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Secretary  
NDIS Joint Standing Committee  
PO Box 6100  
Parliament House  
CANBERRA 2600

### **NDIS Market Readiness Submission (Extra)**

#### **Terms of Reference:**

As part of the committee's role to inquire into the implementation, performance and governance of the National Disability Insurance Scheme (NDIS), the committee will inquire into and report on market readiness for provision of services under the NDIS, with particular reference to:

#### **The impact of the Quality and Safeguarding Framework on the development of the market:**

Service level and quality accountability has since time immemorial been a major problem for consumers (people with disabilities and their stakeholders). The “NDIS service agreement process is the first, ever, real attempt to set service accountability. But the DHHS in Victoria is doing its best to overcome the impact of this this, by refusing this for its NDIS participants.

Almost all traditional complaint investigation bodies are biased towards the service provider, especially government direct service provision. They are considered the professionals, who are considered to know best. Therefore the consumer, an “Expert by Experience”, has to be able to prove their concerns and findings beyond reasonable doubt, sufficient to stand up in the supreme court - just to be heard.

Service providers need to be obligated to show the consumer, to the consumer’s satisfaction, that they are providing services as intended within, good practice, duty of care and the NDIS Service Agreement.

Traditional complaint investigation processes are designed and intended to discourage consumers from raising matters - which it does extremely well. The traditional complaints

process must not, therefore, be any part of, or associated with the NDIS Quality & Safeguarding Framework. But maybe it will - as it appears there is an NDIA intention to use the Office of the Disability Services Commissioner in Victoria, with existing staff, as the Victorian Office of the Quality & Safeguarding Commissioner.

The Framework must see the consumer as front, centre and valued with choice and control, and considered always right. Which is standard marketplace practice.

Supported accommodation (SDA/SIL) group home service evaluation in Victoria is by the “Community Visitor Program”, managed by the Office of the Public Advocate (OPA), under the Disability Act 2006.

The original intention of this program was to inspect supported accommodation group homes on behalf of the residents and their stakeholders (consumers). This focus was changed by the DHHS significantly funding the program, that the program now inspects on behalf of the DHHS to whom the OPA is obligated to provide their inspection report. Consumers wishing to see community visitor reports must FOI the DHHS.

Community Visitors are, therefore, no longer obligated to proactively speak to/with residents during an inspection visit. Nor are they obligated to proactively speak with the residents’ stakeholders even if they happen to be at the house at the time of the visit. And, they are specifically directed by the OPA not to meet or speak with the residents’ stakeholders outside the walls of the group home they are visiting

Such inspection/evaluation processes mean residents are living in an institutional setting, not their home.

All is in total contrast to the UK Care Quality Commission (<http://www.cqc.org.uk/>) which focuses on the consumer (resident and their stakeholder) and openly grades the supported accommodation group homes on their findings in conjunction with the consumers.

The Care Quality Commission say: *“People who use services are at the heart of what we do. We want them to give us their views, ideas and experiences of the care they receive easily in a way that meets their individual needs. In gathering evidence during an inspection our team will communicate with and seek views from people who use the service, their families, friends, carers or advocates. The team will speak to people individually and in groups”*.

Care Quality Commission Handbook:

[http://www.cqc.org.uk/sites/default/files/20160422\\_ASC\\_residential\\_provider\\_handbook%20April 2016 update.pdf](http://www.cqc.org.uk/sites/default/files/20160422_ASC_residential_provider_handbook%20April%202016_update.pdf)