



Improving outcomes for people with disability under the NDS and the NDIS

Submission of the Disability Council of NSW

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The Physical Disability Council of NSW

The Physical Disability Council of NSW (PDCN) is the peak body representing people with physical disabilities across New South Wales. This includes people with a range of physical disability issues, from young children and their representatives to aged people, who are from a wide range of socio-economic circumstances and live in metropolitan, rural and regional areas of NSW.

Our core function is to influence and advocate for the achievement of systemic change to ensure the rights of all people with a physical disability are improved and upheld.

The objectives of PDCN are:

- To educate, inform and assist people with physical disabilities in NSW about the range of services, structure and programs available that enable their full participation, equality of opportunity and equality of citizenship.
- To develop the capacity of people with physical disability in NSW to identify their own goals, and the confidence to develop a pathway to achieving their goals (i.e. self-advocate).
- To educate and inform stakeholders (i.e.: about the needs of people with a physical disability) so that they are able to achieve and maintain full participation, equality of opportunity and equality of citizenship.

Recommendations

Recommendation 1

That the Vision be amended to read:

“An inclusive Australian society that enables people with disability to fulfill their potential as equal citizens and members of their communities.

Recommendation 2

That the domain of “Inclusive and accessible communities” be divided into two domains – physically inclusive and accessible communities” and “inclusive and accessible communications” or, in the alternative, that physical accessibility and communications accessibility are separate outcomes under this domain.

Recommendation 3

Incorporate a series of outcome measures that focus on individuals’ perspectives around societal attitudes towards disability

Recommendation 4

Establish an independent central administering body to carry out responsibilities relating to the rollout of the Outcomes Framework, the collection and evaluation of data, and reporting to Government.

Recommendation 5

Consider the development of a universal, customised reporting system to be utilised to collect consistent data from reporting entities.

Recommendation 6

Conduct periodic surveys of people with disability to track longitudinal progress across the NDS and NDIS.

Recommendation 7:

Ensure that persons with disability who are unable to access the NDIS are included as a subset in any measuring and/or monitoring of outcomes for people with disability

Introduction

As the peak representative organisation for an estimated 1,097,200 people with physical disability across NSW¹, PDCN appreciates the opportunity to contribute to the development of a consistent framework for determining outcomes across both the NDS and the NDIS.

The National Disability Strategy (NDS) and the National Disability Insurance Scheme (the NDIS) are the two most significant federal instruments for improving the lives of people with disability within Australia.

Both represent different, but equally important, aspects of Australia's commitment to the UNCPRD - the NDS prescribes the Governments' responsibilities in terms of inclusive social policies and promoting inclusion, while the NDIS provides people with disability with the supports and services they need to participate in society.

2020, as a year, critically highlights why it is important that the NDS and the NDIS work. A combination of natural disasters and the Covid19 pandemic, coupled with the Royal Commissions into both have highlighted the inequalities that still exist within society - inequities which may have been identified and acted on across earlier years, had the NDS had any form of substantial reporting structure.

The capacity to monitor, track and evaluate the effectiveness of the NDS is critical if we are to receive any real value from the significant time and resources that have been invested in its implementation. We see the proposed Outcomes Framework as an opportunity to apply a logical consistency across both structures and to expand the scope of data we have on the experiences of people with disability - both NDIS participants and otherwise, within the framework of supports and services provided at both national and state levels.

That we are only now, a decade after the NDS' adoption, looking to make real efforts towards applying a person-centred framework to determining its effectiveness is bewildering. This is particularly the case when it is considered that the NDS is a strategy focused on meeting Australia's human rights obligations as a signatory of the UNCPRD.

PDCN's submission will provide comment on the draft structure of the framework and will recommend its expansion across all Federal disability support mechanisms to assess outcomes for people with disability as an entire subset of the national population.

¹ Australian Bureau of Statistics, *Disability Ageing and Carers - 4430DO001_2018 Disability, Ageing and Carers, Australia: New South Wales*, 2018 < <https://www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/4430.02018?OpenDocument> > accessed 15/12/2020.

Question 1: What do you think about the different elements in draft structure for the Outcomes Frameworks?

The Vision

The vision serves as a decent summation of the aims of both the NDS and the NDIS and is broadly reflective of the vision of the UNCPRD.

The only refinement that we would suggest is that the word 'citizen' is utilised to ensure that the vision fully covers both the public and private aspects of an individual's life. The term citizen evokes the privileges, rights and protections afforded to people by law, while 'member of the community' captures a local sense of engagement across all aspects of day-to-day life -which is equally important. We suggest that the addition of the term 'citizen' better articulates the intended scope of the NDS and the NDIS.

Recommendation 1

That the Vision be amended to read:

"An inclusive Australian society that enables people with disability to fulfill their potential as equal citizens and members of their communities.

The domains

The outcomes broadly align with the provisions of the UNCPRD, which we would expect. We consider the six domains cover the broad areas of peoples' lives and agree that they provide a logical structure for grouping. We consider that the outcomes align to both the functioning of the NDS and the NDIS.

We are pleased to see a domain specifically relating to "learning and skills". Equal access to education is vital to realise positive outcomes such as employment and economic security in adult life and is not currently identified as a unique focus within the NDS. We are also appreciative that economic security has been extended to include the families and carers of people with disability – recognition of the need to support informal carers is vital in ensuring that families are able to utilise this model of care.

We would recommend that Inclusive and Accessible Communities is split into physical accessibility and communication accessibility or alternatively, that physical accessibility and communication accessibility are two different outcomes under the domain of Inclusive and accessible communities

Our rationale for this thinking is that accessible information and communications are often neglected both across government and the private sector - notwithstanding the fact that digital communications and communications is a specified component of the Inclusive and Accessible Communities Outcome (Outcome 2) of the NDS.

We expect that this is because the need for communication accessibility is far less apparent – people with communications disabilities are less likely to present outwardly as having a disability and the necessary adjustments are often not as intuitive. It may also be that persons with disabilities relating

to communication are less able to participate within typical (oral or written) models of Government consultation, or that communication adjustments may be technically complex.

Dividing Inclusive and Accessible Communities into communications accessibility and physical accessibility or having these two aspects of accessibility present as subcategories, would ensure that both receive equal emphasis and hopefully, prioritisation. We also think this would align better with how governments (and the broader community) conceptualise these responsibilities – with communications generally being handled by a specific team or department, separate and unique from infrastructure and development.

For entities which need to report on outcomes, splitting the domain into physical accessibility and communication would allow reporting to be more directed, reduce ambiguity and hopefully lead to greater consistency in reporting across entities.

Recommendation 2

That the domain of “Inclusive and accessible communities” be divided into two domains – physically inclusive and accessible communities” and “inclusive and accessible communications” or, in the alternative, that physical accessibility and communications accessibility are separate outcomes under this domain.

The focus on both population level and person-centred outcomes

To ensure that the NDS and the NDIS are accountable to people with disabilities as mechanisms to achieve greater inclusion, we need to assess their effectiveness nationally, between states and territories, at a local community level and as experienced by individuals with disability across their daily lives.

The reality of both the NDS and the NDIS is that they involve work across a broad range of stakeholders, and they operate through different mechanisms and frameworks – a key example being the interplay of NDIS supports as they apply across the various State and Territory education schemes and within different schools within these systems.

Just as the schemes should be accountable to people with disability, there needs to be a way to ensure accountability of these stakeholders to the Schemes as well as being able to identify localised strengths and weaknesses, and organisational “champions” as part of the ongoing refinement process across both Schemes.

At the same time, the aim of both schemes is to improve the lives of individuals. It is not unusual for significant efforts to be directed towards projects that fall short of their expected outcomes. Similarly, it is not unusual to see the completion of a project presented as a marker of improved inclusion, with no enquiry as to whether this is the experience of those expected to benefit. For these reasons, PDCN has consistently advocated for all outcomes frameworks across disability policy to centre on positive change as a key marker of success.

PDCN is satisfied with the draft outcomes structure on account of its person-centred approach. Whilst it is still early days, we would expect that the outcomes framework would generate good data, which we would be keen to review.

We note that the scope of this consultation is not intended to cover technical feedback on the measures and indicators and that measurement tools at a population level are not featured in the draft. PDCN looks forward to providing input across these aspects of the framework as they become available.

The use of sub-outcomes and example indicators

We feel that the use of sub-outcomes for individuals to explore their experiences across different aspects of the domains is very effective and will provide focus for individuals and those with reporting responsibilities to consider how effective the schemes are in practice.

We are aware, for example, that NDIS ILC funding reporting *does not* specify sub-outcomes and the outcomes are very broad. This makes it complex to address everything that *sits within* each outcome and makes reporting both difficult and time consuming.

As some level of interpretation is required to understand what is required, we anticipate that there would be little to no consistency in data reported back across different bodies – undermining the capacity to usefully compare outcomes.

The greater level of specificity seen across the draft Outcomes Framework is far preferable, since the subcategories are clearly articulated and are further clarified by example indicators. We would like to see that level of detail in the final version of the Framework.

We would suggest including more sub-outcomes associated with individuals' perceptions – e.g. *I feel like I am a valued member of my community... I feel respected within my workplace* - to obtain data on the capacity of the NDS and the NDIS to promote broad attitudinal change across society.

Achieving attitudinal change has been recognised as a vital step toward an inclusive society. We understand that this is touched on in some of the questions, for example *'I feel welcome in my community'*, but we would expand further on this - especially as we know anecdotally that embedded negative attitudes represent one of the most significant challenges to people with physical disability being able to realise equal and fulfilling lives.

Recommendation 3:

Incorporate a series of outcome measures that focus on individuals' perspectives around societal attitudes towards disability

Question 2: How can we best implement the Outcomes Frameworks to enable Governments and Stakeholders to track the effectiveness of the Strategy and the NDIS?

Create a central, independent administering body

Whilst the NDIS already features a reporting framework, there is no real equivalent within the NDS and we imagine that it will be a significant undertaking to embed such a system within the NDS structure. We would recommend that an independent central administering body be established to

facilitate both the government and non-government sectors to comply with their data collection and management responsibilities as they apply to the Outcomes Frameworks.

Independence is important since most government departments are covered under the NDS, and therefore would have reporting obligations under the new framework. We would suggest that logical existing bodies to administer the Outcomes Framework could be the Australian Human Rights Commission (AHRC), the Australian Institute of Health and Welfare (AIHW) or the Australian Bureau of Statistics (ABS).

Any administering body should produce authoritative and accessible information and statistics to inform and support better policy and service delivery decisions, leading to greater inclusion for people with disability. Specific aspects of this work could involve:

- Providing education and training to entities with reporting responsibilities to ensure statutory requirements are met.
- Collating data and preparing reports for the Minister, to be regularly tabled within Parliament.
- Facilitating innovation, research, and contemporary best practice in the sector &
- Maintaining a public data portal.
- Co-ordinating and administering national surveys, if applicable, &
- Providing commentary on trends and findings from the data.

Recommendation 4

Establish an independent central administering body to carry out responsibilities relating to the rollout of the Outcomes Framework, the collection and evaluation of data, and reporting to Government.

Provide capacity for consistent reporting via a universal data capture system

One of the issues for the NDS in capturing data via the DIP and associated DIAPs is that there is no consistent mechanism for reporting on outcomes.

We would recommend the use of a consistent, easy to navigate customised reporting system to be used across all reporting entities. There would be added value if such a system offered the ability to upload reports directly to the central administering body. Whilst we appreciate that time, effort and additional resourcing would be needed to facilitate such a rollout, we anticipate that this would be offset by the greater usefulness of any resulting data.

Recommendation 5

Consider the development of a universal, customised reporting system to be utilised to collect consistent data from reporting entities.

Periodic surveying of households with disability

The NDIS already reports quarterly. This has allowed for annual reporting across each year of the Scheme and longitudinal tracking of the effectiveness of the Scheme over time. This data has been used to identify areas for improvement such as participant satisfaction on approval for the Scheme and turnaround on reviews.

We would recommend that a comprehensive national survey is periodically issued to all households identifying as having one or more persons with disability to allow for tracking of progress towards the vision (and more broadly Australia's commitments under the UNCPRD).

This survey should apply across all households where individuals identify as having disability, not only NDIS participants. Such reporting should align with critical development stages across both the NDS and NDIS, for example, it would be useful to conduct a national survey with a view to releasing results prior to the next statutory review of the NDS.

Recommendation 6

Conduct periodic surveys of people with disability to track longitudinal progress across the NDS and NDIS.

Question 3: What else should be considered when we are monitoring and measuring the impact of activities on people with disability?

Latest figures indicate that there are 4.4 million Australians who identify as having a disability² - only 391,999 of which are participants in the NDIS.³ We know that the experiences of individuals vary greatly dependent on what support services, if any, they are able to access and have been concerned for some time about a growing inequity in the provision of supports and services as compared across the NDIS and other Schemes.

We see merit in consistency of vision, domains, outcomes and indicators across federal disability policy, but are particularly concerned that the experiences of the 1.9 million older Australians with disability (65+ years)⁴ may not be factored within the Outcomes Framework since this subset of the population is not eligible under the NDIS.

This group is a significant data set - making up close to 50% (44.5%)⁵ of the total people living with disability nationally and we strongly recommend consideration be given to ensuring that this cohort is represented within the Outcomes Framework.

Recommendation 7:

Ensure that persons with disability who are unable to access the NDIS are included as a subset in any measuring and/or monitoring of outcomes for people with disability

² Australian Bureau of Statistics, *Report 4430.0 - Disability, Ageing and Carers, Australia: Summary of Findings*, 2012

<<https://www.abs.gov.au/ausstats/abs@.nsf/lookup/3A5561E876CDAC73CA257C210011AB9B>> accessed 11/12/2020

³National Disability Insurance Agency, *NDIS Quarterly Report to Disability Ministers, 30 June 2020* <<https://www.ndis.gov.au/search?keywords=quarterly+reports>> accessed 15/12/2020, p 9.

⁴ Australian Bureau of Statistics, *Disability, Ageing and Carers, Australia: Summary of Findings*, 24/10/2019 <<https://www.abs.gov.au/statistics/health/disability/disability-ageing-and-carers-australia-summary-findings/2018#disability>> accessed 15 December 2020.

⁵Ibid.

We are also aware that part of the success of the Outcomes Framework will be support from the States and Territories. Part of the challenge of creating an effective Outcomes Framework will be in ensuring that the States and Territories are willing to commit to any reporting responsibilities. How these reporting responsibilities intersect with disability policy at State and Territory level - especially given that there have been limited reporting requirements to date, remains to be seen.

We are also interested to understand how data from the Outcome Framework will be utilised more generally, including whether it will form the basis of the National Disability Dataset. If so, this only emphasises the need for the data to be representative of people with disability as a whole.

Concluding comments

Both the NDS and the NDIS are instruments that have value in improving the lives of people with disability. Obviously, the Outcomes Framework is still in its early design stages, but based on the preliminary draft, we consider that it has significant merit as a mechanism to measure the effectiveness of both the NDS and the NDIS.

The person-centred approach is particularly of merit, and something that is often lacking across disability public policy. This has been a complaint that we have raised with the NDS in previous reviews, where we had been concerned by various government bodies conflating project completion with effectiveness. The completion of key projects is relevant in demonstrating commitment to disability inclusion, but unless the project achieves its goal, it represents nothing more than a waste of resourcing.

Both the NDS and the NDIS are ambitious instruments. They represent a reinvention of how our society perceives disability and how those with disability are supported to live within society. The NDIS, particularly represents a massive investment in funding and resources - it is important that such expenditure is justifiable via positive outcomes.

PDCN looks forward to continuing to be involved across the development of the Outcomes Framework.