



*Explorability Inc. provides Individual Advocacy services to people with disability, their families, and carers across Western Australia.*

30 June 2022

## **Disability Advocacy Secretariat**

### **Re: National Disability Advocacy Framework**

We thank the Department of Social Services for the opportunity to provide feedback on the National Disability Advocacy Framework (NDAF).

Explorability is an advocacy organisation that provides high-quality services to people with disability, their families and carers throughout Western Australia. Our teams use a person-centred approach to empower people with disability to uphold their rights and live the life they choose.

We have provided a response to the framework in the suggested format.

- 1) *Do you believe the new NDAF encompasses your vision of advocacy? If not, what changes are required?*
  - a) Whilst the NDAF primarily encompasses Explorability's vision of advocacy, how the vision will be achieved is of particular importance to people with disability, the sector and the community. We request an opportunity to provide feedback on the work plan once completed.
  
- 2) *Are the principles of the NDAF 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?*
  - a) We support the principles outlined in the Framework. However, a strong and robust advocacy sector is required, in order for the principles to effectively guide and inform decision making in relation to advocacy service delivery.

- b) We understand the principles in the Framework has been informed and supports various legislation, agreements, and programs. However, we note that the state and territory disability strategies have not been referenced (e.g. *A Western Australia for Everyone: State Disability Strategy 2020-2030*). Explorability suggests that these are included.
- 3) *Are the outcomes of the NDAF clear and achievable? Should different ones be included? If so, what should be included?*
- a) The outcomes of the NDAF are clear but how they are achieved including determination of the measure of success would be welcomed. Sufficient advocacy funding, support structure and processes across the sector and from both state and federal governments is needed to ensure the outcomes can be achieved.
- b) The input from the sector into how the outcomes will be measured and ongoing review of outcomes and targets via the disability advocacy work plan is critical to ensure the voice of all stakeholders is heard. Explorability requests an opportunity to provide feedback on the work plan once developed.
- c) Explorability suggests inclusion of an outcome linked to the Safeguards principle regarding increased connection with and access to advocacy for people who are vulnerable, isolated (including geographical isolation) and at risk of harm.
- d) Explorability suggests the inclusion of an additional community outcome that relates to increased access, inclusion, and participation across communities and mainstream sectors.
- 4) *Are the responsibilities, reform and policy directions of the NDAF relevant or should different ones be included?*
- a) We understand that, by committing to the Framework, the commonwealth, state and territory governments have a shared responsibility to disability advocacy. Explorability therefore recommends a shared, rather than separate, responsibility in relation to advocacy program development and funding to further enhance access to advocacy services for all people with disability.
- b) Funding of disability advocacy is intended to be transparent, equitable and accountable, with geographical coverage and services gaps addressed. In the event this is not being met what is the process to address and will this include open tender processes?
- c) In recent years, there has been an emphasis on how data is being used to plan for disability advocacy and improve service systems. Is there a strategy on how data will be collected and how this data can be shared across the sector?

- 5) *Does the NDAF identify what is needed in the current and future disability environment? If not, what changes are required?*
- a) In the ever-changing disability environment, including the National Disability Insurance Scheme which continues to evolve, Explorability recommends that the Framework reference a strong commitment to disability advocacy beyond the timeframe for the Framework. Long term commitment is required by all governments and opposition parties to ensure the rights of people with disability are valued, promoted, upheld and systemic change occurs across all communities.
  - b) To ensure the NDAF continues to be relevant into the future, regular evaluation of the Work Plan progress will be required to identify gaps and opportunities that can be incorporated into the Framework.
- 6) *Do you have any other comments, thoughts or ideas about the NDAF? If you have any questions about the consultation process, please email [disabilityadvocacysecretariat@dss.gov.au](mailto:disabilityadvocacysecretariat@dss.gov.au).*

- a) Explorability has recently written to state and federal Ministers expressing our concern regarding access to individual advocacy for people and families and the need for a more collaborative approach between governments. We enclose a copy of the letter for your reference.

One of the main issues raised is the removal of state-funded individual advocacy support for commonwealth related issues. Whilst the Framework speaks of a shared commitment to disability advocacy across governments, and a person-centred approach that underpins the framework, government decisions and actions regarding advocacy and advocacy funding often impact upon timely access to person-centred advocacy. In order for the Framework to carry the weight and strength intended, greater collaboration between governments, across mainstream sectors, and with people with disability and their advocates, including sharing of advocacy program data and information, is required.

- b) We note that updates to the NDAF will be considered 12 months prior to the cessation of the NDAF in 2025, incorporating the progress of the advocacy work plan. An annual progress evaluation is also recommended to ensure progress towards outcomes is being made and to enable adjustment of the work plan if / as required. In addition, it is also requested that the evaluation and updates to the NDAF (and Work Plan) are shared with people with disability, the advocacy sector and the community.
- c) We reference feedback made by Headwest Brain Injury Association (which diverged into two organisations, namely Explorability Inc and Headwest) on the existing framework – “There is a need for a clear understanding, across both government and community sectors, regarding disability advocacy funding outside of the NDIS and the Information, Linkage and Capacity (ILC) funding within the NDIS.” We continue to seek this feedback as the funding model and the approach between governments to coordination of funding streams is not currently clear.

- d) In reviewing the definitions our recommendation is to retain the categories under individual advocacy of family, group, citizen, legal, parent and peer advocacy from the previous framework and further define professional advocate within the definition of individual advocacy as a person with professional level skills, training and experience. It is also recommended that the definition of self-advocacy in the draft framework is retained and remains as a separate category to individual advocacy, and the definition of disability advocacy is further defined as a broad overarching term that encompasses individual, systemic and self-advocacy.

We welcome the opportunity to discuss any of the feedback provided.

Yours sincerely,



**Explorability Inc.,  
Board of Directors & CEO**

Enclosed: Explorability Letter to WA Disability Minister



*Explorability Inc. provides Individual Advocacy services to people with disability, their families and carers, across Western Australia.*

9 May 2022

**Regarding: Individual Advocacy services to people with disability**

We request the State and Commonwealth Governments take immediate steps to address insufficient access to, and funding for, Individual Advocacy services to people with disability in Western Australia. Both the government and opposition parties recognise the need for a strong disability advocacy sector. It is acknowledged that there is bipartisan agreement that advocacy is critical to upholding human rights and ensuring the safety and wellbeing of people with disability.

However, Individual Advocacy for people and families has been impacted by short-term, time-limited funding, contributing to the deferring of responsibility between governments and subsequently inadequate funding overall, despite increasing demand and waitlists.

Both State and Commonwealth Governments are justifiably proud of the relatively strong economic performance of the country and this state. This prosperity, however, is not reflected in funding for Individual Advocacy that supports many of our most vulnerable citizens to speak up for their rights.

Explorability calls upon the State and Commonwealth Governments to intensify efforts to collaborate and support the human rights, safety, and wellbeing of people with disability by undertaking the following:

- Urgently increase funding for Individual Advocacy at both State and Commonwealth levels to ensure a robust disability advocacy sector which provides timely access to advocacy support for people and families in WA.
- Ensure future Commonwealth grant rounds are open to a wider range of agencies to increase choice, particularly in regional, rural, and remote areas, enhancing the sector in WA.
- Broaden the WA State Disability Advocacy Program to include advocacy in areas that have been excluded, such as NDIS and Commonwealth government payment matters.
- Broaden the WA State Disability Advocacy Program to provide choice of advocacy services ensuring people in regional, rural and remote areas, including Aboriginal People, have greater access.

Thank you for your consideration. Explorability respectfully seeks the opportunity to hear your response outlining the steps you will take to address insufficient funding and access to Independent Advocacy services for people living with disability in Western Australia.

Please contact Deane Criddle, Explorability Inc. Chairperson, via [admin@explorability.org.au](mailto:admin@explorability.org.au) regarding the above.

Yours sincerely

A handwritten signature in blue ink that reads "Deane Criddle". The signature is written in a cursive, flowing style.

Deane Criddle, Chairperson, on behalf of the  
**Explorability Inc., Board of Directors**

Enclosed: Background Paper

## Background Paper

In WA, there are around 411,500<sup>1</sup> people living with disability.

### State and Commonwealth Policy Recognises the Need for Advocacy

It is noted that in the State Government's **Western Australia for Everyone: State Disability Strategy 2020-2030**<sup>2</sup>, *Rights and Equity* forms one of the four pillars for change.

The Strategy states that *“the WA disability advocacy sector plays a critical role in giving people with disability the opportunity to have their voice heard and influence matters about fairness and equality”* and *“Over the life of the Strategy, the disability advocacy sector will evolve and strengthen to provide well organised, high-quality, tailored supports to people with disability. This will include greater support to and for Aboriginal people with disability”*.

While advocacy is central to all 15 outcomes contained in the Strategy, it is particularly crucial to ensuring the following outcomes are achieved:

- Outcome 13 “People with disability and their advocates have their voices heard”
- Outcome 14 “People with disability are safe from violence, abuse, neglect and exploitation”
- Outcome 15 “People with disability have access to the right information in the right ways so they can make informed choice”

The Strategy also indicates that maximising the benefits of the NDIS to Western Australians with disability will be an enduring priority for the State Government and the disability services sector, with approximately 48,000 Western Australians currently accessing the scheme.

The document states that throughout the life of the Strategy, the Commonwealth and State Governments will work together to ensure eligible individuals can access the services and supports they need. There will also be a particular focus on regional and remote WA where services are not yet established or need to be further developed, to make sure that people have access and choice in the supports they need<sup>3</sup>.

The Commonwealth's **Australia's Disability Strategy 2021 – 2031 Outcomes Framework**<sup>3</sup>, identifies 7 Outcome Areas. Whilst Advocacy is central to all outcomes, it is particularly critical to the Outcome Area of **Safety, Rights and Justice** which states *“The rights of people with disability are promoted, upheld and protected, and people with disability feel safe and enjoy equality before the law.”* This is linked to Policy Priority 4 which

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<sup>1</sup> ABS Catalogue 4430.0

<sup>2</sup> <https://www.wa.gov.au/system/files/2021-05/State-Disability-Strategy-2020-2030.pdf>

<sup>3</sup> <https://www.disabilitygateway.gov.au/sites/default/files/documents/2021-11/1816-outcomes-framework.pdf>

is “*Rights are protected and upheld*” and a **Key System** identified for ensuring the outcome is achieved is **Individual Advocacy**.

In summary, both National and State disability strategy papers identify and recognise the importance of advocacy as a key component for successful disability policy and to ensure that people living with disability have their rights upheld and can participate as equal members of society.

### **The Reality of the Lives of Too Many People with Disability**

Almost 1 in 10 adults, and 1 in 4 adults with an intellectual disability have experienced discrimination due to disability<sup>4</sup>. People with complex communication needs (little or no speech) and Aboriginal people with disability are often especially under-supported when it comes to being protected from harm and having their voices heard.

In addition to the historic stigma associated with disability, recent developments have included: significant violence, abuse, and neglect being brought to light via the Disability Royal Commission; COVID-19 continuing to impact people with disability; and people and families are experiencing ongoing difficulties in navigating and accessing appropriate services via the NDIS, as well as mainstream services.

At a time when access to timely Individual Advocacy services for people and families is essential, the sector is far from adequate. Furthermore, it is the individuals most at risk that are unable to access essential services and supports, resulting in detrimental effects to the person’s safety and wellbeing.

### **A Changed Funding Landscape for Individual Advocacy**

Key changes to Individual Advocacy have resulted in the following:

- reduced overall funding for Individual Advocacy organisations and programs.
- reduced scope to support across the breadth of advocacy issues
- reduced scope to support individuals in remote and regional locations
- limited opportunities to participate in and provide Commonwealth-funded advocacy

In recent years, the **Western Australian Government** has funded several agencies for Individual Advocacy service provision (also known as Independent Advocacy) via Service Agreements, and Grant Agreements for various projects, amounting to approximately \$5 million per annum.

However, in the recent tender process for the new **WA State Disability Advocacy Program**, due to commence on 1 July 2022, the total amount of funding for Independent Advocacy services to people and families (excluding Systemic Advocacy funding) was identified as \$2.5 million per annum, for a 3-year period (with two 1-year options to extend). Meanwhile, \$2.5 million per annum has been identified for Systemic Advocacy where previously there was very little.

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<sup>4</sup> ABS Catalogue 4430.0



This allocation of funding will effectively halve the number of Individual Advocates directly supporting people with disability, and their families and carers, and represents a net zero increase in funding for at least three years. Whilst demand for Individual Advocacy continues to rise, experienced staff are leaving the sector due to funding issues/lack of funding, affecting the ability of agencies to provide adequate services. Evidence of the demand is seen in the increasing number of people requiring advocacy support, and the long waiting time to receive a service. For example, in 2019-20 Explorability provided 560 people with advocacy support in relation to 1,119 issues, which increased in 2020-21 to 815 people who required support with 1,742 advocacy issues. Meanwhile, the waiting time for an Individual Advocate is several months, or sometimes longer.

In addition, WA state-funded advocacy services will be restricted from supporting people across the full range of advocacy issues, as some issues have recently been deemed the responsibility of the Commonwealth Government. Previous areas of Individual Advocacy support, and areas now excluded from the new WA State Disability Advocacy Program as of 1 July 2022, are:

- NDIS Access and Planning
- NDIS Reviews and Appeals
- NDIS Plan Utilisation/Service Access
- Aids and Equipment
- Disability Services
- Government Payments e.g. Job Seeker / Disability Support Pension
- Employment.

<b>Areas previously supported by WA state-funded Individual Advocacy and areas no longer supported (shaded)</b>		
NDIS Access and Planning	Disability Services	Housing and Homelessness
NDIS Reviews and Appeals	Access to Non-NDIS Services	Violence, Abuse and Neglect
NDIS Plan Utilisation/Service Access	Government Payments e.g. Job Seeker /Disability Support Pension	Discrimination and Human Rights
Physical Access and Transport	Health and Mental Health services	Vulnerable and Isolated people/ at risk of harm
Aids and Equipment	Employment	Legal Issues and Access to Justice
Community Inclusion	Finances	Child Protection

This change in policy in relation to areas no longer supported by WA state-funded Individual Advocacy only adds further complexity to the advocacy system. Many people seeking advocacy have complex situations, with impacts across multiple areas of support. The issues experience by people are not often confined to either state or Commonwealth and are generally a combination of the two.

In addition to the above, the Commonwealth Government facilitated a closed, non-competitive grant process in December 2021, under the **National Disability Advocacy Program (NDAP)**. This saw continuation of advocacy funding for existing Commonwealth funded agencies for a further three years, at similar funding levels as previous. Information available via the Community Grants Hub states indicative funding for WA in the 2022-23 financial year will be \$2,767,419<sup>5</sup>. This is 11.5% of the total funding for the year of \$24,068,288 Australia-wide, despite geographical size and distances in WA, the diversity of the state's population, and other challenges experienced by many people, and in particular Aboriginal Peoples, who live in rural and remote communities.

Changes to the WA state-funded advocacy program, lack of growth in the NDAP scheme, and insufficient Individual (Independent) Advocacy funding overall, will have significant impacts for people with disability, and their families and carers, due to:

- overall reduction in the number of Advocates in the sector providing Individual Advocacy support directly to people and families
- provision of advocacy support within the WA Disability Advocacy Program in relation to specific advocacy areas only
- long waiting times to access Individual Advocacy generally, and to access support for 'federal' advocacy issues excluded from the WA State Advocacy Program
- limited access to, and choice of, advocacy agency, particularly for people in regional, rural, and remote areas
- inability to access 'urgent and critical' advocacy support at all, due to lack of advocacy agency capacity, placing many of our most vulnerable people at greater risk of harm
- increased risk to the longer-term sustainability of Individual Advocacy services due to insufficient funding within the disability advocacy sector.

<sup>1, 4</sup> ABS Catalogue 4430.0

<sup>2</sup> <https://www.wa.gov.au/system/files/2021-05/State-Disability-Strategy-2020-2030.pdf>

<sup>3</sup> <https://www.disabilitygateway.gov.au/sites/default/files/documents/2021-11/1816-outcomes-framework.pdf>

<sup>5</sup> Grant Opportunity Documents, Attachment A <https://www.communitygrants.gov.au/grants/2021-5707>

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