

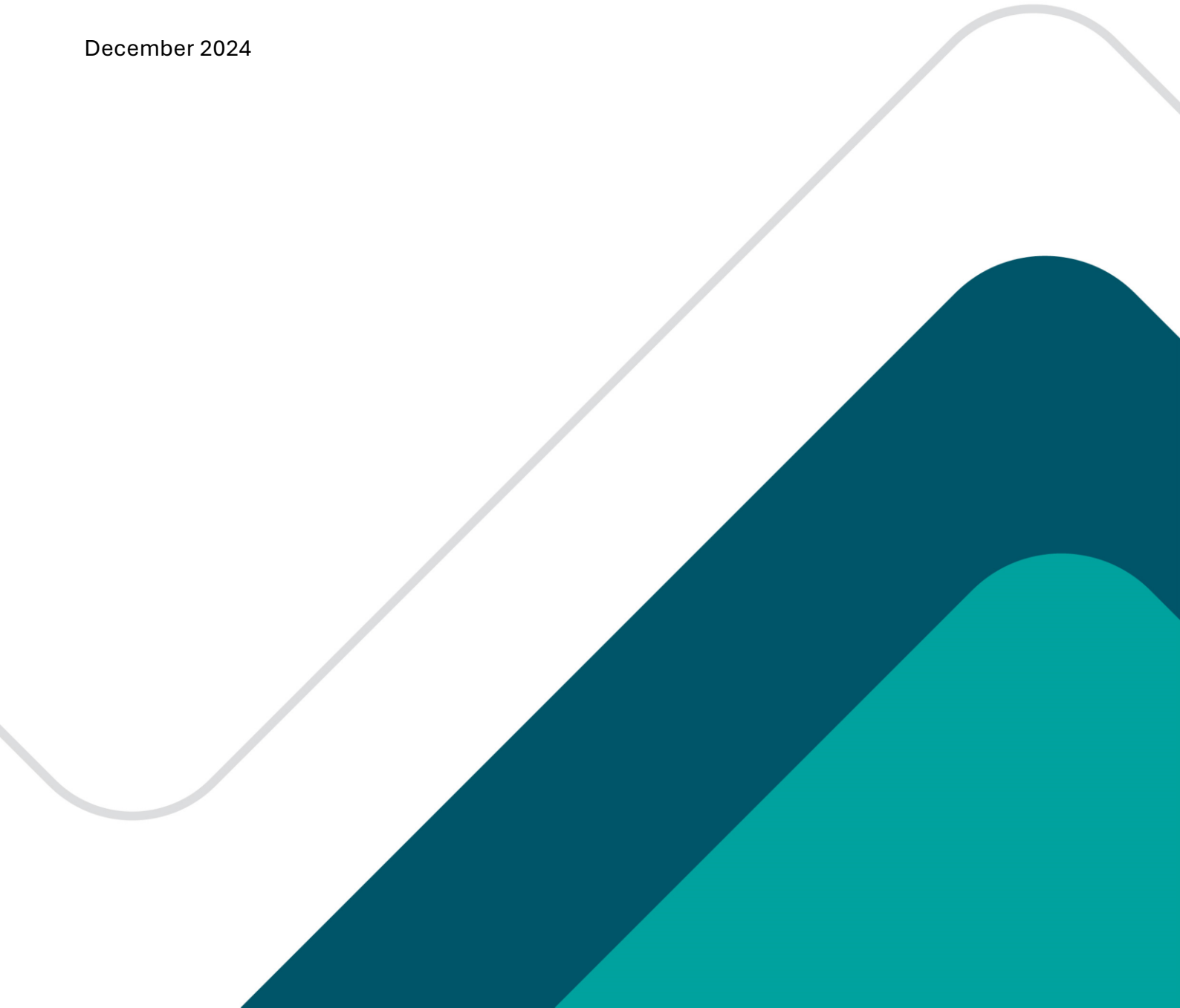


Australian Government
Department of Social Services

Options for a First Nations Disability Forum

Engagement Paper

December 2024



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Acknowledgement of Country

The Australian Government Department of Social Services acknowledges Aboriginal and Torres Strait Islander peoples throughout Australia and their continuing connection to land, water, culture and community. We pay our respects to the Elders both past and present.



About this engagement paper

The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability ([Royal Commission](#)) recommended establishing a First Nations Disability Forum (Forum). A Forum could be a way for governments and First Nations people with disability to work together to improve supports and services.

In July 2024, all governments accepted in principle the Royal Commission recommendation. Governments committed to work in partnership with First Nations people to develop options for a Forum or other appropriate shared decision-making mechanism (see [Australian Government Response to the Royal Commission](#) and respective state and territory responses).

The Department of Social Services (the department / we) is seeking your views on how a Forum could be designed. We are seeking insights and recommendations from:

- First Nations people with disability, families, carers and communities
- Peak bodies and representative bodies
- Community-controlled organisations
- Disability support providers
- Mainstream services
- Researchers

In addition to this paper, the department is holding workshops and meetings with organisations and individuals. To be part of these engagements, please contact: adsfirstnations@dss.gov.au

While no decision of government has been made to implement a shared decision-making Forum, your response will help shape future advice to government about the Royal Commission's recommendation to establish a Forum. In particular, how a shared decision-making Forum could work in practice. We will use this engagement process to develop detailed options for what a Forum could look like. These options can then be considered by governments and First Nations peaks.

Making a submission

You are invited to have your say on the design of a First Nations Disability Forum.

Closing date for submissions: **28 January 2025**. You can make a submission in different ways:

1. **Online** (preferred): www.engage.dss.gov.au
2. **Post:**
Australia's Disability Strategy Branch
Department of Social Services
GPO Box 9820
Canberra, ACT 2601
3. **Email:** adsfirstnations@dss.gov.au
4. **Phone:** [02 5162 7335](tel:0251627335)

Please note: the department will be closed from **12:30pm 24 December 2024 to 9:00am 2 January 2025** (AEDT).

If you are deaf or have a hearing or speech impairment you can contact the [National Relay Service \(NRS\)](#) by calling [13 36 77](#). If you are from a non-English speaking background you can use the [Translating and Interpreting Service \(TIS\)](#) by calling [13 14 50](#).

Privacy

The department is inviting you to provide feedback on the questions in this paper to help develop options for a First Nations Disability Forum.

The department will collect information from you directly when you submit responses to the questions in this consultation paper.

By lodging a response — whether through the online questionnaire, or by post, email or phone — you consent to your response being analysed by the department.

Please see the full [Privacy Notice](#) for more information.

What the Royal Commission recommended

The Royal Commission's recommendation to establish a Forum (recommendation 9.10) was an important part of the overall reforms proposed by the Royal Commission.

The Royal Commission said that the purpose of a Forum would be to strengthen the input of First Nations people with disability in policy and services. It would include representatives of:

- [First Peoples Disability Network \(FPDN\)](#)
- First Nations Community Controlled Organisations
- Aboriginal and Torres Strait Islander Peak Bodies
- First Nations people with disability.

The Royal Commission recommended that, once established, the Forum work in partnership with governments to:

- Revise the [Disability Sector Strengthening Plan](#) (DSSP) to build the community-controlled disability sector (recommendation 9.11)
- Develop disability-inclusive cultural safety standards for services (9.12)
- Develop a strategy to develop First Nations local disability workforces in remote communities (9.13).

The Forum could also support broader reforms. For example, the Royal Commission suggested a Forum could conduct consultations on supports and outcomes for First Nations students with disability in mainstream and non-mainstream schools.

The Royal Commission recommended that the Forum be supported by a First Nations Disability Investment Fund, with the purpose of:

- Supporting the operation of, and participation in, the Forum
- Implementing the DSSP
- Developing the First Nations disability workforce.

The full text of the recommendation and joint government response is at [Attachment A](#).

Independent Review into the National Disability Insurance Scheme (NDIS Review)

The [NDIS Review](#) supported and expanded on the Royal Commission’s recommendation to establish a First Nations Disability Forum (see NDIS Review action 20.4).

The NDIS Review recommended that the Forum adhere to the strong partnership elements in clause 32 of the [National Agreement on Closing the Gap](#).

The NDIS Review also recommended the Forum work in partnership with governments to develop a national strategy to improve the quality of the disability support ecosystem for First Nations people with disability (action 2.10).

In this engagement process, we are developing options for a Forum that will take into consideration both the Royal Commission and NDIS Review recommendations.

Options and design considerations

The box below outlines key topics we are seeking your views on. The following sections provide context for each question.

Engagement questions

1. What should be the role of the Forum?
- 2a. What should be the membership of the Forum?
- 2b. How should members be selected?
- 2c. How can the Forum best represent people in each state and territory?
3. What should be the governance of the Forum?
4. What could be funded?
5. What should be the relationship between the Forum and other existing and future mechanisms for shared decision-making?
6. How should the Forum be implemented and reviewed?
7. Do you have any other views on the establishment of a Forum (or other type of shared decision-making mechanism)?

1. Role of the Forum

We want to hear from you what the role of a Forum should be. For example, the roles of the Forum could include:

- **Enable a strong voice for First Nations people with disability, First Nations disability workforce investment and community-controlled disability service provision.**
- **Make recommendations to governments to improve policy, programs and services.** The Forum would look at: a connected system of supports including the 7 outcome areas under [Australia's Disability Strategy 2021-2031](#), foundational supports and the NDIS.
- **Capacity to direct funding under the DSSP** or other investment as described in the Royal Commission's recommendation 9.10.
- **Reflect the 4 priority reforms under the National Agreement on Closing the Gap, including priority reform 1 – Formal Partnerships and Shared Decision-Making.**
- **Work with governments to develop strategies and standards.** For example, to:
 - Revise the DSSP
 - Develop disability-inclusive cultural safety standards for services
 - Develop a strategy to develop First Nations local workforces in remote communities
 - Develop a national strategy to improve the quality of the disability support ecosystem for First Nations people with disability
 - Develop and implement a strategy to build disability-specific expertise into First Nations community-controlled organisations.

Your views

1. What should be the role of the Forum?

2. Membership and structure

A Forum could take several forms.

To support shared decision-making, a Forum could include equal numbers of First Nations members and government members.

- The **First Nations members** could include:
 - First Nations individuals with disability
 - Peak organisations such as First Peoples Disability Network (FPDN)
 - Community-controlled disability support providers
- The **government members** could include officials from the Australian government, state and territory governments.

There could be a diversity of membership, including across gender, age, state and territory, and urban, regional and remote areas. The Forum could be co-chaired by a First Nations member and a government member.

A Forum could also set up working groups to drive action on specific projects or actions.

Making a Forum truly national

It is important that the Forum, as a national body, represents and is connected to First Nations people with disability and organisations in each state and territory. We are seeking your views on how to be sure people across Australia are represented, including:

- The role of **state and territory peak bodies** for First Nations people with disability and/or First Nations disability support providers.
- Whether, in addition to the national forum, there should be **representative forums**. An example of this could be a model that includes a national forum, under which sits a Commonwealth forum and a forum in each state and territory.

Some examples of what a Forum could look like are described below. **You may have other options you want governments to consider.**

Example option 1: National forum

A single national forum could include 9 government officials from the Commonwealth, states and territories, and 9 First Nations members (including individuals, organisations and peaks).

Example option 2: Representative forums

FPDN has proposed a model that could include a national forum, under which sit a jurisdictional forum for the Commonwealth and each state and territory.

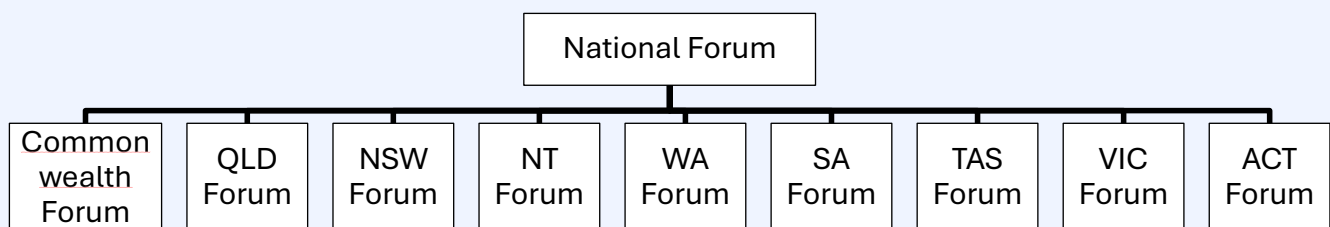


Figure 1: Diagram of a national forum, under which sit a forum for each jurisdiction.

The **national forum** could include:

- 9 government officials (representing the Australian, state and territory governments)
- 9 First Nations members, one from each state and territory and FPDN

The national forum could be co-chaired by the Department of Social Services and FPDN.

The **representative forums** could be made up by equal government and First Nations parties as determined most appropriate to that jurisdiction.

This could include a Commonwealth Forum that includes national peak bodies and Australian Government agencies.

The members of the national forum could be the co-chairs of the jurisdictional forums.

Additional time limited working groups could be created to drive targeted action.

Secretariat for the forum could be joint between the relevant government department and FPDN, with equal resourcing and funding for each side, and to support jurisdictional groups and/or First Nations caucusing, to allow for self-determined policy development and research.

These are only indicative options as a starting point for discussion. We want your views on what a Forum could look like.

Your views

2a. What should be the membership of the Forum?

2b. How should members be selected?

2c. How can the Forum best represent people in each state and territory?

3. Governance

There are two relevant national strategies that the Forum could contribute to: the National Agreement on Closing the Gap; and *Australia's Disability Strategy 2021-2031* (ADS). Each of these strategies have existing governance structures.

The Forum could make recommendations to the [Joint Council](#) on Closing the Gap regarding Closing the Gap matters, such as the DSSP. Joint Council comprises one government minister from each jurisdiction, the Australian Local Government Association (ALGA), and representatives nominated by the [Coalition of Peaks](#).

The Forum could also make recommendations to the [Disability Reform Ministerial Council](#) (DRMC) on disability policy matters, such as inclusive mainstream services through the ADS, and disability specific supports including foundational supports, NDIS and Disability Employment Services. DRMC comprises Australian, state and territory government ministers with responsibility for disability policy.

Governance of a Forum would be supported by Terms of Reference that: define parties, roles, scope, frequency of meetings and review; allow First Nations members to agree the agenda; and are public and accessible.

A Forum would aim to reflect the strong partnership elements described in clause 32 of the National agreement on Closing the Gap. Noting that decisions of government would still apply.

Your views

3. What should be the governance of the Forum?

4. What could be funded

The Royal Commission recommended creation of a First Nations Disability Investment Fund. This fund could be used for: supporting the operation of, and participation in, the Forum; implementing the DSSP; and developing the First Nations disability workforce.

The funding for a Forum could include a range of resourcing, that may result in lower or higher-cost options for governments and First Nations peaks to consider. For example, funding may cover costs for:

- Sitting fees and travel reimbursements for First Nations members
- The Forum to engage with First Nations communities
- First Nations members to meet independently of governments
- Secretariat functions
- Revising the DSSP to build the community-controlled disability sector
- First Nations disability workforce investment
- First Nations disability service provision
- Investment to develop disability-inclusive cultural safety standards for services.

The secretariat for the Forum, responsible for facilitating meetings and papers and supporting members, could be the department and/or a First Nations peak body (such as in a First Nations and government co-secretariat model).

Your views

4. What could be funded?

5. Relationship to other mechanisms

Policy partnerships

There are five Closing the Gap policy partnerships: [Justice](#); [Early Childhood Care and Development](#); [Social and Emotional Wellbeing](#); [Languages](#); and [Housing](#), which sit under the National Agreement on Closing the Gap, which all governments are a party to.

There could be a collaborative approach in which the Forum leads holistic consideration of supports for people with disability, while other policy partnerships continue to consider impacts on people with disability within their area of focus.

Your views

5. What should be the relationship between the Forum and other existing and future mechanisms for shared decision-making?

6. Implementation and review

It is important to consider the sequencing of implementation, including what should be decided now and what can be settled after a Forum is established. We are seeking your views on what are the first priorities to implement a Forum.

The approach to the Forum will likely need to be refined over the course of the first year of implementation. There could then be an evaluation in the third year. This evaluation would be guided by the [Commonwealth Evaluation Policy](#).

Your views

6. How should the Forum be implemented and reviewed?

7. Other

We want to hear your views about a Forum or other type of shared decision-making mechanism which have not been covered by the questions above.

Your views

7. Do you have any other views on the establishment of a Forum (or other type of shared decision-making mechanism)?

Next steps

The department will use submissions from this engagement process to develop options for what a Forum could look like. These options can then be considered by governments and First Nations peaks in 2025. Establishment and funding for a Forum will be a decision of government. For further information about this process or to be part of workshop or meeting, please email adsfirstnations@dss.gov.au or call [02 5162 7335](tel:0251627335).

Attachment A: Royal Commission recommendation and government response

Royal Commission recommendation 9.10 – First Nations Disability Forum

The Australian Government and state and territory governments should support the establishment of a First Nations Disability Forum to lead further development and implementation of the Disability Sector Strengthening Plan (DSSP) by the end of March 2024. The Forum should consist of representatives of:

- First Peoples Disability Network
- First Nations Community Controlled Organisations
- both Aboriginal and Torres Strait Islander peak bodies
- First Nations people with disability.

The Forum should be supported by a First Nations disability investment fund, with the purpose of:

- supporting the operation of, and participation in, the Forum
- implementing the DSSP
- developing the First Nations Disability Workforce.

The Forum should have the capacity to direct funding under the DSSP to:

- enable First Nations people with disability to provide advice and guidance from their lived experience to the Forum
- enable community-controlled organisations to develop their capacity to design and deliver disability-specific services and supports
- enable community-controlled organisations to work with other organisations to drive national leadership in disability policy and services reform
- enable community-controlled organisations to deliver on specific priority areas as identified in the DSSP
- enable the participation of community-controlled organisations not engaged in the Coalition of Aboriginal Peaks process
- support First Nations community-based organisations across the health, criminal justice and early childhood sectors to improve workforce disability competency to ensure First Nations people with disability receive appropriate disability support
- take into consideration the recommendations of the Royal Commission.

The Forum should develop and implement a strategy, supported by the First Nations disability investment fund, to build disability-specific expertise into First Nations Community Controlled Organisations.

Government response to recommendation 9.10

Responsibility: Australian, state and territory governments

Joint Response: Accept in principle

The Australian Government and state and territory governments recognise the value of shared decision-making mechanisms and formal partnerships in line with Priority Reform One under the National Agreement on Closing the Gap.

All governments will work in partnership with First Nations people with disability, their families, carers and representatives, the Joint Council on Closing the Gap, peak bodies, and other key stakeholders through 2024 to develop options for the establishment of a First Nations Disability Forum or other appropriate shared decision-making mechanism for the cross-cutting outcome of disability under Closing the Gap.

Australian Government — additional information

As part of its initial response to the Disability Royal Commission, the Australian Government has committed to working with state and territory governments in partnership with First Nations people on consultation to develop a First Nations Disability Forum or other appropriate shared decision-making mechanism. This will support the cross-cutting outcome of disability under the National Agreement on Closing the Gap and policy design, reform and implementation to improve access, inclusion and outcomes for First Nations people with disability across Australia.