



## NDS and NDIS Outcomes Frameworks: Response to Introductory Paper

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### Introduction

Advocacy Tasmania Inc. (AdvoTas) is an independent, client-directed service that provides support to people with disabilities, older persons, people living with mental illness, and people who use alcohol and other drugs. The content of this submission is based on the experiences reported by our clients with disability when seeking advocacy support.

## Achieving the vision of the Frameworks

### Inclusion as an equal relationship

The ostensible purpose of the National Disability Strategy (NDS) and National Disability Insurance Scheme (NDIS) Outcomes Frameworks is to support and enable progress towards the vision, *“An inclusive Australian society that enables people with disability to fulfil their potential as equal members of the community.”*

As a concept, inclusion is commonly misunderstood as being something that the majority extends to the minority through making accommodations for their differences. However, this describes a relationship of disempowerment, wherein the minority is relying on the charity or goodwill of the majority and is subject to their conditions for acceptance. True inclusion, on the other hand, is a reciprocal relationship, in which both parties have a sense of ownership and responsibility.

It is critical to achieving the vision of the Frameworks that Australia’s disability communities are partners- not merely consumers or clients- in the design and implementation of the Frameworks, and that the Frameworks are useable by people with disability as well as by government.

### Accountability is necessary for empowerment

AdvoTas clients have frequently expressed frustration at a lack of transparency in the NDIS and other disability systems. Clients communicate a sense of disempowerment and lack of control over policy and legislative decisions made which affect their lives, which manifests in even lower usage of those complaints and rights mechanisms that are available. When supported to pursue complaints actions on issues relating to the scope of the NDS, AdvoTas clients frequently state that they feel there is little incentive, and no real accountability, for services- mainstream, community or specialised- to actually support the rights, dignity and equal participation of people with disability.

In general, AdvoTas clients report very low levels of awareness of the current NDS, its contents, and any means by which progress against the NDS may currently be measured. Simultaneously, some current data AdvoTas is required to collect in order to report on client outcomes (such as SCORE) meets with significant resistance from clients. Clients often report feeling like the data items currently used to inform outcome measures are not applicable to, or do not accurately capture, their actual situations and priorities.

Properly designed and implemented Outcomes Frameworks would support in addressing all these issues over time.

For the NDS and NDIS Outcomes Frameworks to be effective in supporting pursuit of their vision, they must be implemented in such a way that:

- Information on progress against the outcomes, indicators and measures is available to, and usable by, the community
- There are clear accountability mechanisms to encourage progress against the outcomes, indicators, and measures, and that may be used in case progress over time is insufficient
- Regular education and awareness-raising campaigns about the Frameworks occur, to embed knowledge of the NDS, the Frameworks, and their purpose in the community
- Initial and ongoing consultation with disability communities regarding the accuracy and applicability of the measures used to inform outcomes under the Frameworks

## Elements of the draft structure

While much of the Frameworks' draft structure is intuitive- if not presented accessibly- the intended role of "Enablers" within the draft Frameworks is not clear from the draft released. It is unclear whether Enablers are intended as broad-scale influencing factors which may be directly targeted by actions in order to facilitate improved outcomes, or as explanatory factors which would be used to give context to attainment (or lack of attainment) against the Frameworks but not directly targeted by projects or policy. AdvoTas clients' current perception that there is a lack of accountability for actually improving outcomes under the existing NDS would suggest that if "Enablers" are to be included as part of the Frameworks at all, it should be as factors which can be directly targeted with actions, and subject to reporting.

The inclusion of the financial sustainability of the NDIS as an example Enabler within the framework is concerning. While most AdvoTas clients agree that it is important to manage the NDIS carefully to ensure it can continue to improve supports for people with disability into the future, many also feel that the "financial sustainability of the NDIS" has become code for efforts to cut costs by directly reducing the amount of support received by NDIS Participants- thereby negatively affecting outcomes. Clients' perception of the financial sustainability of the NDIS as a positive/enabling factor is reliant on the NDIS continuing to move towards increasingly client-centred processes which are supportive of human rights. In this context, and in light of the currently proposed reforms to the NDIS, it is difficult

to assess whether AdvoTas clients consider the “financial sustainability of the NDIS” to be, in and of itself, an enabler for improved outcomes under that Framework.

## Implementing the Frameworks

Successful implementation of the Frameworks requires that they are broadly understood and accessible not just to people with disability in Australia, but by the wider community as well. Progress towards an inclusive society requires awareness and action from all parts of society, not just disability-specific services and supports.

### Engagement and awareness

Successful implementation also requires that people with disability are active partners in all stages of design, implementation, monitoring and review. Meaningful consultation with people with disability requires greater flexibility and investment than would ordinarily be expected in government consultative processes. Ordinary submission processes, where drafts, surveys, or discussion papers are released online and submissions are made in response, cannot capture the voices of many of the people directly concerned. AdvoTas clients have given feedback indicating that a range of strategies are required to meaningfully engage with the varied disability communities in Tasmania; there are also significant lessons to be learned from the Disability Royal Commission’s efforts to engage disability communities over time, as iterative improvements have been made with successive events, and ongoing feedback suggesting further improvements which can be made.

Engagement methods suggested by AdvoTas clients, or which have received positive feedback, include:

- Group workshops, or series of workshops, targeted for specific support or accessibility needs (e.g. Intellectual Disability, Deaf or hearing impaired, mobility impairments, psychosocial disability). AdvoTas clients and their carers suggest that many people with disability will need to participate in multiple sessions in order to feel confident enough to give feedback.
- A combination of online and face-to-face formats. AdvoTas clients report that while many people with disability require face-to-face engagement for effective communication, others find travel to be a greater barrier, and have benefited from the online engagement offered across 2020.

- Outreach and education via video formats, particularly short videos with captions and/or transcriptions which are shareable via social media. AdvoTas' engagement and direct advocacy activities suggest that word-of-mouth is the most powerful tool for building engagement in disability communities, and shareable short video formats have been specifically requested for this purpose by clients and their support people.
- Targeted engagement for key demographics such as Aboriginal/Torres Strait Islander, CALD and LGBTIQ+ communities. AdvoTas' engagement with these demographics suggests that specialised approaches are required to ensure and build trust that consultations will be culturally safe, and that these groups are less likely to engage with standard processes.
- TV ads, since many people with disability living in supported accommodation formats do not have reliable access to other media. AdvoTas' rate of inquiries and requests for support around particular issues is heavily influenced by government investment in TV advertising campaigns (for example, for the Elder Abuse Helpline)

## Monitoring and reporting

Monitoring and reporting of progress against under the current NDS is not well known among clients of AdvoTas; reporting outcomes to Parliament is not a format via which information is accessible or relevant to many people with disability. Conversely, the extensive peer support and community networks surrounding the NDIS mean that there is a relatively higher awareness among AdvoTas clients of information reported by the NDIA, as those individuals with capacity to access the information are able to spread it further through networks via word-of-mouth.

However, while there is a higher level of general awareness of NDIS reporting, the measures used are generally perceived as being misleading or irrelevant to the actual experiences of Participants. One example of this was demonstrated recently, when the NDIA reported at an online information session that fewer than 5% of reviewable decisions were referred to the AAT. In this case, the measure "Percentage of decisions referred to the AAT" was stated by the NDIA to mean that 95% of decisions being made were satisfactory to Participants. However, AdvoTas clients frequently report being unsatisfied with decisions, but deciding not to pursue an appeal of a reviewable decision because of inaccessible processes, administrative burden, emotional strain, or lack of resources. As such, AdvoTas clients aware of this statement by the NDIA reported feelings of frustration and disillusionment.

In implementing the NDS and NDIS Outcomes Frameworks, there are lessons to be learned from the experiences to date of both the NDS and the NDIS: One having comparatively more meaningful

measures but poor community engagement, while the other has comparatively more effective community engagement, but reported monitoring and measures are not perceived as meaningful or accurate.

In coming consultations around the monitoring, reporting and implementation of the NDS and NDIS Outcomes Frameworks, people with disability from all communities should be supported to engage directly, meaningfully, and in an ongoing fashion. The ultimate vision of the Frameworks will be supported by ensuring Australia's disability communities are able to develop a sense of partnership and ownership in the Frameworks.