Submission to the NDS and NDIS Outcomes Framework Introductory Paper

Children and Young People with Disability Australia

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Introduction

Children and Young People with Disability Australia (CYDA) is the national representative organisation for children and young people with disability aged 0 to 25 years. CYDA has an extensive national membership of more than 5000 young people with disability, families and caregivers of children with disability, and advocacy and community organisations.

Our vision is that children and young people with disability are valued and living empowered lives with equality of opportunity; and our purpose is to ensure governments, communities, and families, are empowering children and young people with disability to fully exercise their rights and aspirations. We do this by:

- Driving inclusion

- Creating equitable life pathways and opportunities

- Leading change in community attitudes and aspirations

- Supporting young people to take control

- Calling out discrimination, abuse, and neglect.

CYDA welcomes the opportunity to contribute to the development of the NDIS and NDS Outcomes Framework.

This submission covers:

- The need to include individual experiences in the framework
- The need for disaggregated data and monitoring of outcomes for children and young people and investment in data collection and monitoring
- The need for accountability mechanisms in the framework's shared outcomes
- Feedback on the proposed outcomes and indicators provided in the *Public consultations for the NDS and NDIS Outcomes Frameworks – Introductory Paper.*

Inclusion of measures and monitoring of individual experience

People with disability have historically had limited choices in how they choose to live their life – in where they get an education, where they work, where they live, who they spend their time with, and what daily activities they participate in. The ongoing Disability Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability has demonstrated that for many people with disability, their options and ability to make decisions in many areas of life remains largely restricted by discriminatory systems and structures.

While the National Disability Strategy (NDS), the National Disability Insurance Scheme (NDIS), and the NDS and NDIS outcomes framework is a good start to ensure people with disability have choice and equal opportunity to participate in the community, the proposed framework lacks mechanisms to ensure outcomes are quality outcomes and are in line with the interests and needs of individuals.

For instance, broad outcomes and indicators, such as 'I have employment opportunities', or 'employment/unemployment' do not factor in if the jobs available are in line with individual's skillsets or career aspirations. Likewise, the health and wellbeing policy area does not factor if the services available to people with disability are inclusive of different intersectional identities and needs.

To ensure the NDS and NDIS are producing outcomes that children and young people with a disability want and need, the outcomes framework needs to better incorporate experiences of people with disability. Each policy area must include person-centred outcomes and indicators that incorporate measures of individual experience. Otherwise, the framework and its related interventions risk: 1) not truly being person-centred; 2) producing 'successful' outcomes that are not actually in line with people's wants or needs and, 3) marginalising groups within the disability community.

Ensure disaggregated data and monitoring outcomes of children and young people and invest in data collection and monitoring

Disability policies and data often leave out the specific needs and experiences of children and young people with disability. Similarly, children and youth specific policies and data often do not comprehensively recognise people with disability. To ensure the outcomes framework is reflective of the experiences of different groups, inclusive of children and young people, CYDA recommends that disaggregated data is collected and monitored for all cohorts and different demographics within the disability community (e.g., all age groups, regionality/rurality, socio-economic status, ethnicity, gender diversity, etc.)

The National Disability Data Asset (NDDA) is an important investment by government, however is only currently funded as a pilot for 18 months. While the Australian and state and territory governments hold a vast range of administrative datasets, often these are not disaggregated for children and young people with disability.

It is recommended the NDDA is fully funded, and that its development and implementation genuinely engage advocates and experts around specific cohorts to ensure the right data is collected to monitor outcomes over time.

NDS and NDIS shared outcomes

It is welcome to see in the proposed framework the efforts to better integrate and increase collaboration between the NDIS and programs and services that sit under the Strategy. However, while the indicators and outcomes may be shared, CYDA recommends that the framework includes

clear accountability measures for all parties involved. We hear from our membership that they often have difficulties accessing supports, with different departments and systems passing the buck to other departments and systems who they believe are 'more responsible' for providing support.

While responsibility for achieving desired life outcomes may be shared across systems or jurisdictions, this does not mean the child or young person is not eligible or in need of multiple streams of support. For instance, a student with disability should be able to easily and fairly receive educational and learning supports through their state-system, whether or not they are receiving individualised funds through the NDIS. The conceptualisation – and implementation – of shared outcomes in the final framework should reflect the fact that these systems need to complement, not replace, each other.

Feedback on proposed outcomes and indicators

Learning and skills

The Australian Coalition for Inclusive Education, of which CYDA is a member, has developed a 10-year plan (*Driving change: A roadmap for achieving inclusive education in Australia[1]*) to help realise inclusive education and prevent the violence, abuse, neglect, and exploitation of students with disability. This plan has been endorsed by disability advocacy and youth-led organisations across the country.

The Roadmap steps out the short-term (1-2 years), medium-term (3-5 years) and long-term outcomes and indicators (5-10 years) required to achieve these objectives. These outcomes and indicators are largely included in the table below; however, for more detail please see the full Roadmap (provided as an attachment to our submission). The Roadmap also includes the multi-system levers and interventions required to achieve the progressive outcomes and long-term vision.

Beyond attaining a formal education, education institutions are settings where children and young people develop their social skills and begin to form their identities. Positive or negative, these interactions can then go on to influence the outcomes in other areas of life, such as employment and mental health and wellbeing. As such, the Learning and Skills policy area should include outcomes that reflect the importance of inclusion in social and extra-curricular activities in education settings.

	Person-centred outcomes	**Indicators/measure**
Additions to proposed framework	I am: - experiencing inclusive education as defined by the CPRD - supported to explore my post-school options - supported to engage in the classes and subjects that I am interested in	**Individuals and families** - Increased enrolment of students with disability in mainstream education settings[2] - Reduction in the number of students enrolled in segregated education settings including special schools, and special units or classrooms in mainstream schools

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[1] Australian Coalition for Inclusive Education. (2020). *Driving change: A roadmap for achieving inclusive education in Australia.* Available at acie-roadmap-final-26-octo ber-2020.pdf (wordpress.com)
[2] This does not include special units/special classes within mainstream schools.

	- included in all school/educational institute activities, such as camps, excursions, and events, on an equal basis as my peers - supported to engage in my learning in a way that meets my strengths and needs - supported to engage in work experience during my school years - included by my peers I feel: - valued in my school/education institute's community - safe in my school/education institute - confident in my ability to make complaints when I am not experiencing an inclusive education - that educators hold high expectations for my learning and post-school transitions - that my complaints have been heard and if necessary, solutions have been actioned I can: - easily make complaints when I am not experiencing an inclusive education - access any additional supports or technology that I require to engage with my learning - access any additional supports or technology that I require to fully participate in my school/education institute's community	- Feelings of inclusion alongside peers - Student voice and satisfaction - Restrictive practices (with the objective of eliminating the practice) - Rates of suspensions - Rates of expulsions - Rates of students with a disability being home-schooled - Rates of bullying - Gaps in attainment of education outcomes between students with and without disability - Rates of access in local schools **Systems** - Education systems have committed to phasing out segregated education and are monitoring progress - Inclusive education curriculum across pre-service teaching and early education units - Educators' levels of understanding of inclusive education theory and practices - Educators' understanding of the Disability Standards of Education - Resourcing of inclusive education professional development/toolkits for educators - Resourcing of inclusive education professional development/toolkits for allied health professionals across jurisdictions - Resourcing of independent complaint mechanisms across jurisdictions - Resourcing of career guidance programs and supports in schools

			- Resourcing for individualised adjustments across jurisdictions
			- Spending of funding for individualised adjustments across schools
Amendments to proposed framework			- School attendance, **including days of partial attendance**
			- Engagement in further education – vocational, tertiary, **in line with student aspirations**

Inclusive and accessible communities

While the proposed outcomes and indicators provide a strong direction for creating accessible public places, the policy area largely misses the important social and cultural participation that happens in private settings, such as homes. Recent research[3] from the University of Melbourne into accessible housing found that 81 per cent of survey respondents reported they could not visit their friends and family because of inaccessible housing, which in turn, had negative impacts on their ability to participate in social events.

As outlined in the *National Disability Strategy: Position Paper,* the new Strategy will rightly have an increased focus on community attitudes. Considering the immense impact the mindsets of others have on people with disability's ability to participate in social and cultural life and feelings of inclusion, addressing and monitoring community attitudes should be reflected in the framework.

Lastly, the proposed framework does not recognise the time and stress burden on people with accessibility needs to 'pre-plan' their commutes and daily activities. A recent survey[4] into accessibility and inclusivity in community and mainstream settings found that that information availability (or lack thereof) was a participation barrier for 20 per cent of respondents. More targeted efforts in the Strategy and framework are required to provide people with easily available information on accessibility.

	Person-centred outcomes	**Indicators**
Additions to proposed framework	I feel: - safe and comfortable on public transport and in public spaces	- Participation in cultural life - Reported feelings of isolation - Reported feelings of avoiding community situations

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[3] Wiesel, I. (2020). *Lived experience and social, health and economic impacts of inaccessible housing.* Available at https://www.spinal.com.au/wp-content/uploads/2020/09/Melbourne-Disability-Institute-Submission-Accessible-Housing-RIS-2020.pdf

[4] Latrobe Community Health Service. (2020). *Improving accessibility and inclusivity of people with disability in a community and mainstream setting*. Available at Improving-accessibility-and-inclusivity-of-people-with-disability.pdf (lchs.com.au).

		Systems/structural
	- confident in knowing the accessibility features of public transport and venues/sites I can access: - places of faith/worship transport and accessible routes that are dignified I can: - meaningfully participate in my community and contribute to community life - visit my friends and family - create and participate in networks and groups based on interests, not accessibility - attend concerts and arts events - dine at cafes and restaurants - leave home as often as I would like - I can access different aspects of the community as I age and mature - create and shape my own community connections and spaces I have: - choice in the city/town/location I live in	- Rate of newly built private homes meeting minimum accessibility standards - Rates of social and community housing meeting minimum accessible standards - Community attitudes - Public buildings/transport including access keys, information, etc. on websites - Increased rate of large organisations committing to/including access keys, information etc. on websites
Amendments to proposed framework	I can access: - Transport systems, **including stations and stops**	- Family/carer and **friends** relationships

Economic security

	Person-centred outcomes	Indicators/measures
Additions to proposed framework	I am independent I have:	**Individual** - Food security

		- the choice to live where I want and who I want to live with	- Rates of underemployment
		- financial security	- Superannuation
		- fair access to financial products, including insurance	- Job satisfaction
		- the ability to protect my income and finances	- Housing satisfaction
		- adequate safety net when I am unable to find work	- Young people with disability living independently
		- access to information and support that helps me navigate housing, employment, social security systems	- Proportion of people on the DSP as opposed to Newstart or Youth Allowance
		- options for wealth accumulation	- Impact of School Leavers Employment Supports
		- a job that I find fulfilling	- Young people in ADEs
		I can:	- Young people in open employment
		- access appropriate supports that enable me to find and maintain employment	There is a need to include more indicators around wellbeing, health, mental health and personal experiences. The current framework indicators do not capture the full impact that economic security has on a person's life.

Systems/structural

- Employer attitudes

- Increased rate of employers feeling confident in using equitable hiring processes

- Increased rate of employers using equitable hiring processes

- Increased rates of employer awareness and understanding of the rights of people with disability and anti-discrimination legislation

- Increased uptake of government-funded workplace adjustment supports

- Social and community housing meeting minimum accessibility requirements

- Newly developed private dwellings meeting minimum accessibility requirements

		- Monitoring of demographics factors of people with disability meeting access for the DSP
Amendments to proposed framework	I have: - **meaningful** employment opportunities, **in line with my skills and interests**	- **No one experiencing** poverty - **Adequate** income, **above the poverty line**

Health and wellbeing

Undiagnosed disability across the lifespan – but particularly in childhood and adolescence – risks individuals not being able to access the necessary supports they need to thrive. This is not reflected in the proposed framework. CYDA questions the inclusion of 'developmental milestones', and cautions against using this approach as a prescriptive, constructed measure seen to determine 'success' for a child or young person's life outcomes.

There can be perverse outcomes from a focus on 'developmental milestones', such as schools refusing enrolment of children because they are not at the same developmental stage as other children, when children have a right to be enrolled with the same aged peers, with the education system providing reasonable adjustments for full inclusion. This can be potentially discriminatory, particularly for children with intellectual and cognitive disabilities.

	Person-centred outcomes	**Indicators**
Additions to proposed framework	I am supported to and have the ability to make decisions about how I choose to live my life I can: - have consensual sexual and intimate relationships with who I want, when I want and how I want and with supports as I choose I have: - access to health and mental health services that are age-appropriate and accessible - access to LGBTQIA+ health and mental health services that are accessible - dignity of risk - decision-making power about my own health and health care	- Access to accessible and appropriate health, mental health and sexual health information and resources - Experiences of health services 'Life activities' and having access to choose what daily activities you participate in is integral to a person's health and wellbeing. This indicator needs to be much more comprehensive/broken down into indicators across different areas of life and social activities.

Amendments to proposed framework	I can: - access early intervention services that **meet my needs** My GP, hospital and other health care providers are accessible **and meet my cultural and social needs**	- Infant, child **and youth** health and wellbeing

Personal and community support

The proposed outcomes and frameworks are largely focused on what occurs once a person has successfully accessed a service or service system. There needs to be an increased focus on monitoring and understanding about who is aware of programs, who feels confident and safe to access programs, the access barriers that exist, and the impact of outreach programs (new and ongoing).

	Person-centred outcomes	**Indicators/measures**
Additions to proposed framework	- I have support to navigate and access service systems and supports - I have access to age-appropriate and timely advocacy support - I have access to accessible, age and culturally appropriate information that enables me to access service systems and community support	- Wait lists/length of waiting for advocacy services/supports - Outreach programs - Decrease in disparate rates between age groups and demographics accessing government provided supports and services - Increased rate of children and young people, and families and caregivers accessing support from child and youth-specific disability advocacy services - Disparity of meeting NDIS access rates between different communities/cohorts, including those with English as their first language, socio-economic status, gender, disability type, area, etc. - Disparity of plan utilisation rates between different communities/cohorts, including those with English as their first language, socio-economic

| | | status, gender, disability type, area, etc. |
| | | - Increased average plan utilisation for all people with NDIS plans |

Rights, protection, justice and legislation

Safeguarding of children and young people with disability must be a priority for the next Strategy, the NDIS, and the shared outcomes framework. Currently, there is no consistent safeguarding framework for children and young people with disability across systems and jurisdictions. [5] There is also no national picture of the prevalence and causes of violence against people with disability in institutional settings.[6] To ensure the indicators and measures are a true reflection of the experiences of people with disability, CYDA urges that the development of the Strategy and shared framework be a catalyst for unifying and improving approaches, complaint mechanisms and data collection across systems, services, and jurisdictions.

	Person-centred outcomes	Indicators/measures
Additions to proposed framework		**Systems measures** - Decreased representation of children and young people with disability in child protection and out-of-home care systems - Decreased representation of children and young people with disability interacting with the justice system - Use of restrictive practices on children and young people across systems (with the objective to eliminate the practice) - Mapping and monitoring the types of complaints received by federal, state and territory oversight agencies, such as relevant Ombudsmen, Public Advocates, Human Right and Equal Opportunity Commissions, Children and Young People, Commissioners, etc. This includes monitoring the types of complaints made

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[5] Australian Human Rights Commission. (2018). *A Future Without Violence: Quality, safeguarding and oversight to prevent and address violence against people with disability in institutional settings.* Available at https://humanrights.gov.au/sites/default/files/document/publication/AHRC_report_VAPWD_2018.pdf
[6] ibid.

		by people with disability agencies that are not disability specific. - Rate of resolved complaints (and types of complaints that are resolved) - Length of time for complaints to be resolved across various agencies The framework and the new data set need to monitor the supports, experiences, and wellbeing outcomes of children with disability in the out-of-home care system. This needs to be consistent across jurisdictions. The framework and the new data set need to monitor the supports and experiences and wellbeing outcomes of children and young people with disability interacting with the justice system. This needs to be consistent across jurisdictions.