Discussion paper

Review of the National Disability Advocacy Framework

June 2015

Purpose of the discussion paper

The National Disability Advocacy Framework (the Framework) is the structure that governments work within to enable and support people with disability to protect their rights and overcome barriers.

The implementation of the Framework is guided by the principles and priorities of Commonwealth, State and Territory Disability Services legislation, the United Nations Convention on the Rights of Persons with Disabilities, the National Disability Agreement and the National Disability Strategy.

We are reviewing the Framework because there have been significant changes in the disability environment since the Framework was endorsed in 2012.

We want to know what you think about the current Framework to help inform development of the new Framework.

Share your views by making a submission before **24 July 2015** at **engage.dss.gov.au.**

The current Framework and an Easy English version of this discussion paper are also available at **engage.dss.gov.au.**

What is disability advocacy?

Advocacy means supporting people with disability:

- to stand up for their rights and choices

- take part in their community

- find employment and training

- feel valued and respected

- achieve their goals

- have their say.

Commonwealth and state and territory governments are working together to make it easier for people with disability to get the advocacy they need and to improve the support they receive.

Why are we reviewing the Framework?

The National Disability Insurance Scheme (NDIS) commenced in 2013 and is being progressively rolled out across Australia. The NDIS is a major reform which is bringing significant change to the delivery of services and support to people with disability.

In April 2015, the Council of Australian Governments' Disability Reform Council agreed that NDIS would fund:

- decision supports

- safeguard supports

- capacity-building for participants, including support to approach and interact with disability supports and access mainstream services.

The Disability Reform Council agreed that systemic advocacy and legal review and representation will be funded outside the NDIS. This is in line with the 2011 Productivity Commission Inquiry Report into Disability Care and Support, which recommended advocacy be funded and provided outside the NDIS.

These decisions have an impact on how organisations will provide advocacy supports in the NDIS environment and some of the details are still to be worked out.

Recent public consultation on the NDIS Quality and Safeguarding Framework and the NDIS Information, Linkages and Capacity-Building Framework, has already facilitated discussion and ideas on advocacy supports in the NDIS. Feedback from these consultations will be used to inform development of the new Framework.

The Australian Government funded National Disability Advocacy Program (NDAP), will continue to ensure people have access to advocacy support. The NDAP is also being reviewed in consultation with advocacy agencies. This is part of an ongoing process of continuous improvement and will take into account changes related to the establishment of the NDIS.

Both reviews will be conducted in line with the principles of the **National Disability Agreement** and the **National Disability Strategy**.

Have your say

Please use the questions below as a guide when developing your submission:

1. Do you believe the current Framework encompasses your vision of advocacy in the NDIS environment? If not, what changes are required?

2. Are the **principles** of the Framework appropriate for guiding the delivery of advocacy for people with disability in a changing disability environment, including in the context of the NDIS? If not, what changes are required?

3. Are the **outcomes** of the Framework still relevant or should different ones be included? If so, what should be included?

4. Are the **outputs** of the Framework still relevant or should different outputs be included?

5. Does the Framework identify what is needed in the current and future disability environment? If not, what changes are required?

6. Do you have any other comments, thoughts or ideas about the Framework?

Share your thoughts and ideas by making a submission at **engage.dss.gov.au** until **24 July 2015**.

If you have any questions about the consultation process please email **disabilityadvocacy@dss.gov.au**

The principles, outcomes and outputs from the current Framework are included at the end of this document for your reference. A full copy of the current Framework is available at **engage.dss.gov.au**

Next steps

The Department of Social Services, together with State and Territory governments will use feedback from the consultation to develop a new Framework.

The new Framework will be presented to disability ministers at the Disability Reform Council meeting in December 2015 for endorsement.

The new Framework will be uploaded to the Department of Social Services website in early 2016.

Key elements of the current Framework for reference

Principles

- Disability advocacy operates under relevant Commonwealth, State and Territory legislation and the principles of the United Nations Convention on the Rights of Persons with Disabilities and other relevant United Nations Rights Treaties, to protect and promote the legal and human rights of people with disability

- Disability advocacy promotes the interests and wellbeing of people with disability and promotes their full and valued inclusion as contributing and participating members of the community

- Disability advocacy seeks to influence positive systemic changes in legislation, policy and service practice and works towards promoting inclusive communities and awareness of disability issues

- Disability advocacy promotes leadership and capacity building by people with disability

- Disability advocacy ensures that views represented meet the individual preferences, goals and needs of people with disability

- Disability advocacy strengthens the capacity of people with disability to speak for themselves by actively supporting and encouraging self-advocacy

- Disability advocacy recognises and respects the diversity of people with disability

- Disability advocacy ensures that the rights of people with disability to privacy, dignity and confidentiality are recognised and upheld
- Disability advocacy will foster effective strategic alliances to develop capacity to identify and respond to the needs of people with disability.

Outcomes

- people with disability are accorded the rights and freedoms described in the United Nations Convention on the Rights of People with Disabilities and other relevant United Nations Rights Treaties
- people with disability achieve economic participation and social inclusion
- people with disability enjoy choice, wellbeing and are supported to pursue their life goals
- people with disability are able to make decisions that affect their lives, or where necessary are supported in making those decisions
- people with disability receive independent advocacy support that is free from conflict of interest
- people with disability experiencing multiple disadvantage have their needs met
- people with disability are actively involved in all aspects of the development, delivery and evaluation of disability and broader government policies, programs and services that impact them.

Outputs

- Individual advocacy that is tailored to meet the individual needs of people with disability including a focus on the needs of people with disability experiencing multiple disadvantage
- Disability advocacy that is informed by an evidence base and is provided in an accountable and transparent manner
- Disability advocacy that is planned and delivered in a coordinated manner and supports communication between disability advocacy support, disability services, mainstream services and governments
- Disability advocacy that promotes community education and awareness of disability issues and rights
- Systemic advocacy that positively contributes to legislation, policy and practice that will support the agreed outcomes.