### **Early Childhood Intervention Australia**

### Quality and Safeguarding framework for the NDIS

### Submission to National Disability Insurance Agency (NDIA**)**

### 29 April 2015

Early Childhood Intervention Australia (ECIA) is the peak national organisation promoting the interests of young children with disabilities and developmental delays and their families. ECIA is dedicated to ensuring that young children of all abilities can fully participate in family and community life.

ECIA appreciates the opportunity to make this submission in order to draw attention to key factors for children with disability for consideration when planning quality and safeguarding measures under the NDIS. We have responded to the key elements outlined in Part 2 of the consultation document.

**NDIA PROVIDER REGISTRATION**

Service providers for children birth to 8 should have a rigorous registration process. ECIA recommends a national working with vulnerable people check system be adopted to ensure the wellbeing of children with disability. This should not be a light touch process for providers as we need to ensure that young children are not exposed to risk of harm. Option 4 (ref consultation paper part 2 page 32) is the preferred level of compliance for registration of all providers both NGO and private providers.

ECIA recommends that the NDIA considers aspects of the National Quality Framework for Early Childhood Education and Care when developing provider registration processes for the NDIS. It has a number of elements that would work well for providers of services for children with disability. The Australian Children’s Education and Care Quality Authority (ACECQA) at the national level has oversight of the Framework for early childhood education and care settings. It includes the National Law, Regulations, Quality Standards and a Learning Framework. The relevant regulatory authority in each state/territory is responsible for the monitoring and assessment of the regulations and the standards. All providers of early childhood education and care services must be registered after demonstrating that they meet the regulations and quality standards. .

However it is important that any system developed is not inhibitive to families receiving services nor provides an added administrative burden to the service provider. An internal quality assurance process with random checks applied by an external body should be the minimum standard.

Supports offered to families and their children with developmental disability need to be informed by evidence-based practice. Families with a child who has a developmental disability can be vulnerable to providers offering a cure as opposed to strategies aimed at improving the child’s abilities, and the NDIA clearly has a responsibility to ensure that unethical and unscrupulous providers are not registered. The development of the National Guidelines for Early Childhood Intervention currently being undertaken by ECIA will provide information and guidance on effective contemporary principles and practices for this sector.

An additional issue for consideration is that there is an increasing demand for services and professionals to collect data about the results of their interventions to support evidence based practice. Many accreditation bodies collect data which can be used to identify systemic issues. The NDIA could access this data and/or collect their own from the provider registration system from across Australia to analyse the value of services, what is not working, and weaknesses in the system that need to be addressed.

**COMPLAINTS AND OVERSIGHT**

While acknowledging the need for having a complaints handling system, it is also important to have the appropriate information for families to navigate the system which would eliminate some of the complaints that are made. For example having the information accessible in a variety of mediums, clarifying terminology in a way families can understand and having Planners who understand the particular needs of young children and their families could reduce potential parental stress and the need for making complaints.

ECIA recommends an internal complaints system with an external Ombudsman enquiry available to support families seek a resolution or take action regarding their complaint.

Families, carers and professionals are sometimes inhibited from making complaints because they fear retribution and that it may affect access to services or treatment of their child. Sometimes there are cultural constraints about complaining. Families need to have access to an external advocacy service to support their concerns and complaints.

Families must feel confident to ask questions about registration, safety and experience, and when they feel something is not quite right. Their capacity to recognize what quality looks like must also be enhanced.

The NDIA has a role in providing an external complaints system.

Service providers must consider the most effective ways to encourage input from all stakeholders, and publicise actions taken to respond to suggestions.

**ENSURING STAFF ARE SAFE TO WORK WITH PARTICIPANTS**

The introduction of requirements for police and working with children checks for all people who work with children has been the result of recognition of their particular vulnerabilities and some very public failures in their protection. It is imperative that there is no winding back of these requirements for children, regardless of whether they have any developmental disability or not. ECIA recommends the adoption of a National criminal and Working with Children Check. ECIA recommends the services are mandated to use Patchwork to promote collaborative partnerships when working with children that are identified at risk of harm.

While provider registration and requirements will remain the responsibility of the NDIA assessment of the risk of employment of a particular individual will remain with the organisation’s employing body which is best able to make an assessment if the criminal record is relevant to the position in which the person is to be employed and to check referees.

Staff will also need access to continuing professional development to ensure they continue to deliver high-quality support, and this needs to be included in unit costings.

**SAFEGUARDS FOR PARTICIPANTS WHO MANAGE THEIR OWN PLANS**

In order to safeguard families who choose to manage their own plan for their child, all providers must be registered. No service should be able to be purchased form a non registered provider. In the situation of a family wanting to purchase services from a family member or other informal support, NDIS will need to develop systems and guidelines to ensure appropriate checks are completed to safeguard children while not impeding use of valuable informal networks.

**BUILDING PARTICIPANT CAPACITY**

Information to families, carers and professionals living or working with a child or children with disability needs to include not just information on single professional interventions, but also the contemporary evidence-based practices relevant to the early childhood intervention field such as transdisciplinary and collaborative teamwork and family centred practice. Services to families and their children should focus on supporting inclusive practices using a family centred approach. ECIA supports services working collaboratively with families and other community organisations to support inclusion and participation in all environments that the child and family access. The recommended practice approach should be included into the NIDA registration process and quality assurance process.

Information must be provided a variety of formats to maximize its usefulness and accessibility to the diversity of families in the community. The use of family-friendly and jargon-free literature is required to enable families to make informed decisions and build family capacity.

The Raising Children’s Network has an online Disability Services Pathfinder which could be used as a model for the NDIA and expanded to include providers’ registration status and other relevant information. It would need to include information about the practices identified by the National Guidelines project.

**REDUCING AND ELIMINATING RESTRICTIVE PRACTICES**

Restrictive practices are not a recommended practice supported by ECIA unless there are safety issues identified and appropriate professional support enlisted. Restrictive practices are sometimes inadvertently adopted by families, carers and professionals who are unaware that there may be alternative strategies ECIA supports a strength based approach to managing behaviours and restrictive practices would only be implemented as an absolute last measure. Restrictive practices need to be strictly managed and have a developed process to support implementation and evaluation. ECIA supports the development of clear guidelines in relation to this area.