding such a service in the ACT.</p> <p>Disability ACT is currently establishing a community-based Local Area Co-ordination to provide direct support to people who have unmet needs and to create stronger links to the community (see recommendation 3 above).</p>

<i>Recommendation</i>	<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>
<b><i>Recommendations in response to term of reference (a)</i></b>		
<p>(iii) Encouraging the design and introduction of new and innovative service models that are responsive to the needs and desires of people with disabilities - including family and community governance arrangements.</p>	<p><b>Agreed.</b> Disability ACT has established an innovation fund that aims to:</p> <ul style="list-style-type: none"> <li>▪ encourage new opportunities and approaches to supporting people with disabilities that result in flexible, person-centred improvements in the long term; and</li> <li>▪ enable people to try out new ideas that expand and improve current approaches and options.</li> </ul> <p>Disability ACT has developed the terms of reference for the innovation fund in consultation with the Disability Reform Group. The innovation funds will be targeted towards small projects that encourage new opportunities and approaches for supporting people with disabilities and will result in flexible, person-centred improvements in the long term. The Government has allocated \$350,000 to the innovation fund, over the next 3 years. Applications to the fund will be publicly invited in September 2002</p>	<p>Seven projects were funded in the 2003-04 round of innovation grants, These included:</p> <ul style="list-style-type: none"> <li>• Two research projects, including a project surveying the needs of youth transitioning from school.</li> <li>• A project on ‘Do-it-yourself’ planning</li> <li>• A consumer strengthening project, aimed at building the self-advocacy skills and confidence of people with disabilities</li> <li>• Development work on a new housing service and support models</li> <li>• Two projects targeted at specific disabilities, designed to provide information and assist people to build informal networks.</li> </ul> <p>Disability ACT has contracted with two parent advocates to establish and manage the 2004-05 Community Governed Innovation Grants Program. With the assistance of a community reference group, the two parents have developed a grants selection process and an application package. Successful applicants will be advised in November 2005.</p>
<p>(iv) Introduction of new regulatory and inspection arrangements to review and monitor services for people with disabilities.</p>	<p><b>Agreed.</b> The Disability Services Commissioner will have statutory powers and responsibility for the independent monitoring of compliance with standards and legislation, with particular focus on the health and safety of people with a disability. The Commissioner will have powers to undertake routine and random service performance audits, conduct inquiries and reviews, issue binding directives to improve and rectify services, administer a community visitor scheme, and provide education and support to services to assist service improvement. The Commissioner will have these powers in relation to all government funded disability services, and will be independent, reporting directly to the Minister for Disability.</p>	<p>The Right System for Rights Protection confirmed that the ACT Government will establish a Disability Services Commissioner with functions and powers, which enable him or her to undertake monitoring and compliance activities as well as investigating complaints about disability services. The Disability Services Commissioner will report to the Attorney-General, as recommended by FEMAG and the Disability Reform Legislation Working Group. Both the Attorney-General and the Minister responsible will be able to direct the Commissioner to inquire into systemic issues in relation to disability services.</p>

<i>Recommendation</i>	<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>
<i>Recommendations in response to term of reference (a)</i>		
<p>(v) Reduction over time of the Disability Program by establishment of a number of smaller service units to deliver care support services. Whether these units should be best managed within or outside the government sector should be determined at a later time.</p>	<p><b>Agreed.</b> The Disability Program provides the following services:</p> <ul style="list-style-type: none"> <li>▪ accommodation support services providing suitable assistance to people with a disability to live in the community;</li> <li>▪ a Community Access/Linkage Service (aCe-Link), supporting people with disabilities to maintain and develop life and social skills;</li> <li>▪ centre-based respite services to give the person with a disability and their family/carer the chance to have a regular short break from each other; and</li> <li>▪ access to a range of multi-disciplinary services, including psychology, social work, physiotherapy, speech pathology, occupational therapy, and recreational services.</li> </ul> <p>Disability ACT is reviewing whether it is appropriate for all of these services to be provided by the Disability Program. The process of review will determine, for instance, whether the Government accommodation support service should target those in crisis situations requiring support and accommodation urgently.</p>	<p>A review of the role of Government as a service provider and the allocation of resources between government and the sector will be conducted during 2005.</p> <p>Disability ACT is reviewing the current role and functions of Government-provided services with a view to exiting services that would be better managed or delivered by other providers. The first step in this process has been completed with the transfer of the multi-disciplinary team to the recently created single therapy service, Therapy ACT.</p> <p>While Disability ACT continues to support existing residents in its group homes, this program is not being extended.</p> <p>Disability ACT has established CLANAS to assist families to find alternative accommodation and support solutions (see recommendation 7(ii) above).</p>

<i>Recommendation</i>	<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>
<i>Recommendations in response to term of reference (a)</i>		
<p>(vi) Investment in support and assistance for families of people with disabilities because best practice requires that the individual should be supported in the context of their own family and the wider community.</p>	<p><b>Agreed.</b> The Government will support, value and promote the roles of families, guardians, friends, carers and significant others in the lives of people with disabilities. This will be achieved through the development of new policies and by re-designing and refocusing services towards support for individuals and their families, to make it easier for people with disabilities to have the kind of life or lifestyle that is optimal for them.</p> <p>The Government will target the innovation funds to individual and family supports as explained above. Disability ACT also recognises that investment must be made in supporting people who do not have close family support or other networks to rely on</p>	<p><u>Carers Policy</u> The <i>Caring for Carers Policy</i> was tabled in December 2003 and publicly launched on 4 February 2004. To implement the policy, <i>Caring for Carers in the ACT - A Plan for Action 2004-2007</i> was launched on 26 August 2004. The action plan contains 34 new commitments for action by relevant ACT Government agencies to improve recognition and support of carers in the ACT.</p> <p>The 2004-2005 ACT Budget included \$830,000 over four years to support the implementation of the Caring for Carers Policy. This funding is distributed through the Carers Recognition Grants Program, an annual grants round of around \$200,000 per annum.</p> <p>The Department is managing a project to examine the need for legislative change to support carers, including specific carers legislation. The project involves community consultation on the potential aims of a Carers Act and makes recommendations for achieving those aims. Minter Ellison Consulting has been engaged to undertake the project. Community consultation occurred between 18 August and 8 October 2004.</p>

<i>Recommendation</i>	<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>
<i>Recommendations in response to term of reference (a)</i>		
		<p><u>Respite services</u> (cont)  The ACT Government contracted with a respite service provider to provide respite services, either in-home or centre-based to people with a disability who are from a culturally and linguistically diverse background and who come within one or more of the following categories:</p> <ul style="list-style-type: none"> <li>• People with dementia</li> <li>• Older carers</li> <li>• Younger people with disabilities</li> </ul> <p>Disability ACT is currently reviewing the way it provides family respite services, with the aim of enhancing service delivery and flexibility. Disability ACT is consulting with all families who currently use its respite services about their needs and requirements. It is anticipated that a report on the consultation outcomes will be prepared by December 2004, following which services will be evaluated.</p> <p><u>Taxi Subsidy Scheme</u>  From July 2004 the Government extended the application of the Taxi Subsidy Scheme to people under 16 years of age. Disability ACT has completed a review of the current scheme, with recommendations for increased access and more effective administration of the subsidy, including consideration of the introduction of a SmartCard system.</p> <p><u>Digital Divide Project</u>  Applications for Digital Divide funding closed on 30 April 2004. Seventy applications were received and \$50,000 was distributed to 20 people. In addition, the opportunity arose to make computers available to 25 people at a subsidised rate. All computers were allocated.</p>

<i>Recommendation</i>	<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>
<i>Recommendations in response to term of reference (a)</i>		
<p>(vii) Ensuring that adequate forward planning is carried out to determine the future demand for services from people with disabilities.</p>	<ul style="list-style-type: none"> <li>▪ <b>Agreed.</b> The Government agrees with the Disability Reform Group's recommendation for adequate forward planning supported by evidence-based assessment of future demand for services. A profile of people in the ACT with disabilities will be published in 2002 through Disability ACT. The specific aims of this report are to: serve as a resource for informed community discussion about disability matters;</li> <li>▪ provide an information base for policy development and program planning purposes;</li> <li>▪ set benchmark data for monitoring trends; and</li> <li>▪ publish information in an accessible format for government and all disability stakeholders.</li> </ul> <p>Disability ACT has established a planning unit with a senior manager. As part of establishing a quality framework, the functions of the planning unit will include establishment of a system for monitoring service standards.</p>	<p>As outlined in the Third Report, a number of publications draw together the most current available data on disability and disability services, including:</p> <ul style="list-style-type: none"> <li>• <i>Need for and Provision of Human Services in the ACT</i> (Australian Institute of Health and Welfare and Chief Minister's Department) 2003 and</li> <li>• <i>Addressing Disadvantage in the ACT</i> (ACTCOSS and Chief Minister's Department)</li> </ul> <p>In addition to these publications, the Australian Bureau of Statistics has released a summary of results from the Survey of Disability, Ageing and Carers. The tables relating to the ACT will be released in October/November 2004.</p> <p>In accordance with reporting requirements under the CSTDA, since October 2003 Disability ACT has been collecting a complete set of data of funded services to people with disabilities. The first full year of data will be available for the 2004-05 financial year.</p> <p>The Department of Disability, Housing and Community Services and the Australian Bureau of Statistics, jointly signed off on the implementation of an Information Management Plan. The Plan aims to improve the coverage, collection and use of data and information to support the programs administered by the Department. The 2003-04 action plan is continuing into 2004-05. Implementing the Plan is a joint effort between the Department and the ABS.</p>

<i>Recommendation</i>	<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>
<i>Recommendations in response to term of reference (a)</i>		
8	<p>This authority should be funded to establish a service access centre, as part of its functions, to assess all people with disabilities and to assist and inform them and their families in identifying the options best suited to their individual needs. Such a centre would also constitute a single reference point to advise people as to the appropriate body with which to lodge complaints against service providers.</p>	<p><b>Noted.</b> In line with stakeholder preferences gauged through consultations, Disability ACT will establish centralised service access based on the local-area coordinator concept and arrangements that operate in West Australia, Queensland, Victoria, Tasmania and the Northern Territory. With the disability sector in a phase of building an integrated and flexible service system, Disability ACT will take a lead role in the provision of access services in the first instance. It should be noted that to ensure an independent service for users, access services are provided by government in all other jurisdictions. Disability ACT has commenced a consultative policy development process in relation to access and will work in collaboration with the Disability Reform Group and other stakeholders on designing and implementing the most appropriate structures and mechanisms for access in the ACT context and to ensure a strategic approach to implementation.</p> <p><b>Status: In progress</b></p> <p>An independent consultant investigated mechanisms for providing centralised access services for the Department's clients.</p> <p>The recommendations, set out in the resulting Forner Report, are being implemented, including the development of a pilot Disability ACT Phonenumber (see recommendation 3(vii) above).</p> <p>A pilot community linkage and needs assessment service has been established in the government-run service provider, Individual Support Services (see Recommendation 3(i) above)</p> <p>As outlined in Recommendation 3(i) above, Disability ACT is currently working to implement Local Area Co-ordination.</p> <p>To ensure community involvement in funding decisions Disability ACT is working with the Access, Eligibility and Funding Working Group and the newly appointed Local Area Coordination Reference Group to determine the funding processes to distribute the funds and strategically plan for the implementation of Local Area Coordination.</p> <p>Disability ACT has commenced a trial of the Disability Phonenumber for people with a disability, their families and carers. Members of the community can ring the phonenumber, which is staffed by a person with specialist knowledge who can answer queries and refer people to appropriate services.</p>

<i>Recommendation</i>		<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>
<i>Recommendations in response to term of reference (a)</i>			
<b>9</b>	The new authority would be charged with taking a proactive and scrutinising role in directing the Disability Program, in particular in relation to its budgetary affairs and requests for additional funding.	<b>Agreed.</b> Disability ACT has incorporated the Disability Program under the new arrangements, thus having coordinated policy, administration, service purchasing and service delivery functions within a single agency.	<b>Status: Completed.</b>
<b>10</b>	In line with a developmental approach to service delivery for people with disabilities, the Disability Program should be separated from ACTCC and like other service providers report directly through the newly created statutory body.	<b>Agreed.</b> Disability ACT has been separated from the Health portfolio and is now an operating agency within the new Department of Disability, Housing and Community Services, which was established on 1 July 2002. The head of Disability ACT has direct access to the Minister as well as being accountable through the Chief Executive.  The services delivered by Disability ACT as well as by other disability service providers will be subject to statutory oversight.	<b>Status: Completed.</b>

<i>Recommendation</i>	<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>	
<i>Recommendations in response to term of reference (a)</i>			
<p><b>11</b></p>	<p>The responsibility for strategic control and direction of the affairs of the Disability Program should be removed from ACTH&amp;CCS Board and be the responsibility of a separate board managing the Disability Program. Its sole area of responsibility would be the strategic direction of the Program.</p>	<p><b>Noted.</b> On 1 July 2002 the Disability Program became an operational section of Disability ACT. Currently, the Disability Advisory Council and the Disability Reform Group both provide advice to the Minister and to Disability ACT. With attention to the Government's responsibilities under the Commonwealth, State and Territory Disability Agreement (CSTDA) and to disability stakeholders, formal advisory arrangements are currently under review and will be put in place to coincide with the end of the term of the two current groups (February 2003). The new advisory arrangements will be defined in the Disability Services Act, and will include responsibility on the part of Disability ACT to publish in annual reports its responses to significant advice provided by the advisory body.</p> <p>The Government agrees with the recommendation of the Disability Reform Group that a community advisory body should be appointed to work with the Head of Disability ACT in a range of areas including those which set broad strategic directions for the service system. This body will be appointed by the end of February 2003.</p>	<p><b>Status: Completed.</b></p> <p>The Disability Advisory Council (DAC) includes representatives from a broad cross-section of the disability community, including people with disabilities, family members, community organisations and members of the community. One place on the DAC is reserved for a representative from the Indigenous community.</p> <p>The DAC plays a critical role in providing independent advice to Government. The role of the DAC is to independently advise and make recommendations to the Minister for Disability and other Ministers, as appropriate, across a range of issues in relation to people with disabilities.</p> <p>Building on the <i>Vision and Values</i>, the DAC endorsed and released <i>Challenge 2014</i>, which provides direction and guidance to policy and program development and opens the way for all people with disabilities to contribute to the ACT community. The DAC will provide a biennial report to the Government on community and ACT progress towards meeting <i>Challenge 2014</i>.</p>

<i>Recommendation</i>		<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>
<i>Recommendations in response to term of reference (a)</i>			
			<p><u>Disability Advisory Council</u> (cont)</p> <p>In 2004-05, it is anticipated that Council will implement the next phases of its 2003-04 projects, including:</p> <ul style="list-style-type: none"> <li>• A Welcoming Community Strategy, consisting of a project to research public attitudes to people with a disability in the ACT and a scoping project, designed to identify the most powerful opportunities to promote and include people with a disability in mainstream community activities and events. This project commenced in August 2004 and is due to be completed in November 2004.</li> <li>• A national policy group to support the Council in its provision of quality advice on a range of relevant Commonwealth Government policy matters.</li> </ul>
<b>12</b>	<p>This Disability Program Board should include disabled people, their families, service providers and other people with relevant up to date expertise in disabilities. The Inquiry was informed of an approach adopted interstate and overseas where service providers, service users (or their families) and/or industry experts were included on management and/or advisory boards. This would ensure that the views and needs of people with disabilities can be directly injected into policy directions, programs, funding priorities and service arrangements.</p>	<p><b>Agreed.</b> The Government will ensure that the formal advisory arrangements referred to in response to Recommendation 11 will include strong representation from people with a disability, their families, carers and service providers.</p> <p>The Disability Reform Group agrees with Recommendation 11, noting that processes to achieve the desired outcomes are already In progress.</p>	<p><b>Status: Completed.</b></p> <p>See Recommendation 11 above.</p>

<i>Recommendation</i>		<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>
<i>Recommendations in response to term of reference (a)</i>			
<b>13</b>	In relation to the three deaths occurring within twelve months, Mrs Grayson displayed a lack of active management of the Disability Program when decisive direction was required. She has not demonstrated the experience, vision or capacity to move the Program forward and has not implemented best practice in service provision. She should be relieved of her managerial responsibilities.	<b>Not Agreed</b>	<b>Status</b> No action required
<b>14</b>	<p>Until the changes recommended are fully implemented with any consequential alteration to the Disability Program's Placement Committee the following should occur:</p> <p>(i) The Placement Committee's procedures be revised to ensure that parents, guardians and families are advised of their entitlement to be given all relevant information relating to proposed residents prior to recommendation by the committee for exploration of a possible placement, their entitlement to present documents to the Committee and to appear personally before it at all stages of its deliberations</p> <p>(ii) That the composition of the Committee be amended to include sufficient parent, guardian and family representatives to ensure a meaningful governing role; and that the Disability Program appoint to the Committee people from outside the Program with expertise in service provision; and That the Chair of the Committee be completely independent, and free from any possible conflict of interest</p>	<p><b>Agreed in principle.</b> Disability ACT will further consider arrangements for access to accommodation support across the sector through the policy development process. Research is required to develop alternative placement processes.</p> <p>Disability ACT, endorsing suggestions by the Disability Reform Group, intends to establish for the Disability Program a placement system which emphasises a culture of facilitation and promotes self- determination by people with disabilities in collaboration with their families and supporters.</p> <p><b>Agreed.</b> The Disability Program Placement Committee has a parent as the interim chairperson and has expanded its parent and family representation. The Committee also seeks to include people with disabilities in its deliberations.</p>	<p><b>Status – Completed.</b></p> <p>The Accommodation Support Review Committee has replaced the Placement Committee. The role of the Committee is to review movement between Disability ACT group houses and from Disability ACT houses to either non-government accommodation or into the community.</p> <p>The Committee includes parent and community representatives as well as Disability ACT staff. A non-government representative chairs the Committee.</p>

<i>Recommendation</i>		<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>
<i>Recommendations in response to term of reference (a)</i>			
	(iii) That the Chair of the Committee be completely independent, and free from any possible conflict of interest.	<b>Agreed.</b> The Disability Program will appoint an independent person to facilitate the Placement Committee. The Government agrees with the Disability Reform Group recommendation that this is an interim response, pending activities outlined above.	
<b>15</b>	The Disability Program should not continue to be responsible as landlord for providing accommodation for its clients. Instead, disabled people should have the same rights and entitlements to enter into accommodation agreements with housing providers, both government or private, as is available in the general community.	<p>Agreed. The Government agrees that people with a disability should have the same rights and entitlements as others to enter into accommodation agreements with suitable housing providers and should have access to a range of accommodation and support options appropriate to their requirements. The Department of Disability, Housing and Community Services has had input to the Residential Tenancies Act Review (2002) to this effect.</p> <p>The ACT Disability Services Act 1991 (Schedule 2 Clause 8) states:  <i>‘Programs and services should be designed and administered so as to ensure that no single organisation providing services exercises control over all or most aspects of the life of a person with disabilities.’</i></p> <p>In line with best practice principles and the National Disability Service Standards, future Government funding arrangements will encourage agencies to ensure that their service menu does not contravene the National Standards or the Disability Services Act 1991 by offering ‘whole of life’ services that reduce the independence and authority that people with disabilities have over their lifestyle</p>	<p><b>Status: In progress.</b></p> <p>Disability ACT and Housing ACT have commenced negotiations with residents and parents/guardians of residents of Disability ACT houses, offering to transfer tenancy to residents under formal tenancy agreements (or similar arrangement that provide the same rights and responsibilities). It is anticipated that negotiations will be completed by the end of 2004. Further developments will depend on the level of take-up on the offer.</p> <p>The Housing and Tenancy Reform Working Group has developed five key Housing and Tenancy Principles for People with Disabilities and a vision for housing and tenancy. Community organisations will be engaged to cooperatively consult with the community on the key principles by the end of 2004.</p> <p>A cross Departmental Group has been formed within the Department of Disability, Housing and Community Services to explore different service models of housing, tenancy and support programs for people with a disability.</p>

<i>Recommendation</i>	<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>
<i>Recommendations in response to term of reference (a)</i>		
		<p>A number of housing and tenancy models and initiatives are being developed and trailed in the ACT that promote person-centred accommodation options for people with disabilities:</p> <ul style="list-style-type: none"> <li>➤ TAS Housing, a funded non-government provider, received innovation grants funding to support a revised project that will support TAS to undertake development work on a new service and support model. TAS will engage specialist advice to undertake this work during late 2004, early 2005.</li> <li>➤ LINC project – Centacare received innovation grants funding to develop a project aimed at creating one or more networks in the ACT where up to 9 people with disabilities will take up a community living option that best suits their individual circumstances. It is intended that this project will introduce a new approach to providing housing choices for people with intellectual disabilities.</li> </ul>
16	<p>In order to further protect the tenancy rights of disabled people, the Residential Tenancies Act 1997 should be amended to ensure that residents in group homes have adequate security of tenure by being granted appropriate tenancy status under the Act.</p>	<p><b>Noted.</b> <i>The Residential Tenancies Act 1997</i> is presently being reviewed by Justice and Community Services and the rights of residents in shared housing situations will be considered under the review. The Government Disability Housing Working Group has recommended to the review that the Act be amended to allow for establishment of shared tenancy arrangements. In particular, amendments to the <i>Residential Tenancies Act 1997</i> should provide opportunities for greater flexibility in shared household arrangements and provide adequate protection and clarify responsibilities for tenants in shared living arrangements.</p> <p><b>Status: Completed.</b></p> <p><b>(Lead – JACS)</b> Following a review of the <i>Residential Tenancies Act 1997</i>, the <i>Residential Tenancies Amendment Act 2004</i> was passed in September 2004. This Act provides that a person can contract into the terms of the <i>Residential Tenancies Act</i> through a Residential Tenancy Agreement.</p> <p>Another effect of the Act is that other forms of occupancy, such as boarders and lodgers, will be subject to a set of occupancy principles set out in the Act and will come within the jurisdiction of the Residential Tenancy Tribunal.</p> <p>The amendments to the Act introduce a rights based approach to occupancy and provide a basis for development of new agreements within the community sector.</p>

<i>Recommendation</i>		<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>
<i>Recommendations in response to term of reference (a)</i>			
<b>17</b>	The ACT Government should establish a register of properties, which have been suitably constructed or modified to meet the needs of people with disabilities.	<b>Agreed.</b> ACT Housing has commenced a stock audit of all its properties including information on the suitability of properties for people with a disability. Through the Department of Disability, Housing and Community Services, a register of suitably modified housing will be established and maintained for government owned public housing rental properties that are managed by ACT Housing and a range of community-based housing providers on behalf of the ACT Government.	<b>Status: In progress.</b>  <b>(Lead – Housing ACT):</b> Housing ACT has commenced a stock audit of its properties. Included in this are the disabled modifications that have been done on each property. The data will be compiled and analysed by Housing ACT by the end of 2004-2005.
<b>18</b>	The ACT Government should develop and implement a strategy to attract and retain care workers to the disability sector.	<b>Agreed.</b> The Government agrees that a workforce strategy is a crucial part of reform in the disability sector. The development of a strategy to address workforce issues will be tasked to the Workforce Working Group, with membership to include government, non- government and union representation. The Government will establish the Working Group in October 2002. The development of a strategy will involve consultation with relevant stakeholders and include consideration of the following: <ul style="list-style-type: none"> <li>▪ high labour turn over, recruitment, selection and retention;</li> <li>▪ gaps in skills levels (current and future);</li> <li>▪ human resources strategies (including training) and supporting resources;</li> <li>▪ systemic issues; and</li> <li>▪ workforce planning.</li> </ul>	<b>Status: In progress.</b>  The Disability Reform Working Group on Workforce is currently developing a Workforce Reform Strategy that includes developing a skilled and valued workforce, working with people with disabilities, their families and carers, establishing an effective partnership with the service delivery sector, and improving service standards.  A sector-wide survey of the workforce supporting people with a disability and providing respite services has been conducted jointly by Disability ACT and ACT Health. This survey was distributed in mid-January 2004 to approximately 80 non-government, six private companies and four government service agencies. The survey collected a ‘snapshot’ about the workforce characteristics and training and development needs. It is expected that the results of this survey will be published by early 2005.

<i>Recommendation</i>	<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>
<i>Recommendations in response to term of reference (a)</i>		
		<p><u>Certificate IV in Disability</u>  In addition to the survey, a Request for Proposal was issued for a registered training organisation to deliver the Certificate IV course in disability work. Negotiations have completed for a registered training organization to provide training to paid support workers in the government and non-government sectors. This is expected to become operational early 2005.</p> <p><u>Staff training</u>  Disability ACT has put in place and ongoing staff training calendar and improved its mechanisms for recording training undertaken.</p> <p>Over the past six months a variety of training has been provided to Individual Support Services staff including:</p> <ul style="list-style-type: none"> <li>➤ Senior First Aid, including Cardio-Pulmonary Resuscitation</li> <li>➤ Medication training</li> <li>➤ Managing Challenging Behaviours</li> <li>➤ Professional Assault Response Training (PART)</li> <li>➤ Manual Handling</li> <li>➤ Advanced Driver training for staff who transport clients in Disability ACT vans</li> </ul> <p>A number of places at some of these training sessions have been made available to non-government service providers.</p>

<i>Recommendation</i>	<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>
<i>Recommendations in response to term of reference (a)</i>		
		<p><u>Performance Management Plans</u></p> <p>Individual Support Services is currently implementing Performance Management Plans (PMPs) for disability support officers. The program has been specifically designed to:</p> <ul style="list-style-type: none"> <li>• relate to the Vision and Values statement</li> <li>• encompass active support for clients</li> <li>• be relevant to staff working as a member of a team in disability group homes</li> <li>• identify training and development necessary for staff</li> </ul> <p>PMPs are currently being developed for teams. Individual staff PMPs will be developed in 2005.</p> <p>PMPs provide a framework for regular communication, development of skills and capabilities and improving team productivity and morale. From the PMPs a learning and development register will be compiled to maximise use of existing skills and identify skill gaps in the team.</p>

<i>Recommendation</i>	<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>
<i>Recommendations in response to term of reference (a)</i>		
19	<p>Having regard to the evidence from the Epilepsy Association and Dr Andrews, it is recommended that all disability support officers be educated in the management of epilepsy with regular training and retraining.</p>	<p><b>Noted.</b> As part of person-centred service provision, Disability ACT supports the training of staff in the sector to meet the support needs of individuals. Training will be targeted at the development of core competencies, supplemented with training targeted at the identification of and support for individuals' health issues, which will include epilepsy management where applicable. The Disability Program continues to provide epilepsy training as a core component of the induction program for all new staff.</p> <p>Disability ACT, in conjunction with the Epilepsy Association ACT continues to provide training in the management of epilepsy as a core component of the induction program for all new staff.</p> <p>The Workforce Working Group will review the provision of training in the non-government sector, to respond to the needs of people with epilepsy.</p>
20	<p>Consideration should be given to combining the professional services presently provided by ACTCC such as social workers, therapists and physiotherapists with the similar services provided by the Department of Education and Community Services so that one administration provides these support services for all people with disabilities irrespective of age.</p>	<p><b>Agreed.</b> With the creation of the new Department, the therapy services component of the Child Health and Development Service (CHADS) has moved to the Department of Disability, Housing and Community Services. In keeping with eligibility criteria under the Disability Services Act 1991 (ACT) and the Commonwealth State and Territories Disability Agreement (CSTDA), this co-location of CHADS and Disability ACT under a single administration provides opportunities to improve integration of disability services for people with a disability across life stages, to the benefit of all service users.</p> <p><b>Status – Completed.</b></p> <p>On 1 July 2003, a new therapy and support service, called Therapy ACT (TACT), commenced operation. TACT combines the Multi-Disciplinary Team from the Disability Program (now known as Individual Support Services) with the Child Health and Development Service (CHADS) to create a single service organisation for both children and adults.</p> <p>TACT is a separate Group within the Department of Disability, Housing and Community Services, and although there will be a close working relationship, is not part of Disability ACT.</p>

<i>Recommendation</i>	<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>
<i>Recommendations in response to term of reference (a)</i>		
21	<p>There should be the introduction of early intervention programs and strategies to diagnose, treat and manage disabilities such as autism, developmental problems and communication and learning difficulties.</p> <p><b>Agreed.</b> The Government is committed to increasing investment in early intervention services. Additional funds have been made available to the new Departments of Disability, Housing and Community Services and Education, Youth and Family Services to increase effectiveness of diagnostic services and for improved life-cycle planning services.</p> <p>Early detection and In progress appropriate intervention are proven, effective policies for assisting people and families to be as independent as possible.</p> <p>In the 2002-2003 budget, this Government has allocated \$500,000 per annum to expand services for children with autism in the ACT. Of this, the government has allocated \$304,327 to provide additional early intervention playgroup and early intervention unit places for children with autism, which will be transferred to the Department of EDUCATION. The remainder stays within the new Department for the autism diagnosis program and additional therapy services. The Disability reform Group endorses Government commitment to increasing resources in this area.</p>	<b>Status: Completed</b>

<i>Recommendation</i>	<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>
<i>Recommendations in response to term of reference (a)</i>		
22	Appropriate transition programs should be developed for people with disabilities moving from school age to adolescence to adulthood to their older age years.	<p><b>Agreed.</b> Appropriate transition programs that are planned in advance, offer opportunities in the mainstream community and are age appropriate are being established through current Disability ACT initiatives.</p> <p><b>Status: Completed.</b></p> <p>41 young people with a disability currently access the Post School Options program. These individuals receive an average of \$15,000 each per year.</p> <p>The Department of Disability, Housing and Community Services and the Australian Government Department of Family and Community Services are jointly sponsoring a project to evaluate the effectiveness of current post school services and supports provided to people with a disability in the ACT. It will identify ways to facilitate community and employment participation, and develop future directions that will maximise the effectiveness of service delivery and coordination.</p> <p>The Mature Carers Program continues to provide support services to carers aged over 65 years to enable the person with a disability to remain in the home, and plan for a successful transition out of the home when the carer is unable to continue in this role.</p> <p>People experiencing transitional stages in their lives (families with young children, youth and young adults, older people with disabilities, mature carers) are identified as priority areas in <i>Future Directions 2004-2008</i>.</p>

<i>Recommendation</i>		<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>
<i>Recommendations in response to term of reference (a)</i>			
<b>23</b>	Skill and development support programs ought to be developed for those people with intellectual and learning disabilities beyond the age of 20 years.	<b>Agreed.</b> The Post School Options Program, as described in Response to Recommendation 22, currently operates to enhance opportunities, skills and development. This area of service will be incorporated in a Memorandum of Understanding between Disability ACT and the Department of Education, Youth and Family Services.	<p><b>Status: Completed.</b></p> <p>Disability ACT is working with families and recipients of Post-School Options support to enhance the range of vocational and life skills programs being offered. Disability ACT continues to work successfully in partnership with the Department of Education and Training on the development of the Post School Options program.</p> <p>Department of Disability, Housing and Community Services is developing Service Partnership Agreements with other ACT Government agencies to improve community outcomes through agreed actions and timeframes. A framework to facilitate development of Service Partnership Agreements across the Department is expected to be completed by the end of 2004. Service Partnership Agreements will be negotiated with other agencies during early 2005. It is intended that agreements will address the management of cross-government services for people with a disability.</p>
<b>24</b>	Care workers, appropriately authorised, should have the right of access to medical information for the protection and care of their clients. This may require amendments to the Privacy Act 1989 and the Health Records (Privacy and Access) Act 1997 or the development of a practice guideline that aids carers and care workers.	<b>Noted.</b> The Disability Program is currently reviewing its policies in this area. The recommendation will be further investigated through quality improvement mechanisms.	<p><b>Status: Completed</b></p> <p>A number of Disability ACT direct service and support staff attended training in the <i>Health Records (Privacy and Access) Act 1997</i>.</p> <p>The FEMAG review made a recommendation in relation to amending the <i>Health Records (Privacy and Access) Act 1997</i> to enable Mental Health Official Visitors to have access to all patient records. It made no such recommendations in relation to care workers.</p>

<i>Recommendation</i>		<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>
<i>Recommendations in response to term of reference (b)</i>			
<b>25</b>	The ACT government should develop or adopt a set of practice guidelines to explain the national disability standards in an ACT context, including examples of both good and poor practice so that organisations have consistent, clear and precise benchmarks by which to measure their performance. The literature search undertaken by the Inquiry Secretariat located the Guidelines prepared in NSW to assist service delivery organisations. There is merit in approaching NSW to seek permission to adopt the guidelines developed in that state.	<b>Agreed.</b> The National Disability Service Standards are ambiguous and difficult to measure. The Government has commenced work on establishing a project to develop ACT Disability Standards, which will incorporate and expand on the National Standards. The project will aim, through stakeholder consultation and expert advice, to develop ACT specific standards with measurable indicators. The project will be completed by June 2003. The Government and the Disability Reform Group are in agreement that the standards and indicators will become an integral component of Disability ACT's quality monitoring and management framework.	<b>Status: In progress.</b>  Disability ACT and the Disability Reform Quality and Standards Working Group have prepared a project scoping document for the development of the ACT Quality Standards and Guidelines. It is anticipated that this stage of the project will take approximately 18 months to complete, including pilot testing of the self-assessment process. This work will be undertaken closely with the disability community.
<b>26</b>	The criteria for external auditing by the proposed ACT Disability Services Commission should be revised to concentrate on the quality of services provided and compliance with legislation and standards rather than solely on administrative and financial performance of the service providers.	<b>Agreed.</b> The new statutory position (the Disability Services Commissioner) will have responsibility for the independent monitoring of compliance with standards and legislation, with particular focus on the health and safety of people with a disability.  Disability Standards would be determined by Government, and promulgated through regulation or some similar instrument. Responsibility for quality would be shared between Disability ACT and the Disability Services Commissioner.	<b>Status: Completed.</b>  The Disability Services Commissioner will have functions and powers, which will enable him/her to undertake monitoring and compliance activities as well as handling complaints.  The Department of Justice and Community Safety is the lead agency for enactment of legislation to effect changes. It is intended that legislation will be introduced into the Assembly in March 2005.

<i>Recommendation</i>		<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>
<i>Recommendations in response to term of reference (b)</i>			
<b>27</b>	To ensure consistency, the Disability Program should be subject to the same form and the revised criteria of auditing as that applied to NGOs.	<b>Agreed.</b> The Government considers that issues of quality must be addressed both in government and non-government disability services. Measures will be taken to modernise and increase skills in existing services across the board resulting in a consumer focused, rigorous quality monitoring and an accountable service system. Contract managers will incorporate reviews of quality improvement plans into service agreement management procedures.	<b>Status: In progress</b>  The Government will be conducting a detailed investigation into appropriate audit mechanisms as part of the establishment of the Disability Services Commissioner's office.
<b>28</b>	Because the current contractual requirements for determining the outputs/outcomes purchased do not accurately reflect the nature of the services provided and are expressed in terms merely directing attention back to the vague wording of the national standards, the proposed Commission should review them. Such review should include input by disabled people, families and service providers in designing revised outputs and outcomes based on a requirement for quality in service provision	<b>Agreed.</b> The Government will ensure that future service agreements incorporate agreed quality improvement milestones linked to the standards, and progressively focus more on quality indicators aimed at improving outcomes for individual service users. Once the quality indicators are conditions of service agreements, Disability ACT will require service providers to provide detailed annual reports on achievement of milestones. The Government notes the Disability Reform Group recommendation that: <ul style="list-style-type: none"> <li>▪ the definition of quality should be concerned primarily with whether outcomes for individuals are achieved and sustained;</li> <li>▪ a set of service performance descriptors relating to personal outcomes for service users should be adopted that reflects the Disability Reform Group's Vision and Values Statement and becomes a reference point for assessing quality service as it pertains to individuals; and</li> <li>▪ such descriptors should reflect graded levels of achievement by services, from non-achievement through to achievement of minimum and optimal levels.</li> </ul>	<b>Status: Completed.</b>  In June 2003, the Sector Development Team conducted a review of all service purchasing contracts held by Disability ACT. The Team visited all ACT providers, to gather feedback on the effectiveness and suitability of the purchasing contracts. The information gathered was used to inform the development of revised funding agreement from 1 July 2004.  Current agreements include proformas for agencies to report outputs on a six-monthly basis. Funding Agreements identify NMDS Service Types.  Current funding contracts require services to report on actions taken to implement the National Disability Service Standards.

<i>Recommendation</i>	<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>
<i>Recommendations in response to term of reference (c)</i>		
29	The Department should ensure consistency of requirements between government and non-government service providers' contracts in relation to the process for raising and resolving complaints by service users.	<b>Agreed.</b> The Government will achieve consistency of complaints procedures through the implementation of an agreed quality framework across the sector. Complaints procedures are a requirement under the National Disability Standards, and the Government will give priority to ensuring that indicators for effective complaints and appeals mechanisms are included in the project to develop the ACT Disability Standards.
<p><b>Status: Completed.</b></p> <p>The Department of Disability, Housing and Community Services Strategic Policy is currently preparing a DHCS complaints policy, which will include Disability ACT.</p> <p>Disability ACT has developed a complaints policy for Individual Support Services, pending the development of an ACT Quality Framework. This will guide discussions with the non-government sector on a template complaints policy.</p> <p>Disability ACT and the Quality and Standards Working Group will include standards for service provider complaints processes in the development of a quality framework for the ACT. The consistency of requirements between government and non-government service providers will be considered as part of this work.</p> <p>Outcomes from this work will be included in Disability ACT's planning processes and implemented through the operational plan.</p>		
30	Consistent complaint resolution procedures should be an obligatory part of all contracts	<p><b>Agreed.</b> Government and non-government service providers will be required in their service agreements to demonstrate levels of achievement against the Standards through the active implementation of quality improvement plans, as agreed with their contract manager. Emphasis will be given to including improvements in their complaints resolution procedures where necessary.</p>
<p><b>Status: In progress.</b></p> <p>The new 2004 Funding Agreement, which was negotiated in consultation with Government and Community stakeholders, states that organisations should institute procedures for receiving feedback and resolving complaints by Service Users about the Services; and advise Service Users and other persons with a relevant interest of the procedures available for the referral of feedback and complaints in relation to the receipt of the Services.</p>		

<i>Recommendation</i>	<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>
<i>Recommendations in response to term of reference (c)</i>		
31	<p>The Department should ensure that the complaint resolution procedures of all service providers are reviewed independently at least every 12 months to maintain consistency, improve outcomes and update procedures for complaint resolution.</p>	<p><b>Agreed with qualification.</b> The Government is of the opinion that annual reviews of complaints mechanisms will heavily burden the service sector, in particular non-government and not-for-profit organisations. The Government will conduct reviews on a 3-yearly basis as part of the independent standards monitoring processes. Service providers will be required to record information on the nature of each complaint, resolution time and outcome. The Disability Reform Group agrees with Recommendation 31, provided that services submit complaints statistics on a regular basis, which identify the nature of complaints made, actions taken and outcomes reached. The Disability Reform Group has also recommended that an independent statutory body should have responsibility for monitoring the effectiveness of service provider's complaints processes and for complaints assessment, investigation, resolution and conciliation (see response to Recommendation 1 above).</p> <p>The outcomes from the review of community advocacy and watchdog agencies will further inform the Government's position on this issue.</p>

**Status: In progress. The first of two stages is completed.**

Disability ACT and the Disability Reform Quality and Standards Working Group will investigate schedules for monitoring complaints procedures in the development of a quality framework for the ACT.

Outcomes from this work will be included in Disability ACT's planning processes and implemented through the operational plan.

<i>Recommendation</i>		<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>
<i>Recommendations in response to term of reference (c)</i>			
32	Notwithstanding the Commonwealth's responsibility for funding advocacy services, the ACT Government should increase its own funding to advocacy agencies to address the present level of unmet need for their services and to assist disabled people and their families in the period of fundamental change ahead.	<b>Not Agreed</b>	<b>Status:</b> No action required
33	The Community and Health Services Complaints Act 1993 should be amended to mirror provisions of the NSW Community Services (Complaints, Reviews and Monitoring) Act 1993 so as to make provision:	<p><b>Noted:</b> The Government will consider this recommendation in the light of the outcomes of the review into the possible rationalisation of existing community advocacy and watchdog agencies including the Health Complaints Commissioner, the Community Advocate and the Health Rights Advisory Council. The review will be undertaken in consultation with the relevant statutory office holders and community groups in both the health and disability service areas.</p> <p>The Government notes that the Disability Reform Group has recommended that a independent statutory body should have responsibility for complaints assessment, investigation, resolution and conciliation (see response to Recommendation 1).</p> <p>As stated, the Government has undertaken to review community advocacy and watchdog bodies, and will not make any alteration to the responsibility to receive and investigate complaints (which lies with the Community and Health Complaints Commissioner) at this stage.</p>	<p><b>Status: Completed</b></p> <p><b>(Lead – JACS):</b> The final report on the Review of Statutory Oversight and Community Advocacy Agencies, conducted by the Foundation for Effective Markets and Governance (FEMAG) was received by the ACT Government in October 2003. The Government's response to the FEMAG Review is set out in <i>The Right System for Rights Protection: ACT Government Position Paper on the System of Statutory Oversight in the ACT</i>, released in August 2004.</p> <p><i>The Right System for Rights Protection</i> outlines a new model for statutory oversight in the ACT, including the establishment of a Human Rights and Service Review Commission (HRSRC) to be comprised of a number of Commissioners, including a Disability Services Commissioner, a Health Services Commissioner and a Community Services Commissioner.</p>

<i>Recommendation</i>	<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>
<i>Recommendations in response to term of reference (c)</i>		
	<p>(i) To enable any persons with an interest to lodge a complaint;</p>	<p><b>Noted:</b> The Government will consider this issue as part of the review of community advocacy and watchdog bodies referred to above.</p> <p>The Government notes that the Disability Reform Group is recommending that the ability for any persons with an interest to lodge a complaint should be included in legislation establishing an independent statutory body (see response to Recommendation 1).</p> <p>As previously noted, the Government is of the opinion that the ACT is of insufficient size to warrant the establishment of a new statutory body.</p> <p><b>(Lead – JACS):</b></p> <p>The Government agreed in principle to Recommendation 15b of the FEMAG Review, “<i>that the reach of the Community and Health Services Complaints Act be extended to enable any person to make a complaint. This should be reflected in the Disability Services Commissioner’s Legislation as well.</i>” In recognition of the rights of the individual not be make or be involved in a complaint, provision will also be made for a Commissioner to discontinue a complaint if it is made against the wishes of the person who is alleged to have been wronged.</p>
	<p>(ii) To impose time limits on the Commissioner;</p>	<p><b>Noted:</b> The Government will consider these issues as part of the review of community advocacy and watchdog bodies referred to above.</p> <p>The Government notes that the Disability Reform Group recommends that time limits be included in the legislation establishing the separate statutory agency, and that:</p> <ul style="list-style-type: none"> <li>▪ the legislation should stipulate that an assessment of a complaint must be made within a specified period;</li> <li>▪ once the assessment is made a timetable should be determined and provided to the complainant based on the circumstances of the case; and</li> <li>▪ there should be the possibility for deviating from the timetable in specified circumstances and a 12 month time limit place on the finalisation of all complaints.</li> </ul> <p>The outcomes from the review of community advocacy and watchdog agencies will further inform the Government’s position on these issues.</p> <p>In its Response to the Submission to Government on the Disability Commissioner from the Disability Reform Legislative Reform Working Group the Government agreed to Recommendation 2.4, including to <i>negotiate or liaise with all parties regarding the timeline within which a complaint will be handled and as far as possible finalise any complaint by resolution or recommendation within 12 months of receipt.</i></p>

<i>Recommendation</i>	<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>
<i>Recommendations in response to term of reference (c)</i>		
<p>(iii) To allow the Commissioner to monitor the implementation and performance of his recommendations with the service providers, including the imposition of time frames;</p>	<p><b>Noted:</b> These issues will be considered as part of the Government's review of community advocacy and watchdog bodies referred to above.</p> <p>The Government notes that the Disability Reform Group has recommended that powers to monitor services providers be given to an independent statutory body (see response to Recommendation 1).</p> <p>The Government agrees that powers to undertake this function should be statutory, but is of the opinion the ACT is of insufficient size to warrant the establishment of a new statutory body.</p>	<p>The Disability Services Commissioner will have powers and functions, which enable him or her to undertake monitoring and compliance activities as well as supporting the investigation of complaints received. The Commissioner's functions include making recommendations to disability service providers to improve or rectify services and to make recommendations to the Attorney-General and/or the relevant Minister, government agency or non-government agency on improvements to services.</p>
<p>(iv) That failure to implement the Commissioner's recommendations be able to be reviewed on the merits by the ACT Administrative Appeals Tribunal whose decisions should replace those of the original decision-maker. The Tribunal should be given power to enforce those decisions (see Part 5, Sections 40-44 of the NSW Act);</p>	<p><b>Noted:</b> These issues will be considered as part of the Government's review of community advocacy and watchdog bodies referred to above.</p> <p>The Government notes that the Disability Reform Group recommends that:</p> <ul style="list-style-type: none"> <li>▪ a mechanism for reviewing recommendations made by the disability service improvement agency be established in the legislation establishing the new statutory agency; and</li> <li>▪ external review of decisions could be provided by the ACT Ombudsman or the Administrative Appeals Tribunal, incorporating a 'show cause' provision where the AAT or Ombudsman can be given power, after hearing argument or receiving submissions, to effectively convert a recommendation into a binding order.</li> </ul> <p>The outcomes from the review of community advocacy and watchdog agencies will further inform the Government's position on this issue.</p>	<p>The ACT Government's Model for the Statutory Oversight System in the ACT proposes that the President of the HRSRC would be given the power to use public shaming in relation to those organisations, individuals and businesses that fail to comply with its recommendations or requests, within specified time limits outlined in the new legislation. It is proposed that the President regularly publish details of non-compliant entities and the nature of their non-compliance. This power will be subject to privacy considerations and will be reviewed with two years of the establishment of the HRSRC to determine whether it is an effective mechanism for improving compliance with recommendations.</p>

<i>Recommendation</i>		<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>
<i>Recommendations in response to term of reference (c)</i>			
	(v) That there be a mechanism to allow independent review of the Commissioner's process at the instigation of complainants or service providers.	<b>Noted.</b> The Government will consider mechanisms for allowing independent review of the Commissioner's processes in its review of existing community advocacy and watchdog agencies referred to above.	The jurisdiction of the Ombudsman will be extended to reviewing the administrative processes of the HRSRC.
		The Government notes that the Disability Reform Group recommends that a mechanism for independent review of the disability service improvement agency's processes be available to complainants or service providers. The Reform Group also recommends that a periodic review of the agency should be carried out at 5 year intervals, and could be the task of a Law Reform Commission, Auditor General or a Board of Inquiry established for the purpose by the government of the day. The outcomes from the review of community advocacy and watchdog agencies will further inform the Government's position on these issues.	
<b>34</b>	The ACT Government introduces a stronger and more expansive framework of regulation and inspection than that proposed in the Disability Services Improvement Scheme. The submissions of the Health Complaints Commissioner should be taken into account when drafting the powers and functions of such a scheme. The Scheme should become the responsibility of the Commissioner. In particular he should oversee the proposed Community Visitor Scheme.	<b>Agreed with qualification.</b> There are two processes currently In progress that will strengthen the ACT's framework of regulation and inspection. These are (a) the development of a comprehensive quality improvement framework, including quality indicators against which performance can be measured, and (b) the establishment of relevant statutory powers for independent monitoring and review  The Disability Reform Group has recommended that an independent statutory body should have responsibility for carrying out the functions in this Recommendation (see response to Recommendation 1).  The Government agrees that powers to undertake these functions should be statutory, but is of the opinion that the ACT is of insufficient size to warrant the establishment a new statutory body (see response to Recommendation 1)	<b>Status: In progress.</b>  Disability ACT and the Disability Reform Quality and Standards working group will be developing a framework under which assessments will be carried out.  b. The Government will establish the Disability Services Commissioner within the newly established HRSRC. (See Recommendation 1).

<i>Recommendation</i>		<i>Government Response (September 2002)</i>	<i>Progress as at September 2004</i>
<i>Recommendations in response to term of reference (c)</i>			
<b>35</b>	<p>Relevant legislation be amended to allow sharing of information between complaints bodies.</p>	<p><b>Agreed</b> subject to the <i>Privacy Act 2001 (CW)</i> and the <i>Health Records (Privacy and Access) Act 1997 (ACT)</i>.</p>	<p><b>Status: Completed</b></p> <p><b>(Lead – JACS):</b> The ACT Government’s Model for the Statutory Oversight System in the Act allows for the President of the HRSRC to receive complaints under all relevant legislation and to delegate the handling of complaints to relevant Commissioners.</p> <p>The Government supports the FEMAG recommendation that the statutory office holders have the power to engage in joint investigations, whether as a result of complaints or under an ‘own motion’ power. Joint investigations will require the consent of the complainant, adherence to a person’s right to privacy and the associated requirements of the <i>Privacy Act 1988</i> and, where applicable, the <i>ACT Health Records (Privacy and Access) Act 1997</i>. To the extent that there are inappropriate barriers to joint investigations in the respective legislation, these will be removed.</p>
<b>36</b>	<p>Having regard to the ease with which the Community Advocate’s interpretation and exercise of her powers and discretions can become blurred and arbitrary and the lack of any formal and effective mechanism for accountability by her, the Board recommends that government consider, amongst any other amendments, limiting future appointments to a once only appointment for a period of seven years.</p> <p>The present Community Advocate, Ms Heather McGregor, has been in the position since 1992 which well exceeds the recommended maximum term of appointment. She should not be reappointed to the position.</p>	<p><b>Not agreed</b></p>	<p><b>Status:</b></p> <p>No action required</p>

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<i>Recommendations in response to term of reference (c)</i>			
<b>37</b>	<p>Relevant legislation be amended to ensure that the Community Advocate is fully and formally accountable to the Legislative Assembly, perhaps through the relevant Standing Committee.</p> <p>Complaints relating to services provided by the Community Advocate should be the responsibility of the ACT Ombudsman, if necessary by amendment of the Ombudsman Act.</p>	<p><b>Noted.</b> The Community Advocate is presently in discussion with the ACT Ombudsman to establish a protocol by which the ACT Ombudsman can investigate complaints relating to the Community Advocate.</p> <p>The Disability Reform Group is of the opinion that these concerns are adequately addressed by current arrangements.</p>	<p><b>Status: Completed.</b></p> <p>A general agreement about the role of the Ombudsman in responding to complaints about the Office of the Community Advocate (OCA) was formalised in a letter dated 13 June 2003.</p> <p>The Government's model for the HRSRC proposes that the jurisdiction of the Ombudsman will be extended to reviewing the administrative processes of the ACT Public Advocate (to which the title of Community Advocate will be renamed).</p>

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<i>Recommendations in response to term of reference (c)</i>		
38	<p>The legislation governing the Community Advocate should be amended to separate the Community Advocate's guardianship role from the broader advocacy role. As is the situation in Queensland and some other states, this may best be achieved by the creation of a separate statutory position of Public Guardian.</p> <p><b>Noted.</b> This recommendation must be considered having regard to the subsequent review of ACT Health conducted by Mr Michael Reid. The report following the Reid Review was tabled in the Legislative Assembly on 18 June 2002. On page 40 of the review Mr Reid notes:  “Finally it became apparent during the review that there are a plethora of both community advocacy groups and ‘watchdog’ agencies with responsibilities for some aspects of the public/private/NGO health sector”.  After setting out the relevant agencies Mr Reid notes:    “For a population of 300,000 this (the number of agencies) is excessive”.</p> <p>The Chief Minister has publicly stated that the government fully supports the adoption of the basic principles set out in Mr Reid’s report. The Reid review recommends that some rationalisation of the community advocacy and watchdog agencies is warranted (Rec. 26). In response to that recommendation the Government noted that a review will be undertaken in consultation with the relevant statutory office holders and community groups in both the health and disability services area.</p> <p>These matters will be considered in the Government review of community advocacy and watchdog bodies. As previously noted, the Government is of the opinion that the ACT is of insufficient size to warrant the establishment of a new statutory body.</p>	<p><b>Status: Completed</b></p> <p>The ACT Government’s Model for the Statutory Oversight System in the ACT proposes no changes to the structure of the OCA except for the inclusion of Official Visitors within its responsibilities. The title of ‘Community Advocate’ will be changed to the ‘ACT Public Advocate’ to better reflect its role.</p>

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	<p>After setting out the relevant agencies Mr Reid notes:</p> <p style="padding-left: 40px;">“For a population of 300,000 this (the number of agencies) is excessive”.</p> <p>The Chief Minister has publicly stated that the government fully supports the adoption of the basic principles set out in Mr Reid’s report. The Reid review recommends that some rationalisation of the community advocacy and watchdog agencies is warranted (Rec. 26). In response to that recommendation the Government noted that a review will be undertaken in consultation with the relevant statutory office holders and community groups in both the health and disability services area.</p> <p>These matters will be considered in the Government review of community advocacy and watchdog bodies. As previously noted, the Government is of the opinion that the ACT is of insufficient size to warrant the establishment of a new statutory body.</p>	

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39	<p>Consideration should also be given in the amended legislation to addressing specifically the question of conflict of interest in future appointments as Community Advocate. Guidance on this issue may be found in Section 150 of Powers of Attorney Act 1998 (QLD) the terms of which have been set out in the section of the Final Report dealing with the OCA.</p>	<p><b>Noted.</b> Section 150 of the Powers of Attorney Act 1998 (QLD) was repealed in 2000 and replaced by a similar provision in the Guardianship and Administration Act 2000 (QLD)(section 199). Queensland is the only Australian jurisdiction, which has legislated with respect to potential conflicts of interest.</p> <p>This recommendation appears to be based on findings by the Board of Inquiry that have been successfully challenged by the Community Advocate. Those findings are that the Community Advocate erred in principle in interpreting her statutory powers (finding 47) and that the Community Advocate was unable to accept that her position as Chair of the Placement Committee put her in a position of perceived or possible conflict of interest (finding 49). In the decision of <i>McGregor &amp; Pearce v The Hon John Gallop &amp; the Attorney-General of the ACT</i>, the Supreme Court held that the Community Advocate had correctly interpreted her statutory powers. The Supreme Court also held that Ms McGregor was clearly denied procedural fairness in relation to any findings concerning the Placement Committee.</p> <p>This recommendation must also be considered having regard to the subsequent review of ACT Health conducted by Mr Michael Reid. The Chief Minister has publicly stated that the government fully supports the adoption of the basic principles set out in Mr Reid's report. The Reid review recommends that some rationalisation of the community advocacy and watchdog agencies is warranted (Rec. 26). In response to that recommendation the Government noted that a review will be undertaken in consultation with the relevant statutory office holders and community groups in both the health and disability services area.</p>	<p><b>Status:</b></p> <p>No action is required.</p>

<i>Recommendation</i>	<i>Government Response</i>	<i>Progress as at September 2004</i>
<i>Recommendations in response to term of reference (d)</i>		
40	The administrative support functions for the MAP and Care Coordinator should be seen to be separate from the OCA and should come under the administration of the new statutory body for disability services.	<b>Status:</b>  Both the MAP and Care Co-ordination Office will continue to be located within the office of the ACT Public Advocate (formerly Office of the Community Advocate).
41	Having regard to the concerns raised by ACTCOSS and the evidence given by the Discrimination Commissioner, it is recommended that subsection 27(2) of the Discrimination Act 1991 be amended by deleting the words "in a way that is irrelevant to the achievement of that purpose".	<b>Status: Completed</b>  Section 27(2) was amended in June 2004 to clarify the application of section 27(1).
42	All funding of services/care for people with disabilities should be on an individual basis, and able to be transferred at the option of the individual to different care providers from time to time.	<b>Status: In progress. This is at the second (pilot testing) of three stages.</b>  The ISP program is being revised. Consultation is currently taking place on the proposed revised ISP program. A revised funding model is being implemented for 2004-2005 as an interim measure prior to the results of the consultation. See recommendation 3(i) above.

<i>Recommendation</i>		<i>Government Response</i>	<i>Progress as at September 2004</i>
<i>Recommendations in response to term of reference (d)</i>			
43	<p>ISPs should be regularly reviewed in light of the individual's changing needs.</p> <p>That the entitlement should be based on the hours of support required rather than a set dollar amount also seems reasonable.</p>	<p><b>Agreed.</b> See the Government's response to Recommendation 42.</p> <p>The Disability Reform Group agrees with this part of Recommendation 43, adding that on an In progress basis, the proposed community advisory body should have responsibility for making recommendations to the government on appropriate funding policies.</p> <p><b>Noted.</b> The Government will further investigate this issue through an eligibility and assessment policy review and reform process that will aim to increase equity and access in the disability service system as a whole. The Government is of the opinion that a person-centred approach to support for people with disabilities should begin with an opportunity for the person to explore a range of personal aspirations and lifestyle choices, and that funding of these choices should be negotiated to ensure both the best use of resources and best individual outcomes.</p>	<p><b>Status: In progress. This is at the second (pilot testing) of three stages.</b></p> <p>Procedures will be investigated surrounding regular reviews of ISPs after the ISP program review is finalised.</p> <p>A small number of people have formed a group called Consumers in Control. This group will investigate self management of ISPs. DACT is auspicing this process.</p>

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<b>44</b>	In the meantime, the NGO's are under-funded and should receive a greater proportion of budget allocation. They should be funded for the full cost of each place, as is the Disability Program. Government should also encourage all service providers to obtain funding from external sources wherever possible to assist in meeting their administration costs.	<p><b>Noted.</b> The Government acknowledges this disparity. Non-government organisations do have other sources of funding, even though the amount of funding varies between agencies and is often limited. The Government has identified in their electoral commitments that there will be a review of the division and the allocation of funding between the government and non-government sectors.</p> <p>Over the next 5 years, The Government will seek, through service system re-design and renewal, to establish a more integrated and streamlined system that is highly accessible for service users. This will inevitably result in some changes to the current system and its provider organisations. For example, reviews of the service menu of the Disability Program may have implications for resource re-allocation. Changes in the system will occur through planned, carefully targeted and evidence-based decisions. Any changes will occur in close consultation with stakeholders.</p>	<p><b>Status : Completed.</b></p> <p>Disability ACT continues to work with the sector to ensure that all agencies maintain financial sustainability. The majority of Funding Agreements within the sector are over a 3-year period from 2004-2007. Infrastructure grants were provided to a number of smaller agencies to improve viability. The funding framework has been developed, and forms the basis for three year funding agreements. (See Recommendation 28.)</p>
<b>45</b>	ACT government should place a high priority on supporting families where there are children with disabilities. This will require significantly more funds than are currently allocated towards helping families with disabilities.	<p><b>Agreed.</b> Since 1 July 2002, the Department of Disability, Housing and Community Services incorporates both Disability ACT and CHADS which will assist progress towards supporting families where there are children with disabilities.</p> <p>In the 2002-2003 budget, this Government has allocated \$500,000 per annum to expand services for children with Autism in the ACT. Of this, the Government will provide \$304,327 towards additional early intervention playgroup and early intervention unit places for children with autism, which will be transferred to the Department of Education. The remainder stays within the new Department for the autism diagnosis program and additional therapy services.</p>	<p><b>Status: Completed.</b></p> <p>\$304,327 was allocated to the Department of Education, Youth and Family Services in 2002-2003. The remainder has been allocated to the Therapy ACT for the autism diagnosis program and additional therapy services.</p> <p>Additional support for families of children with disabilities is a key focus of <i>Future Directions 2004-2008</i>, in particular the provision of early intervention and community networking supports for families who play a central role in caring for children with disabilities.</p>

<i>Recommendation</i>	<i>Government Response</i>	<i>Progress as at September 2004</i>	
<i>Recommendations in response to term of reference (d)</i>			
<p><b>46</b></p>	<p>The ACT Government undertakes a review of the service and funding inadequacies for people within the ACT community who have a disability other than an intellectual one. The Board is particularly mindful of the submission from the ACT Deafness Resource Centre, Shaw Possibilities and Disability Program's acknowledgment of the grey area that exists for those clients with crisis mental health problems.</p>	<p><b>Agreed.</b> Disability ACT has commenced a policy review process that includes review of eligibility, access and funding processes. As previously stated, Disability ACT is also working towards establishing Memoranda of Understanding with other agencies who provide services for people with disabilities to ensure service coordination and optimum and strategic resource use.</p> <p>Disability ACT and ACT Mental Health established a dual disability service for people with a disability and a mental health condition in the Department of Health in 2001.</p> <p>The Government is of the opinion that all funding proposals must be considered as part of the whole system of government funding. To achieve equity and planned growth, funding decisions must be based on careful research and planning in order to achieve balanced budget allocations.</p>	<p><b>Status: Completed.</b></p> <p>Disability ACT has undertaken a process of review for a number of small non-government service providers and has supplemented their funding levels by increasing their funding to the equivalent of a full-time person (\$60,000) factoring in administrative overheads.</p> <p>Disability ACT and the Access, Eligibility and Funding Working Group will further address this recommendation. Consideration will be given to the eligibility requirements defined in the (<i>Disability Services Act 1991</i>) and the Commonwealth, State and Territory Disability Agreement, and to the development of cross-government initiatives involving programs delivered by other government agencies.</p> <p>The dual diagnosis service continues to be funded jointly by Disability ACT and Mental Health ACT.</p>

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47	The ACT Government, jointly with the Federal Government, consider a joint approach to examine individual options for moving people with disabilities currently inappropriately housed in nursing homes into alternative care consistent with their needs and wishes.	<p><b>Agreed.</b> The ACT has committed additional funds in the 2002-03 budget to prevent inappropriate admissions for younger people with disabilities into nursing/aged care facilities. This has been raised as a national issue and is being discussed in that forum. Disability ACT currently communicates with the relevant Commonwealth Departments surrounding this issue. Figures state that ACT is the best performing jurisdiction on a national average for the proportion of younger people in nursing homes compared to the total population.</p> <p><b>Status: In progress.</b></p> <p>The Bilateral Agreement between the Commonwealth and the ACT (which forms part of the Commonwealth, State and Territory Disability Agreement or CSTDA) recognises as a priority the need to address inappropriate placement of younger people with disabilities on aged care homes. The two jurisdictions have agreed to work together to develop:</p> <ul style="list-style-type: none"> <li>▪ improved assessment processes;</li> <li>▪ more flexible funding approaches;</li> <li>▪ alternative support models for young people in aged care homes; and</li> <li>▪ capacity to transfer younger people to more appropriate accommodation.</li> </ul> <p>These strategies are included in the current Bilateral CSTDA workplan.</p>
48	The ACT Government should fund the establishment of an Institute on Disability guided by the principles suggested by Professors Shaddock and Gatenby to the Inquiry.	<p><b>Not Agreed</b></p> <p><b>Status:</b></p> <p>No action required</p>

<i>Recommendation</i>		<i>Government Response</i>	<i>Progress as at September 2004</i>
<i>Recommendations in response to term of reference (c)</i>			
<b>49</b>	The Government establish an Innovation Fund to support service improvement projects, new and innovative pilot projects and trials aimed at delivering better and alternative services to people with disabilities.	<p><b>Agreed.</b> Disability ACT has established an innovation fund that aims to:</p> <ul style="list-style-type: none"> <li>▪ encourage new opportunities and approaches to supporting people with disabilities that result in flexible, person-centred improvements in the long term; and</li> <li>▪ enable people to try out new ideas that expand and improve current approaches and options.</li> </ul> <p>The fund will be targeted towards small projects that will enable people involved to try out new ideas in manageable steps. Small projects have the advantage of being more responsive to people who are directly involved, and corrections and modifications are more easily made.</p>	<p><b>Status: Completed.</b></p> <p>An Innovation Fund was established and is managed by Disability ACT</p> <p>Seven projects were funded in the 2003-04 round of innovation grants (see Recommendation 3)</p> <p>Disability ACT has contracted with two parent advocates to establish and manage the 2004-05 Community Governed Innovation Grants Program. With the assistance of a community reference group, the two parents have developed a grants selection process and an application package. Successful applicant will be notified in November 2004.</p>
<b>50</b>	The circumstances giving rise to this Inquiry, namely, the deaths of the three persons in the care of the Disability Program within twelve months, demand the commitment by Government to implement the necessary process of fundamental change to the ACT disability sector. In order to demonstrate to the community that the government has accepted the responsibility to make these changes, the Government might consider it appropriate to report annually to the Legislative Assembly over a five-year period on progress in implementing the recommendations of this Inquiry.	<p><b>Noted.</b> Disability ACT will report six-monthly, and the community advisory body annually, to the Legislative Assembly. Disability ACT and the community advisory body will also report publicly through annual reports.</p>	<p><b>Status: Completed.</b></p> <p>This fourth and final progress report fulfils the commitment to report on a six-monthly basis to the Assembly.</p>