



## **TABLING STATEMENT**

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

**Presented by  
Mr Bill Wood MLA  
Minister for Disability, Housing and  
Community Services  
ACT Government**

**September 2002**

Mr Speaker, today I will table details of the Government's comprehensive *Strategy of Action* to address one of the most critical reports into the administration of human services in the ACT.

On 19 February this year, the Chief Minister tabled the Report of the *Board of Inquiry into Disability Services*.

The report found that the rights and interests of people with disabilities had not been adequately or effectively protected by the policies and systems operating in the ACT.

It found that the ACT had floundered in terms of policy and planning and that many of the practices and views of ACT service providers - particularly those in the government sector - had become entrenched.

The report warned of the urgent need to alter this environment and introduce change. People with disabilities in the ACT, it said, deserved better services and support than they were receiving.

It called for a clear vision of the care arrangements provided to people with disabilities, noting that this will require commitment by government, new vision, service innovation and strong leadership.

Mr Speaker, the service system in the ACT was not working well for people with disabilities. We can and should be doing better.

This Government will not shy away from its responsibilities. The problems *will* be met head-on. We *will* provide the leadership and vision required to deliver substantial reform.

We do not, of course, have a magic wand. But we do have a systematic strategy based on a series of actions and innovative steps. We have listened to the community. Our *Strategy of Action* has been shaped through a process of partnership and true consultation with many involved.

Governments are often criticised for taking the easy way out. You throw money at a problem – and make sure you are seen to be doing so – and then hope it goes away. That is *not* our way.

We have defined the problems, engaged with the community and set a path for reform that challenges the nature of the current service system.

The Government has worked closely with the community and the Disability Reform Group in the formulation of the Government response to the Board of Inquiry I will table today.

Mr Speaker we propose a *Strategy of Action* to be implemented over the next three to five years. The strategy is contained in this document - *Steps to Reform*- that I will also table.

The reform process will be implemented through consultation and partnership with people with disabilities, the families, carers, and government and non- government service providers.

The priority areas identified for action in *Steps to Reform*, include:

- the design and introduction of individualised and flexible support for people with disabilities;
- the development of a comprehensive quality framework for the disability service sector;
- the amendment of the *Disability Services Act 1991*;
- the development and implementation of a workforce strategy;
- the provision of flexible and appropriate housing and tenancy option for people with disabilities; and
- across-Government strategies and promotional campaigns to ensure the ACT community is welcoming - and highly accessible to- people with disabilities throughout their lives.

Mr Speaker, we have already made significant progress on delivering improved disability services.

Our first budget, delivered in June this year, *allocated an extra \$2.5 million to disability services.*

With this funding we are substantially increasing our support for children with autism through the provision of more therapy staff and enhanced assessment services.

We're providing more daytime support for people with disabilities, which will complement programs already provided in the community.

We are very keen to ensure that people with a disability are not inappropriately placed in nursing homes. Our budget funding will provide some alternative accommodation options for these people.

The Government is also committed to addressing the needs of complex clients that cannot be met through existing service arrangements. This support is provided on a personal basis to people whose high-support needs cannot be met through mainstream disability services.

We are also committed to properly resourcing the community in the on-going task of reform. To this end, funding has been allocated to enable the sector to better respond to the Government's reform agenda that I will table today.

Mr Speaker, I wish today to announce today a range of initiatives that mark the beginnings of the on-going reform process.

There will be wide advertisement of key senior positions within the new Department.

These positions will be filled through national recruiting activities, with a view to gaining the best possible applicants for these important functions.

There will be a new community advisory structure.

By the end of this year the Government will be seeking nominations for a *Community Advisory Group*, which will undertake the functions currently performed by the Disability Reform Group and the Disability Advisory Council.

This will ensure that the group that has responsibility for advising government on disability matters generally also has a strong role assisting us with the ongoing processes of reform.

We will establish a *Register of Experts* to ensure that we have access to people with the best knowledge and experience in disability services.

We have also created an *Innovation Fund* to encourage new opportunities and approaches to supporting people with disabilities.

We want services that result in flexible, *person-centred* improvements in the long term. We also wish to encourage people to trial new ideas that will expand and improve upon our current methods.

Centralised service access arrangements, which provide a system gateway and information services, will also be implemented.

This is based on the local-area co-ordinator concept and arrangements that successfully operate in West Australia, Queensland, Victoria, Tasmania and the Northern Territory. Disability ACT will take a lead role in the provision of access services in the first instance.

Next month I will be establishing a *Disability Housing Working Group* - comprising representatives of government, peak disability organisations

and people with disabilities - to further investigate appropriate housing and tenancy models and funding options for people with disabilities.

We also appreciate that there are issues that need to be addressed in relation to the disability services workforce.

To this end, I will establish a working group, including government, non-government and union representatives and people with disabilities, to develop a *Disability Workforce Strategy*.

The Strategy will address issues such as staff recruitment, selection and retention, gaps in skills, workforce planning and human resource strategies.

In recognition of the needs of people with disabilities who are leaving school, we have expanded the *Post-school Options Program*, which commenced in 2000-01.

This program is designed to assist young people with moderate to severe support needs to explore alternatives to employment including options to increase their participation in the wider community.

The need for quality disability services was a significant element of the recommendations of the Board of Inquiry.

With this in mind we are working on the development of a *Quality Framework*, which will include:

- a set of Performance Standards and Quality Indicators that support monitoring, evaluation of service performance and continuous quality improvement;
- an incident reporting system that supports safe practice and continuous improvement;
- strong and responsive internal complaint and client feedback processes; and
- independent assessment of service performance including the auditing of performance, as well as compliance with standards and legislation -with a particular focus on health and safety.

Mr Speaker, the Government is in agreement with the broad direction of the majority of the Recommendations of the Board.

Obviously, where those recommendations have been tempered by decisions of the Supreme Court – in relation to the natural justice accorded to several officers – we have again reflected those matters in our response.

A key feature of the Government's response to the safety issues raised by the Board of Inquiry is the creation of the *Disability Services Commissioner*.

The Commissioner - an office to be created in legislation - will have the power to audit compliance with service standards, and to issue binding directions to rectify deficient services.

These powers will apply to all government funded services, across both the government and non-government sectors.

I am particularly pleased that have been able to respond positively on the matter of better planning of services across the Government, through the development of Memorandums of Understanding and the promotion of life cycle services, where I am confident we can make real progress.

The Government Response to the recommendations also incorporates the positions of the Disability Reform Group. Where we have differed in our approach the Government has clearly outlined its views on the DRG's position.

In a number of other areas, we have agreed with the tenor of the Board's recommendations, while approaching the implementation in a manner that better reflects the ACT's circumstances, resources and service system.

For example, instead of the Commission model for disability services proposed in the Board's recommendations, we have established the *Department of Disability, Housing and Community Services*.

The intent of establishing independence from the health portfolio has been achieved, without necessarily adopting the specific approach recommended by the Board.

In developing our response to the Board's Report, we considered it essential to engage the community in its formulation.

Through the Disability Reform Group - established by the Chief Minister earlier this year - we have produced a response that is sensitive to the needs of the community, while at the same time recognising the constraints of government.

Importantly, the Disability Reform Group undertook community consultations in the development of its response to the Board of Inquiry Report.

I am also pleased to table the Disability Reform Group's Response to the Board of Inquiry today.

The DRG Response represents a very significant body of work on the part of this very committed group of people. It has worked tirelessly to consider - in depth - the complex issues addressed in the Board of Inquiry.

The six points of difference between the DRG and the Government response relate to the implementation of a *small number* of recommendations, rather than to the direction or substance of the proposed reforms.

The first point of difference between the Government and the DRG concerns the functions of the Disability Services Commissioner, to whom I referred earlier.

We do not disagree about the importance of strong and independent statutory oversight to ensure that services are performing properly and complying with standards.

The DRG, though, believes that the Commissioner should also receive and investigate complaints. They have attached a copy of their proposal in their response to the Board's report.

Mr Speaker, you will recall that in the Government Response to the Reid Review, the Chief Minister committed to a review of statutory oversight and community advocacy bodies.

This review - being undertaken as a joint project between the Departments of Disability, Housing and Community Services; Justice and Community Safety; and, Health and Community Care - will take a number of months to complete.

This review will assess, amongst other matters, where the management of disability services complaints is best placed. The DRG, existing statutory office holders and the community will all be involved in this review process.

The second point of difference between the Government and the DRG concerns the administrative location of the centralised service access arrangements.

The Board of Inquiry recommended that a centralised service access be established to assess *all* people with disabilities, and subsequently assist in identifying options best suited to individual needs.

The DRG has suggested there should be further investigation and consultation on the appropriate service access model and provider.

The Government believes that in the first instance - and line with other States- such a service should be located within Government

We do not, however, disagree on the fundamental need to establish such a service.

The third point of difference concerns the Board's recommendation that non-government organisations receive a greater proportion of disability budget allocation.

The DRG has proposed a budget time-line for allocating new funding towards existing clients in non-government accommodation services.

However, the Government considers that if this recommendation was adopted, all new growth funds would be consumed by existing clients, leaving no funds to meet the needs of new clients.

The Government has proposed that, in the context of future budget deliberations, the issue be addressed by focussing on reforms that deliver consumer choice and innovative service models.

The fourth point of difference relates to the Board's recommendation to reduce the Disability Program into a number of smaller service units.

The DRG would like the Disability Program to limit the number of new clients to those who meet certain criteria.

The Government is currently reviewing the role of the Disability Program and is assessing whether it should continue to provide the same range of services, or whether some would be better placed elsewhere.

I can assure families that while the various options are being considered vacancies in the Disability Program will continue to be filled.

The fifth point of difference is in regard to arrangements for appointing the Community Advocate.

The Board of Inquiry recommended that future appointments be for a period of seven years only.

The DRG disagrees with this recommendation, suggesting that the position be publicly advertised every five years, and at the end of the current appointment.

The Government believes that all statutory officers should be treated equally and that appointments will continue to be made in the same manner that is presently the case.

The final point of difference between the Government and the DRG relates to the Board's recommendation that the head of Disability ACT be a statutory office holder, able to exercise legislative power in support of people with disabilities.

The Disability Reform Group recommends amendments to the Disability Services Act 1991 to provide the head of Disability ACT with statutory powers.

These powers would include ensuring a whole of government approach, policy development, a person centred focus, and responsibilities for funding, service provision and quality assurance across the sector.

The Government will make the Executive Director of Disability ACT and the Chief Executive of the Department, accountable for these matters by way of their administrative responsibilities and performance agreements. It is therefore unnecessary to create these powers in legislation.

Mr Speaker, we do not regard these differences lightly. We are committed to continuing to work closely with the Reform Group, as well as the new Community Advisory Group, to close the gaps between us.

Mr Speaker, what will the Government's *Strategy of Action* deliver for people with disabilities?

It will provide an integrated quality service system that will be flexible and responsive to need.

Individuals with disabilities and their significant support networks will participate fully in the development and on-going improvement of the

disability service sector. In other words, services and policy will be driven through involvement.

Services will be person-centred – directly based on the needs of individuals.

The disability sector will be more accessible and transparent. Information on services will be readily available, and will be crafted to assist people with disabilities and their families *make the right choices for them*.

Government and the broader sector will listen to and value the contributions of people with disabilities, their families and carers. We will work in partnership with them.

Importantly, we will have a policy framework that will support people with disabilities in the Canberra community in an equitable way.

Mr Speaker, this Government readily accepts both the need to - and the challenge of - building a better disability services system.

We have and will continue to engage the community in establishing the path to reform, based on the *Strategy of Action* set out in *Steps to Reform*.

In order to assure members of our commitment to the reform agenda we have laid out, I will be reporting to the Assembly on our progress every six months.

While in Opposition, Labor called for an urgent inquiry into disability services. We did this because the community was telling us there were problems in many areas of service delivery.

They were right. However, the importance of this issue must raise the debate above political point scoring. It's time to move forward.

This Government has developed a far-reaching response to the findings of the Board of Inquiry that *will* significantly improve services and support for people with disabilities, their families and carers.

The comprehensive, systematic reform process - outlined in our response - will remain a top priority of the Labor Government.

The Government is absolutely committed to *listening* to people with disabilities, their families, carers and representative groups.

This commitment has helped ensure that our response to the deficiencies identified by the Board of Inquiry is innovative, practical and achievable.

This commitment will continue into the future as we work in close consultation with the disability sector to implement the initiatives already announced and pursue the further substantial reforms mapped out over the next three to five years.

Under this Government, people with disabilities, the families and carers can be confident that they *will* be supported, valued, consulted and respected throughout the process of reform and beyond.

Mr Speaker, it now gives me great pleasure to table:

- the Government's response to the Recommendations of the Board of Inquiry;
- the DRG response to the Recommendations of the Board of Inquiry; and
- *Steps to Reform - our Strategy of Action.*

Thank you.