

Submission on the

## **Draft National Disability Advocacy Framework**

by the Victorian Disability Services Commissioner

Authorised by:

A handwritten signature in blue ink, appearing to read 'Treasure Jennings' with a flourish at the end.

**Treasure Jennings**  
**Disability Services Commissioner**

13 July 2022

We acknowledge the Traditional Owners of country throughout Australia and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders past, present and emerging.

## About the Disability Services Commissioner

The Disability Services Commissioner (DSC) is a Victorian independent oversight body resolving complaints and promoting the right of people with disability to be free from abuse. We work under the *Disability Act 2006* (the Act).

Our complaints service is free, confidential and accessible. Most complaints are finalised through resolution, but the Commissioner can also conciliate or investigate a complaint. Disability service providers are obliged to report annually to our office on the number and types of complaints that they receive and how these complaints are resolved.

Another role of the Disability Services Commissioner is capacity development. Since our establishment, we have promoted awareness of a positive complaints culture and provided information and education through actively engaging with the sector in workshops, forums, expos, print and digital communication channels.

## Introduction

The DSC welcomes the draft of the National Disability Advocacy Framework which aims to promote a consistent, nationwide approach to accessing advocacy services for all people with disability and will underpin the provision of high-quality advocacy services to achieve improved outcomes for people with disability. DSC considers that the framework will support the work of advocacy organisations and self-advocates in promoting the rights of all people with disability and assisting access to disability and mainstream social services, with the necessary complaints and accountability protections in place.

Self-advocates, informal advocates and advocacy services are essential stakeholders in a multi-system approach to complaints, quality improvement and safeguarding. Advocacy is critical in recognising and responding to human rights breaches including violence, abuse, neglect and exploitation.

Since commencing in 2007, the DSC has worked closely with Victorian advocacy services and self-advocates to ensure that complaint information and resolution processes meet the needs of people with disability, their families and supporters.

When advocates have made complaints to the DSC on behalf of people with disability, we have observed their skill, dedication, tenacity and success in supporting the most vulnerable people and in achieving real improvements to the quality of services people with disability receive.

We have also handled complaints about advocacy agencies, and we consider this to be a positive in terms of advocacy organisations' ongoing continuous improvement activities.

Over many years, our office has worked in collaboration with advocacy agencies to promote speaking up and having a voice with activities such as:

- Presenting at forums and conferences
- Attending peer network events
- Supporting self-advocacy activities and education opportunities
- Sponsoring events and activities such as the Having a Say conference held by VALID and Action on Disability within Ethnic Communities (ADEC) Art Ability annual exhibition
- Undertaking training with Voices at the Table, a project of the Self-Advocacy Resource Unit
- Employing and engaging advocates on project advisory groups, as speakers and as co researchers

## Advocacy agencies in our jurisdiction

Advocacy services funded in Victoria by the Department of Families, Fairness and Housing (DFFH) are categorised as a regulated service under the Act and this means that DSC has jurisdiction to receive complaints about these services. In addition, advocacy agencies are required to report their annual complaints through the DSC's Annual Complaints Reporting (ACR) process.

There are currently 21 advocacy agencies and two resource units funded by DFFH in Victoria. This webpage has a listing of the agencies:

<https://providers.dffh.vic.gov.au/disability-advocacy-organisations>

DSC has drawn from our complaints data and broader engagement and capacity development across the sector to inform the content of our submission.

## Recommendations

### Recommendation 1: Prioritisation of abuse and neglect matters

People with disability have the right to be safe and free from violence, abuse, neglect and exploitation, and to have access to justice if this right is not upheld. Advocates have a critical role to play in preventing, and improving responses to, violence, abuse, neglect and exploitation of people with disability.

DSC is aware that advocacy services are being approached for advice and assistance to support people in understanding and navigating the numerous changes and challenges in the broader disability sector. This additional demand means that many state funded advocacy services are at full capacity and are unable to accept new referrals.

Given the prevalence of violence, abuse and neglect of people with disability, the DSC believes that the framework should highlight the need for advocacy services to prioritise these matters in the work that they do.

### Recommendation 2: Quality measurement and continuous improvement

DSC supports the view that disability advocacy agencies should be accountable for the quality and effectiveness of their services.

Advocacy work should have a foundation practice that includes:

- Mapping the issues to be addressed
- Documenting how the advocacy work will be undertaken
- Agreeing timeframes for evaluating the work
- Measures for determining success and/or cessation.

This allows for setting expectations and negotiating ways to work together towards success.

The framework should include that disability advocacy agencies seek and learn from feedback and undertake continuous quality improvement processes. Advocacy agencies should be encouraged to implement practices where they reflect on their approaches and learn from feedback, including complaints.

The dynamic of advocacy can mean that it is hard for those using advocacy services to speak up about the quality of service they are receiving. Advocacy agencies need to be proactive in encouraging client feedback, listening to feedback and regularly reviewing what is working or not working well in their approaches.

### **Recommendation 3: Capacity building and focus on self-advocacy skills**

Disability advocacy empowers people with disability, and their families and carers, to understand their human and legal rights, communicate their needs, and have these needs met.<sup>1</sup>

It can be difficult for people with disability to self-advocate about issues that impact their safety and quality of life, however engaging with a professional advocate could be an integral first step in learning self-advocacy skills.

DSC strongly supports the principle in the draft framework related to advocacy services fostering independence through educating individuals in self advocacy. This could also be a measure of success for advocacy services to educate and support people with disability to build their capacity for self-advocacy, wherever possible.

### **Recommendation 4: Data collection**

DSC supports the commitment in the framework to jurisdictions collecting, using, and reporting evidence-based data for the administration and planning of disability advocacy and improvement of service systems. However, DSC considers that the framework should include the requirement for disability advocacy agencies to collect, store and use data to support identification of systemic issues and successful advocacy actions.

Disability advocacy agencies are funded through a variety of sources from state and federal governments and can have a range of advocacy service modes including self-advocacy, individual advocacy, systemic advocacy and citizen advocacy. Advocacy agencies can also vary greatly in size. One factor common to all is that they are at the forefront of issues affecting people with disability.

We believe it is imperative that advocacy agencies collect, store and use data to identify and effectively respond to the issues impacting the lives of people with disability. We also consider that agency-level data collection and analysis is critical to understanding the demand for services, as well as for informing the planning and improvement of the advocacy service system by government.

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<sup>1</sup> Disability Advocacy Resource Unit, 'What is disability advocacy?' 2016.