Australian Government
Department of Social Services

Changing the Disability Services Act

We want to know what you think

An Easy Read paper

How to use this paper

The Australian Government Department of Social Services (DSS) wrote this paper.

When you see the word ‘we’, it means DSS.

We wrote this paper in an easy to read way.

We use pictures to explain some ideas.

Bold

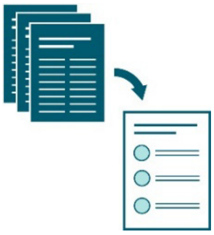
Not bold

We wrote some words in **bold**.

This means the letters are thicker and darker.

We explain what these words mean.

There is a list of these words on page 36.



This is an Easy Read summary of another paper.

This means it only includes the most important ideas.

You can find more information on our website.

engage.dss.gov.au/disability-services-and-inclusion-bill-2023

You can ask for help to read this paper.
A friend, family member or support person
may be able to help you.

What’s in this paper?

What is this paper about?

The *Disability Services Act 1986* is a law.

It explains what services the Australian Government can provide for people with disability.

In this paper we call it the Act.

We want to make a new law to replace the Act.

In this paper we call it the new Act.

We want to hear what you think about the new Act.

The new Act will also include:

- who the services are for

- how the services should work

- how we’ll make sure the services are safe.

Why do we want to change the Act?

The Act hasn't changed much in over 30 years.

But the way we support people with disability has changed.

In 2008 we signed the *United Nations Convention on the Rights of Persons with Disabilities*.

Some people call it the CRPD.

In this paper we call it the **UN Convention**.

The UN Convention is an agreement between different countries.

The UN Convention explains how people must treat people with disability:

- fairly
- equally.

Australia is also creating plans and programs to support people with disability across the country.

We made **Australia's Disability Strategy** 2021–2031 (the Strategy).

The Strategy is a plan to support people with disability in all areas of their life.

We also made the **National Disability Insurance Scheme (NDIS)**.

The NDIS provides services and support to people with disability.

We want to make sure the new Act works well with:

- the Strategy

- the NDIS

- the UN Convention.

We heard from the community about what they thought should be in the new Act.

This happened between November 2022 and February 2023.

You can learn more about how the community shared what they thought on our website.

www.engage.dss.gov.au/a-new-act-to-replace-the-disability-services-act-1986

We wrote a **draft** of the new Act based on what they told us.

A draft is a document that isn't finished.

Some things in a draft might change later.

Other people check a draft before they publish it.

You can read the draft on our website.

engage.dss.gov.au/disability-services-and-inclusion-bill-draft-exposure-consultation-consultation-material#exposure-draft

We want to know what you think about our draft of the new Act.

What you tell us will help us change our draft.

In this paper we explain what we included in the draft.

We also explain how to tell us what you think.

Together we can make sure the new Act does a good job at supporting people with disability.

How to tell us what you think

We want to hear everyone’s ideas about how the new Act should work.

We want to find out what ideas you have.

This includes what you think needs to change.

Your ideas will help us understand:

- your experiences

- what services you need.

We want to hear from:

- people with disability

- families and carers.

We also want to hear from disability organisations.

And we want to hear from:

- **advocates** – who speak up for people with disability

- **providers** – who deliver services to people with disability.

In this paper we explain our ideas.

We also have some questions you can answer.

You can choose to answer:

- all of the questions
- some of the questions.

The questions are on our website.

engage.dss.gov.au/disability-services-and-inclusion-bill-2023

Please tell us what you think by 13 August 2023.

Important ideas in the Act

The new Act will support us to give **funding** for services.

This includes services for people with disability who aren’t part of the NDIS.

Funding is money from the government that pays for services and supports.

The new Act won’t affect any funding that people with disability get themselves, like:

- the NDIS

- the **Disability Support Pension**.

  The Disability Support Pension is a payment from the government to help with your day-to-day living costs.

Instead, it will:

- give funding to services and programs that already exist

- support us to create new services in the future.

The new Act will work to keep people with disability safe when they receive services.

For example, by protecting their **privacy**.

When you have privacy, you can choose:

- what you want to keep safe and private
- what other people can know about you

When we heard from the community, they told us using the right language is important.

The new Act will use respectful language that people can understand.

Parts of the new Act

We explain some of the important parts of our draft of the new Act below.

We also explain what these parts would mean for:

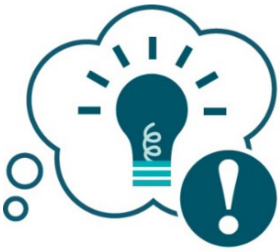
- people with disability

- providers.

Part 1a – Aims and principles

At the start of the new Act, we’ll explain our:

- aims – what we want the new Act to do



- **principles** – important ideas we should always think about.

In the new Act, our aims are called ‘objects’.

One of our principles is that all people with disability have the same **rights** as everyone else.

Rights are rules about how people must treat you:

- fairly
- equally.

One of our aims is to make sure we follow our international agreements.

This includes the UN Convention.

What does this mean for people with disability?

We want people with **lived experience of disability** to help create new services.

If you have lived experience of disability, you:

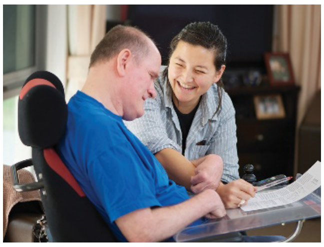
- have a disability
- know what life can be like for people with disability
- can tell your story to help others.

What does this mean for providers?

The aims and principles show providers:

- why we are giving them funding
- what we think is important.

We also want providers to understand people's rights.



This will help them support people the way they need.

Part 1b – How we talk about disability

People in the community told us different ways we could explain what disability is.

One way was to use the same words they use in the UN Convention.

But lots of people shared that it might cause problems if we only talk about disability in one way.

Some people might not fit the words we use.

We think the new Act should allow us to give funding for services that support all people with disability.

This includes people who can't get support from the NDIS.

We think we won’t talk about disability in one way.

But we might still give funding to services that are only for a certain group or type of disability.

What does this mean for people with disability?

The services everyone receives now won’t change because of the new Act.

The new Act will mean we can create new kinds of services in the future.

This will help to make sure more people can get the support they need.

What does this mean for providers?

The supports and services that providers deliver at the moment won’t change.

Part 2 – Services we could give funding to

We want to give funding to **11** types of services:

1

Accessibility services

These services help make our community **accessible**.

When the community is accessible, it is easy to:

- find and use services

- understand and use information

- move around.

2

Accommodation support services

These services help people with disability find a place to live.

3

Advocacy services

These services support people with disability to have their say.

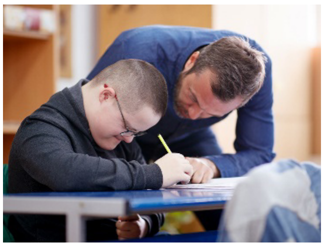
They can also give them information and advice.

4

Building skills

These services support people with disability to build skills and knowledge.

5



Education services

These services help people with disability study and learn.

6

Employment and training services

These services help people with disability find and keep a job.

7

Independent living services

These services help people with disability be independent in their own home.

8

Information services

These services help people with disability find and use information.

9

Recreation services

These services help people with disability do things for fun, like hobbies or sports.

10

Research and collecting data

When we research and collect **data**, it helps make sure:

- services work well
- we have good information about people with disability.

Data includes facts, information and records.

11

Respite care services

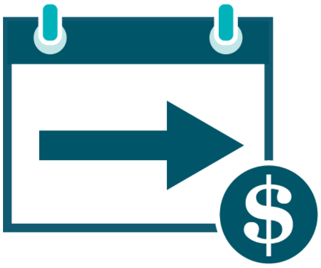
These services help:

- people with disability
- the people who care for them.

When someone takes a break from caring for someone with disability, it is called **respite**.

How will the new Act affect these services?

The new Act will support us to give funding to these services.



It will also allow us to give funding to different types of services in the future if we need to.

The new Act will also include other ways we can give funding to services.

What does this mean for people with disability?

The new Act won’t affect the services people with disability receive.

We can continue to give funding to the services people already receive.

And work to improve them.

The new Act will be able to give funding to more types of services than the old Act.

What does this mean for providers?

The new Act won’t affect services and programs that are happening now.

When providers create new agreements, those agreements will be under the new Act.

Providers will need to have a good way to handle **complaints**.

When you make a complaint, you tell someone that something:

- has gone wrong
- isn’t working well.

And any providers who aren’t allowed to deliver NDIS services won’t be able to get funding.

For example, if they put people at risk.

Part 3 – Making sure people with disability are safe

We want the new Act to make sure people with disability are safe.

We want services to be:

- safe
- good quality.

We want the new Act to work well with the rules we have now about:

- safety
- quality.

The new Act will also include a **Code of Conduct** for all providers.

A Code of Conduct is a list of rules about how providers and workers should behave.

What could be in the Code of Conduct?

The Code of Conduct would have rules for all providers about how to do things well.

The Code of Conduct would be public.

This everyone would be able to find and use it, including people with disability.

We think the Code of Conduct could be like the NDIS Code of Conduct.

If people don’t follow the Code of Conduct, we think they should:

- get less funding
- not be able to get any funding.

We also think we should be able to change the Code of Conduct in the future if we need to.

Getting a certificate

When a provider has a certificate, it means they're trained to deliver services in a safe way.

We think only providers who deliver certain services should need a certificate.

And the Code of Conduct could cover everyone else.

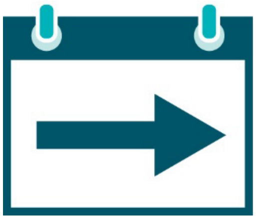
Standards are rules about how to do things well.

You can:

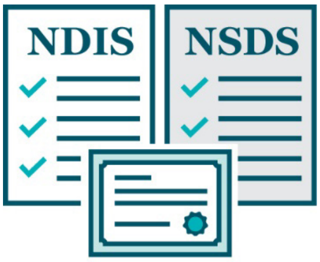
- meet standards
- go above standards.

We think people should need to get a certificate that uses the National Standards for Disability Standards (NSDS).

These are the standards we used in the old Act.



But we should be able to create other standards in the future if we need to.



We know that right now, some providers must get a certificate under more than one set of standards.

For example, the NDIS standards and the NSDS.

The new Act would allow us to make a rule, so people only need to get a certificate under one set of standards.

For example, if they meet the NDIS standards, they don’t have to meet the NSDS as well.

What does this mean for people with disability?

Our rules and standards will help make sure that people get supports and services in a safe way.

The Code of Conduct will help people with disability understand how providers must treat them.

What does this mean for providers?

Providers would have to follow the Code of Conduct.

They would have to keep following the rules they agreed to for the programs that are still going.

For new services and programs, we'll decide if a provider needs a certificate.

We'll check the level of risk when we make this decision.

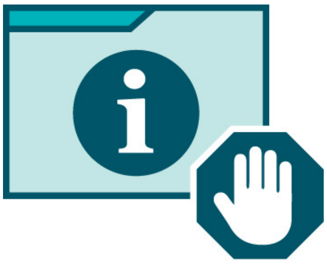
Part 4 – Making sure your information is private

We want the new Act to protect people’s privacy.

This includes:

- people with disability
- their families
- carers.

The new Act will explain how providers can collect personal information when they deliver services.



And the new Act will put a limit on how people use other people’s information.

Part 5 – How we will manage the new Act

The new Act will have parts that talk about how we'll manage it.

This includes how the **Minister** can pass some of their powers on to other senior managers at DSS.

A minister is a person who runs an area of government.

We also think the new Act should include that the Minister can create new rules:

- if they need to
- that follow the other rules in the new Act.

Contact us

If you have any questions about changing the Act, you can contact us.

You can email us.

sector.engagement@dss.gov.au

You can visit our website.

engage.dss.gov.au/disability-services-and-inclusion-bill-2023

Word list

This list explains what the **bold** words mean.

Accessible

When the community is accessible, it is easy to:

- find and use services
- understand and use information
- move around.

Advocates

Advocates speak up for people with disability.

Australia's Disability Strategy

Australia's Disability Strategy is a plan to support people with disability in all areas of their life.

Code of Conduct

A Code of Conduct is a list of rules about how providers and workers should behave.

Complaint

When you make a complaint, you tell someone that something:

- has gone wrong
- isn’t working well.

Data

Data includes facts, information and records.

Disability Support Pension

The Disability Support Pension is a payment from the government to help with your day-to-day living costs.

Draft

A draft is a document that isn’t finished.

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Funding

Funding is money from the government that pays for services and supports.

Lived experience of disability

If you have lived experience of disability, you:

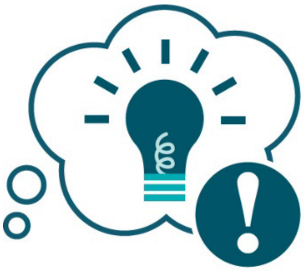
- have a disability
- know what life can be like for people with disability
- can tell your story to help others.

Minister

A minister is a person who runs an area of government.

National Disability Insurance Scheme (NDIS)

The NDIS provides services and support to people with disability.



Principles

Principles are important ideas we should always think about.

Privacy

When you have privacy, you can choose:

- what you want to keep safe and private
- what other people can know about you

Providers

Providers deliver services to people with disability.

Respite

Respite is when someone takes a break from caring for someone with disability.

Rights

Rights are rules about how people must treat you:

- fairly
- equally.

Standards

Standards are rules about how to do things well.

You can:

- meet standards
- go above standards.

UN Convention

The UN Convention is an agreement between different countries.

The UN Convention explains how people must treat people with disability:

- fairly
- equally.

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