



Carers Queensland Inc.

**Submission to the Department of Social Services
Proposal for a NDIS Quality and
Safeguarding Framework**

April 2015

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Proposal for a NDIS Quality and Safeguarding Framework

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CARERS QUEENSLAND INC.

Family and friend carers provide unpaid care and support to family members and friends who have a disability, mental illness, chronic medical condition, terminal illness or are frail aged.

The activity and impact of providing care is best understood in terms of its context; as a relationship between two or more individuals, rooted in family, friendship or community. Caring is a role rarely chosen by most, nor does it discriminate. Children and young people, people of working age and older people, people with a disability, people who identify as culturally and linguistically diverse, indigenous Australians and those living in rural and remote Queensland provide care to a family member or friends on a daily basis. For some caring is a short term commitment whilst for others, it is a role that literally lasts a lifetime.

Carers Queensland Inc. is the peak body representing the diverse concerns, needs and interests of carers in Queensland. Carers Queensland believes that all carers regardless of their age, disability, gender identification, sexuality, religion, socioeconomic status, geographical location or their cultural and linguistic differences should have the same rights, choices and opportunities and be able to enjoy optimum health, social and economic wellbeing and participate in family and community life, employment and education like other citizens of the State. Carers Queensland's mission is to improve the quality of life of all carers throughout Queensland.

We believe we are in a unique position to advocate on behalf of the 484,400 carers living in Queensland. We aspire to provide an independent platform from which to advance the issues and concerns of carers and believe our knowledge and expertise in carer issues means that we are able to provide the Government with relevant and trusted information that will ensure that the needs of carers will be recognised, respected and acted upon. Our ambition is to ensure that carers are recognised and included as active partners in the development of government health and social policy, legislation and service delivery practices.

This submission reflects the concerns of Queensland's carers, those citizens who provide unpaid care and support to vulnerable family members and friends. This submission has been informed by consultation with Queensland's carers and Australian and international research.

INTRODUCTION

The NDIS is leading a paradigm shift in the disability services sector; from paternalistic policies and practices based on ‘what a person can’t do’ to self-directed and managed assistance enabling people with disability to rightly assume and enjoy full citizenship. Full citizenship is underpinned by two moral beliefs: the equal dignity of all human beings and the positive value of human diversity and difference. ¹

In order for the NDIS to be genuinely effective at enabling people with disability to enjoy full citizenship the role of the NDIA and the NDIS is to work in collaboration with the sector and the market to ensure purchased and contracted services demonstrate their commitment to the respect and equal dignity of all human beings.

Recognising the vulnerability of many people to exploitation or abuse Carers Queensland applauds the introduction of a national quality and safeguarding framework to protect vulnerable children and adults with disability and welcomes the opportunity to make the following recommendation and comments.

COMMENTS AND RECOMMENDATIONS

What kind of support would providers need to deliver high-quality support?

Carers Queensland appreciates many people with disability lead independent lives without significant or regular care and support from family, friends or the disability sector. However, there are many other people with disability who are substantially dependent on family, friends and service providers for their care and support, including advocacy.

From extensive experience we know that some service providers are unsure of how to or are reluctant to relate to carers and families; many perceiving carers as adversaries rather than sources of expert information, often gained over many years’ experience of trial and error.

Carers Queensland recommends that the NDIS give consideration to funding the State and Territory Carer Associations to develop a ‘working with carers’ information and training package that service providers can purchase as and when required.

Should there be an independent oversight body for the NDIS and what function should it have?

The various regulatory and oversight bodies within the disability services sector at the state/territory and Commonwealth levels creates a complexity that, for some people, is either too difficult to untangle or is a deterrent to them pursuing their grievance.

Carers Queensland recommends the establishment of an overarching 'oversight' body that has the:

- capacity to investigate and resolve complaints including making binding decisions
- capacity to investigate breaches of registration, including breaches of the code of conduct
- information, education and training role
- monitoring the NDIS market enabling participants to make informed choices
- monitoring competitiveness within the market and recommending adjustments where there is anti-competitive practices or potential market failures

Registration options

Carers Queensland recommends the adoption of Registration Option 3 for those services that involve working alone with a participant, invasive personal care, handling of prescription drugs and/or assistive appliances such as catheters etc.

NDIS complaints scheme

Carers Queensland supports the establishment of an independent statutory complaints office within the NDIA to accept and review complaints with respect to NDIS purchased services. We believe that this role would complement many of the functions and roles of the registrations team and both agencies should work collaboratively.

Carers Queensland supports the implementation of a community visitor scheme for those participants without informal social networks or advocates or those whose capacity to self-advocate is limited.

Should people who manage their own plans be able to choose unregistered providers of supports on an 'at your own risk' basis?

Carers Queensland contends that participants who manage their own plans should be able to purchase services or providers of support of their own determination.

Restrictive practices

Carers Queensland believes that the use of restrictive practices by a support provider must be in accordance with a current positive behaviour support plan developed by an independent multi-disciplinary team and that carers and family are integral to the process.

Carers Queensland advocates:

- for the mandatory recording and reporting of all incidences where restrictive practices have been implemented in any given period and the circumstances of the use of restrictive practices
- that registration and re-registration of support providers is dependent upon support providers having in place contemporary policies, procedures, training plans and data recording mechanism in relation to the use of restrictive practices
- for the protection of whistle-blowers who expose the inappropriate use or abuse of restrictive practices from prosecution and vilification

REFERENCES

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- ¹ Duffy, Simon. (2010). The citizenship theory of social justice: exploring the meaning of personalisation for social workers. *Journal of Social Work Practice: Psychotherapeutic approaches in health, welfare and the community*. Vol. 24:3, 253-267
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