

COMMONWEALTH GOVERNMENT RESPONSE TO THE
REPORT AND RECOMMENDATIONS OF THE
SENATE STANDING COMMITTEE ON
COMMUNITY AFFAIRS INQUIRY

FUNDING AND OPERATION OF THE
COMMONWEALTH STATE TERRITORY
DISABILITY AGREEMENT (CSTDA)

MINISTER FOR FAMILIES, HOUSING, COMMUNITY SERVICES
AND INDIGENOUS AFFAIRS

November 2010

INTRODUCTION

The Commonwealth State Territory Disability Agreement (CSTDA) provided a national framework for the delivery, funding and development of specialist disability services for people with disability.

Under the previous three Agreements all parties were responsible for funding specialist services for people with disability:

- The Commonwealth Government had responsibility for the planning, policy setting and management of specialised employment assistance
- State and Territory governments had similar responsibilities for accommodation support, community support, community access and respite, and
- Support for advocacy and print disability was a shared responsibility between the Commonwealth Government and State and Territory governments.

Intergovernmental Agreement for Federal Financial Relations

The Council of Australian Governments (COAG) reaffirmed its commitment to cooperative working arrangements through an Intergovernmental Agreement (IGA) which provides an overarching framework for the Commonwealth's financial relations with the States and Territories. The IGA represents the most significant reform of Australia's federal financial relations in decades. It is aimed at improving the quality and effectiveness of government services by reducing Commonwealth prescriptions on service delivery by the States, providing them with increased flexibility in the way they deliver services to the Australian people.

In addition, the reform provides a clearer specification of roles and responsibilities of each level of government and an improved focus on accountability for better outcomes and better service delivery. This is accompanied by a major rationalisation of the number of payments to the State and Territory governments through Specific Purpose Payments (SPPs), reducing the number of such payments from over 90 to five.

The new arrangements commenced on 1 January 2009 and superseded all previous agreements, including the CSTDA. All aspects will be actively monitored through COAG. The National Disability Agreement (NDA) and Disability Services SPP are both covered by schedules to the IGA.

National Disability Agreement

The main differences under the new financial framework that impact the new NDA are:

- The NDA is based on agreed outcomes and objectives as determined by all Australian governments and does not specify input controls, which provides greater flexibility for State and Territory governments to implement solutions that will meet the agreed outcomes for people with disability.
- The NDA does not specify funding amounts. Funding from the Commonwealth is provided through a separate Disability Services SPP to contribute to the States and Territories efforts to achievement of outcomes under the agreement.
- Delivery of funding through the Disability Services SPP is now the responsibility of the Commonwealth Government Treasury.
- Under the NDA the Commonwealth Government is responsible for the provision of employment services and income support, the State and Territory governments are responsible for the provision of other specialist disability services.

- The NDA is an ongoing living document and does not specify an end date. The NDA is subject to periodic performance and funding reviews to examine funding levels and the relevance of the agreed objectives, outcomes and outputs.

Summary of government response

The Commonwealth Government has implemented, or is implementing, a number of reforms which were developed in response to the Community Affairs Senate Committee Inquiry. These include:

- Bringing \$962 million in funding for disability services, which was outside the CSTDA, into the National Disability Agreement and providing it to the States and Territories on a dollar for dollar matching basis.
- Providing \$100 million in capital funding to the States and Territories to deliver over 300 new supported accommodation places for people with disability with ageing carers;
- Providing \$60 million over three years from 2011 to community based organisations to deliver up to 150 additional supported accommodation places;
- Developing and implementing a new NDA with State and Territory governments.
- Identifying priority areas in the NDA for reform of the disability service system. Reform priorities include:
 - Better measurement of current and future need for disability services.
 - The development of a national population benchmark framework for disability services.
 - Making older carers a priority for NDA funded disability services.
 - The development of a National Disability Quality Framework with a National Quality Assurance system to enable a consistent approach to quality assurance and the continuous improvement of disability services.
 - The provision of a person-centred approach to service delivery and simplified access to services.
 - An increased focus on early intervention and prevention strategies to ensure clients receive timely and appropriate support.
 - The development of a national workforce strategy to address qualifications, training and cross sector career mapping issues to establish the disability sector as an industry of choice.
 - Improving Indigenous access to disability services.
 - More consistent access to Aids and Equipment.
- Developing a National Disability Strategy with the States and Territories to drive future reforms in the both mainstream systems and the disability service system for people with disability, their families and carers.¹
- Undertaking a feasibility study on a national disability long-term care and support scheme. This will include an examination of a no-fault social insurance model.
- Building six long day care centres to provide early intervention for children with autism in addition to the \$190 million Helping Children with Autism package.
- An additional \$122 million investment in early intervention through A Better Start for Children with Disability package.
- Establishing a National Companion Card Scheme and achieving national consistency on disability parking.
- Giving people with disabilities who are ageing access to Community Aged Care Packages.
- Creating a two year transition period for people working in Australian Disability Enterprises, previously known as Business Services, who want to move to open employment.
- Reviewing the need for legislative reform to recognise the role and rights of carers through the Office of Work and Family.

¹ The Commonwealth Government has released a draft of the National Disability Strategy (NDS) and is committed to taking the strategy to COAG for national endorsement. A copy of the draft NDS can be found at: <http://www.alp.org.au/agenda/more---policies/draft-national-disability-strategy/>

Structure of the response

Where a recommendation has a number of parts that need to be responded to separately, these have been numbered for ease of reference.

RECOMMENDATION 1

That State and Territory governments provide a specific service that assists people with disability transferring between jurisdictions to negotiate programs and services to achieve a comparable level of support.

AGREED-IN-PRINCIPLE

Although portability of support for people with disability is principally a State and Territory issue, the Commonwealth Government continues to be a strong advocate through Commonwealth-State forums and supports the principle of interstate portability of disability services and work undertaken by states and territories to achieve improvements in this area.

Under the National Disability Agreement (NDA) jurisdictions have agreed to concentrate efforts in several priority areas to achieve the outcomes of the agreement and reform of the disability service system. Under the “Improved Access to Disability Care” priority, jurisdictions will look at systems to improve access to disability care, and ensure people are referred to the most appropriate disability service and supports. This includes consideration of single access points and nationally consistent assessment processes in line with nationally agreed principles. This work will help to ensure that people moving between jurisdictions receive a comparable level of support.

Under the “Access to Aids and Equipment” reform priority of the NDA, jurisdictions have agreed to more consistent access to aids and equipment by the end of 2012.

The Interstate Portability Protocol has been agreed to by all Disability Ministers and was developed in the context of the third Commonwealth State Territory Disability Agreement but was not part of that Agreement. It facilitates access to service systems for people with disability seeking to move interstate.

The Protocol is currently being reviewed by the Disability Policy and Research Working Group (DPRWG) of the Community and Disability Services Ministers Advisory Council (CDSMAC).

RECOMMENDATION 2

That the next CSTDA clearly recognise the complex and interacting needs of, and specialist services required by, people with dual and multiple diagnosis, and people with acquired brain injury.

AGREED-IN-PRINCIPLE

The Commonwealth Government acknowledges the importance of recognising the complex and interacting needs and specialist services required by all people with disability, including people with dual and multiple diagnoses and people with acquired brain injury.

The National Disability Agreement (NDA) includes Commonwealth, State and Territory government agreement to reform the disability service system and create a system which enhances the social and economic participation for people with disability. This includes the need to identify, plan and respond to the development and support needs for people with disability at an early stage and at key life transition points, to ensure services are person-centred and provide timely access to supports based on assessed needs. Over time this will mean that service delivery will change to meet the needs of a person with disability.

The Commonwealth, State and Territory governments are in the process of developing a National Disability Strategy under the auspices of the Council of Australian Governments. The Strategy will drive future reforms in both mainstream systems and disability services for people with disability including those with complex needs and multiple disadvantages. As part of the National Disability Strategy, the Commonwealth Government has commissioned an Inquiry into a long-term care and support scheme for people with disability in Australia. It will examine a social insurance model on a no-fault basis, reflecting the shared risk of disability across the population, as well as other options that provide incentives to focus on early intervention. While Australia's social security and universal health care systems provide an entitlement to services based on need, there is currently no equivalent entitlement to disability care and support services. The Commission has been asked to report to the Commonwealth Government by July 2011.

RECOMMENDATION 3

3.1 That the next CSTDA should include – A whole-of-government, whole-of-life approach to services for people with disabilities.

AGREED

Through the National Disability Agreement, the Commonwealth, State and Territory governments have agreed to concentrate national efforts of reforms in several key priority areas to focus on providing person centred approaches to service delivery and simplifying access to specialist disability services. The reforms will mean: a system comprising single access points; nationally consistent assessment processes and quality assurance systems; and more consistent access to disability aids and equipment. Service providers will be better able to develop, train and employ care workers; and governments will work together to better measure the level of unmet demand for disability services. The reform areas include:

- Better Measurement of Need
- Population Benchmarking for Disability Services
- Making Older Carers a Priority
- Quality Improvement Systems based on Disability Standards
- Service Planning and Strategies to Simplify Access
- Early Intervention and Prevention, Lifelong Planning and Increasing Independence and Social Participation Strategies
- Increased Workforce Capacity
- Increased Access for Indigenous Australians
- Access to Aids and Equipment
- Improved Access to Disability Care.

A specific reform that will support a whole-of-life approach to services for people with disability is the “Early Intervention and Prevention, Lifelong Planning and Increasing Independence and Social Participation Strategies” priority. Under this priority, an Early Intervention and Prevention Framework will be developed by mid 2011 to increase governments’ ability to be effective with early intervention and prevention strategies and to ensure that clients receive the most appropriate and timely support.

The National Disability Strategy, being developed by the Commonwealth, State and Territory governments under the auspices of the Council of Australian Governments will drive future reforms in both mainstream systems and disability services to provide a whole-of-government, whole-of-life approach to services for people with disability.

3.2 That the next CSTDA should include – A partnership between governments, service providers and the disability community to set policy priorities and improve outcomes for people with disability.

AGREED

The Intergovernmental Agreement for Federal Financial Relations, agreed to by the Council of Australian Governments in November 2008, clarifies funding and administration responsibilities. The objective of the Intergovernmental Agreement is the improvement of the well-being of all Australians including through:

- collaborative working arrangements, including clearly defined roles and responsibilities and fair and sustainable financial arrangements, to facilitate a focus by the Parties on long term policy development and enhanced government service delivery;
- enhanced public accountability through simpler, standardised and more transparent performance reporting by all jurisdictions, with a focus on the achievement of outcomes, efficient service delivery and timely public reporting.

As part of an ongoing commitment to the rights of people with disability, the Commonwealth Government, in partnership with State and Territory governments, is developing a National Disability Strategy. The Strategy is being developed in consultation with the Australian community, disability and carer peak bodies, employers and industry experts. The Strategy aims to address the barriers that are faced by Australians with disability, their families and carers and promote social inclusion.

The development of the National Disability Strategy has included a formal public consultation process and the establishment of the 28 member National People with Disabilities and Carer Council (NPWDACC). The Council provides expert advice to government on the development and implementation of the Strategy and represents a diverse range of backgrounds and experience. The NPWDACC includes people with disability and their families, carers, industry representatives and academic experts.

There was an overwhelming response to the consultations on the National Disability Strategy, with more than 2,500 people attending capital city forums and focus groups in regional and remote areas and more than 750 written submissions received.

The National Disability Strategy consultation report, “Shut Out: The Experience of People with Disabilities and their Families in Australia”, was launched and presented to the Commonwealth Government by the Council on 5 August 2009. This report highlights that people with a disability have the same desires as everyone else for a fulfilling and productive life, yet all too often struggle to access the things most people take for granted. It also demonstrates the determination and strength of people with disability, their resourcefulness and innovation. The Commonwealth Government commissioned this report because it wanted to hear what people with disability, their carers and families wanted to see in a National Disability Strategy. The report will inform the Strategy and help governments to identify the barriers and issues facing people with a disability, their families and carers, and guide solutions.

3.3 That the next CSTDA should include – A clear allocation of funding and administration responsibilities based on the most effective arrangements for the delivery of specialist disability services.

AGREED

As stated in response to Recommendation 3.2, the Council of Australian Governments reaffirmed its commitment to cooperative working arrangements through the Intergovernmental Agreement for Federal Financial Relations (IGA) which provides an overarching framework for the Commonwealth’s financial relations with the States and Territories.

The IGA provides a clearer specification of roles and responsibilities of each level of government and an improved focus on accountability for better outcomes and better service delivery.

Commonwealth-State financial relations are now placed on a secure footing with the creation of five new national Specific Purpose Payments, including a National Disabilities Services Specific Purpose Payment.

The National Disability Agreement (NDA) is a schedule to the IGA and outlines the roles and responsibilities of the Commonwealth, State and Territory governments in the delivery of payments and services for people with disability and their carers. The NDA acknowledges that all jurisdictions will work cooperatively together and be accountable to the community in order to realise the objectives and commitments outlined within it.

The NDA also acknowledges that specialist disability services are complemented by mainstream services. Achieving improved outcomes for people with disability, their families and carers is contingent upon the effective coordination of both specialist disability and mainstream government services.

3.4 That the next CSTDA should include – A clear articulation of the services and support that people with disability will be able to access.

AGREED-IN-PRINCIPLE

The National Disability Agreement (NDA) includes Commonwealth, State and Territory government agreement to reform the disability service system and create one where services are person-centred with an early intervention and life long planning approach. This will assist people with disability, their families and carers to negotiate the system and receive services and support when they are needed.

The NDA includes high level outcomes focussed performance benchmarks and targets. The NDA includes the following performance benchmarks which will demonstrate improvements in performance relevant to the delivery of disability services:

- an increase in the proportion of people with disability in employment;
- a decrease in the proportion of potential population with unmet demand for services;
- an increase in the proportion of people with disability accessing services who have an individualised service plan;
- an increase in the proportion of younger people in, or at risk of entering, residential aged care assisted with more appropriate forms of accommodation, diversionary strategies and/or enhanced services;
- an increase in the proportion of Indigenous people with disability receiving disability services; and
- all services are subject to quality improvement systems consistent with National Standards by 2010.

The NDA will ensure that services and supports provided to people with disability, their families and carers are provided in a nationally consistent and simplified manner through:

- a National Framework for Service Planning and Access that focuses on a person centred approach to service delivery and simplifying access to specialist disability services;
- more consistent access to aids and equipment; and
- an Early Intervention and Prevention Framework to increase governments' ability to be effective with early intervention and prevention strategies and to ensure that clients receive appropriate and timely support.

Further to this, all Australian governments have agreed to develop a national population benchmarking framework. This will include the implementation of initial population benchmarking of disability services based on available information to improve the evidence base and assist in policy service and planning decisions.

3.5 That the next CSTDA should include – A commitment to regular independent monitoring of the performance of governments and service providers.

AGREED

The Council of Australian Governments (COAG) Intergovernmental Agreement on Federal Financial Relations (IGA) which commenced on 1 January 2009, includes enhanced public accountability through simpler, standardised and more transparent performance reporting by all jurisdictions. The new IGA focuses on the achievement of outcomes, efficient service delivery and timely public reporting.

The performance reporting framework of the IGA focuses on the achievement of results, value for money and timely provision of publicly available performance information.

The National Disability Agreement (NDA) includes performance indicators which indicate progress towards the outcomes specified in the Agreement. To aid public accountability, data collected against the performance indicators will be published annually by the COAG Reform Council.

The COAG Reform Council will report to the Prime Minister, as chair of COAG, on National Agreements and National Partnerships. To assist the COAG Reform Council in its role, the Productivity Commission will also report to COAG on the economic impacts and benefits of COAG's agreed reform agenda every two to three years.

Performance of Service Providers

The Commonwealth Government strongly supports independent accreditation of quality assurance systems to monitor the performance of service providers.

Through the NDA jurisdictions have agreed, in reforming the disability services system, to introduce a national approach to quality assurance and the continuous improvement of disability services through the development of a National Disability Quality Framework with a National Quality Assurance System for disability services

Commonwealth, State and Territory Disability Ministers have also endorsed:

- An Interim National Quality Framework for Disability Services in Australia (National Quality Framework); and
- An implementation plan which includes a revision of the national standards for disability services, as the approach to implementing a National Quality Framework.

3.6 That the next CSTDA should include – A transparent and clear mechanism to enable people with disability and their carers to identify and understand which level of government is responsible for the provision and funding of services.

AGREED

The Intergovernmental Agreement on Federal Financial Reform provides a clear specification of roles and responsibilities of each level of government and an improved focus on accountability for better outcomes and better service delivery.

Under the National Disability Agreement (NDA) State and Territory governments are responsible for delivering specialist disability services. The NDA articulates the following roles and responsibilities:

Shared roles and responsibilities

All Australian governments are responsible for:

- (a) development of national policy and reform directions to meet the agreed objectives and outcomes of the agreement;
- (b) funding and pursuing research that provides an evidence base for national policy and reform directions;
- (c) working together to develop and implement reforms to improve outcomes for Indigenous people with disability; and
- (d) the provision of data, including a commitment to providing data for the national minimum data set and a commitment to the improvement of data.

Role of the Commonwealth

The Commonwealth undertakes responsibility for:

- (a) provision of employment services for people with disability, which includes:
 - i regulation, service quality and assurance;
 - ii assessment;
 - iii policy development;
 - iv service planning; and
 - v workforce and sector development
- (b) in a manner which most effectively meets the needs of people with disability consistent with local needs and priorities;
- (c) provision of income support targeted to the needs of people with disability, their families and carers;
- (d) provision of funds to States and Territories to contribute to the achievement of the objective and outcomes;
- (e) where appropriate, investing in initiatives to support nationally agreed policy priorities, in consultation with States and Territories; and
- (f) ensuring that Commonwealth legislation is aligned with national priority, reform directions and the UN Convention on the Rights of People with Disabilities.

States and Territories roles and responsibilities

All State and Territory governments are responsible for:

- (a) the provision of specialist disability services (except disability employment services), including:
 - i regulation, service quality and assurance;
 - ii assessment;
 - iii policy development;
 - iv service planning; and
 - v workforce and sector development
- (b) in a manner which most effectively meets the needs of people with disability, their families and carers, consistent with local needs and priorities.
- (c) ensuring that State and Territory legislation and regulations are aligned with the national policy and reform directions; and
- (d) where appropriate, investing in initiatives to support nationally agreed policy priorities, in consultation with the Commonwealth Government.

RECOMMENDATION 4

That in the life of the next CSTDA, signatories agree to develop a National Disability Strategy which would function as a high level strategic policy document, designed to address the complexity of needs of people with disability and their carers in all aspects of their lives.

AGREED

The National Disability Strategy, being developed under the auspices of the Council of Australian Governments, will provide a national framework to drive future reforms for people with disability, their families and carers, in mainstream systems and the disability service system. The Australian Local Government Association is assisting with the development of the Strategy.

Australia ratified the United Nations Convention on the Rights of Persons with Disabilities in 2008. The National Disability Strategy will be an important mechanism to ensure that the principles underpinning the Convention are incorporated into policies and programs affecting people with disability, their families and carers.

The development of the National Disability Strategy has included a formal public consultation process and the establishment of the 28-member National People with Disabilities and Carer Council (NPWDACC). Further detail about the consultation process and the NRPDACC can be found in response to Recommendation 3.2.

The Commonwealth Government has also announced that, as part of the National Disability Strategy, the Government has commissioned a feasibility study into a national long-term care and support scheme for people with disability in Australia. The Commonwealth Government is committed to finding new approaches to funding and delivering disability services. The Productivity Commission will undertake the feasibility study which will include an examination of a no-fault social insurance model.

The appointment of the Productivity Commission to undertake a feasibility study on a national disability long-term care and support scheme recognises that this is a complex area which directly impacts families and people with disabilities in Australia.

The Inquiry will consider costs, implementation and design issues, governance arrangements and administrative issues, including for a social insurance model that reflects a shared risk of disability across the population.

When the Commission reports to the Commonwealth Government in July 2011, the Government will consider the findings in detail and provide a response in due course.

The opportunities offered by the Productivity Commission's Inquiry are important but should also be seen in the context of the reforms which were put in place under the National Disability Agreement, and the development of the National Disability Strategy.

The Commonwealth Government and the Productivity Commission will also be advised by an Independent Panel of seven people who bring considerable experience across the disability sector. The Panel members include:

- Mr Bruce Bonyhady (President of Philanthropy Australia and Chair of Yooralla);
- Mr David Bowen (Chief Executive Officer of the Lifetime Care and Support Authority in NSW);
- Dr Rhonda Galbally AO (Chair of the National People with Disabilities and Carer Council);
- Dr Andrew Pesce (Federal President of the Australian Medical Association);
- Ms Robyn McKay (previously served in Senior Executive positions in the Department of Families, Housing, Community Services and Indigenous Affairs);
- Ms Ann Sherry AO (former Chief Executive Officer of Westpac New Zealand); and
- Mr Ian Silk (Chief Executive of AustralianSuper).

The Commonwealth Government has also provided community engagement grants totalling \$640,000 to 17 disability and carer peak body organisations. This funding will enable these organisations to engage people with disability, their families and carers in the Productivity Commission's Inquiry into a long-term care and support scheme.

RECOMMENDATION 5

That the next CSTDA incorporate a nationally-consistent assessment process to objectively and comprehensively determine the support and care needs of each person with a disability. These assessment processes should also assist people with disability by making determinations of eligibility for services and priority of need as well as facilitating access to appropriate services.

AGREED-IN-PRINCIPLE

The Commonwealth Government strongly supports greater consistency in assessment processes. Through the National Disability Agreement all jurisdictions have agreed to concentrate initial national efforts in several priority areas to improve access to and appropriateness of care including consideration of single access points and nationally consistent assessment processes in line with nationally agreed principles by the end of 2011.

Jurisdictions have agreed to focus on providing a person-centred approach to service delivery and to improve governments' ability to improve the effectiveness of early intervention and prevention strategies. The reforms will improve the ability to plan and respond to the development and support needs for people with disability at an early stage and at key life transition points providing timely access to supports based on assessed needs.

The Commonwealth Government will work with State and Territory governments to progress these reforms to ensure that the support and care needs of people with disability are accessible and determined appropriately.

As mentioned in the response to Recommendation 4, the Commonwealth Government has also announced that, as part of the National Disability Strategy, the Government has commissioned a feasibility study into a national long-term care and support scheme for people with disability in Australia. The Government is committed to finding new approaches to funding and delivering disability services.

The Productivity Commission will undertake the feasibility study which will include an examination of a no-fault social insurance model.

The Inquiry will consider costs, implementation and design issues including assessment processes, governance arrangements and administrative issues, including for a social insurance model that reflects a shared risk of disability across the population.

The appointment of the Productivity Commission to undertake a feasibility study on a national disability long-term care and support scheme recognises that this is a complex area which directly impacts families and people with disabilities in Australia.

RECOMMENDATION 6

That the Commonwealth, State and Territory governments ensure that:

- **administrative burdens of assessment procedures are reduced for those with lifelong and permanent disabilities and their carers; and**
- **flexible assessment options are available to people with disabilities who have needs that may change rapidly.**

AGREED-IN-PRINCIPLE

The Commonwealth Government supports reducing administrative burden, allowing appropriate accountability and flexibility and ensuring the most effective delivery of services provided through the National Disability Agreement (NDA) – that is, as many people as possible can access the services they need, when they need them.

The NDA includes agreement to reform the disability service system and create a system where services are person-centred with a focus on an early intervention and life long planning approach. This will assist people with disability, their families and carers to negotiate the system and receive services and support when they are needed.

The reforms will introduce national tools to identify service benchmarks; plan for changing needs including key transition points; identify people at risk; and work towards program and service delivery consistency across jurisdictions.

The NDA includes three priorities that will help to ensure that services are person-centred and provide timely access to supports, including consideration of single access points and nationally consistent assessment processes. These priorities are:

- Service Planning and Strategies to Simplify Access;
- Early Intervention and Prevention, Lifelong Planning; and
- Increasing Independence and Social Participation Strategies and Improved Access to disability services.

They will also ensure that services are able to identify, plan and respond to the development and support needs of people with disability at an early stage and at key life transition points and support the role of families and carers including strengthening their informal support networks.

In addition to reforms to improve assessment processes under the NDA, the Commonwealth Government has implemented changes to improve access to income support for carers of children with a disability. These changes, which were implemented on 1 July 2009, relate to both Carer Payment and Carer Allowance and include:

- a new assessment process for Carer Payment (child) based on the level of care required by the care receiver and provided by the carer, that moved away from the narrow set of medical and behavioural criteria previously specified by the Social Security Act 1991;
- the qualification requirement in relation to care provided to a child with severe disability or severe medical condition, two or more children with disability or medical conditions, a disabled adult and one or more children each with disability or medical conditions;

- amendments to the terminal conditions provisions to extend qualification from 12 months to 24 months and based on an assessment of the average life expectancy of a child with the same or similar condition rather than the actual life expectancy;
- changes to qualification for Carer Payment for a divorced or separated parent who exchanges care of two or more children with disability or medical condition with the children's other parent;
- access to income support for carers providing care on a short-term or episodic basis, for a minimum period of three months but less than six months;
- amendments removing the 63 day limit on hospitalisation, enabling carers to continue receiving Carer Payment and Carer Allowance while the care receiver is in hospital as long as they continue to participate in the care of the child; and
- automatic qualification for Carer Allowance on the basis of qualification for Carer Payment in respect of a child aged under 16 years.

The most significant reform was the introduction of a new assessment for Carer Payment in respect of a child aged under 16 years. The new assessment, the Disability Care Load Assessment (child) recognises and assesses the total care load of the child, that is, the care required by the child and the care provided by the carer.

As well as these reforms, the Commonwealth Government is introducing better and fairer assessment procedures for Disability Support Pension (DSP). From 1 July 2010, DSP assessment will be simplified to fast track more claimants who are clearly or manifestly eligible due to a catastrophic, congenital disability or cancer, enabling them to receive financial support more quickly.

New Guidelines for Job Capacity Assessors will be introduced for assessing a person's work capacity and Job Capacity Assessors will have access to information about a person's employment history.

DSP claimants requiring a Job Capacity Assessment will be assessed by senior, appropriately qualified DSP Assessors. DSP Assessors will be supported by a new Health Professional Advisory Unit in Centrelink.

Centrelink is also introducing measures to improve the Job Capacity Assessment process for DSP claimants and recipients, including reducing red tape and unnecessary multiple assessments, as well as reducing the numbers of people being sent for Job Capacity Assessments when they have a medical review. Centrelink will also make customer medical information currently available in hard copy available on-line as an electronic document to Job Capacity Assessors.

RECOMMENDATION 7

Given the reality that a large proportion of costs in disability services will always be wages and salaries of care providers, the Committee strongly recommends that the Commonwealth consider removing the efficiency dividend from the indexation formula for funds allocated through the CSTDA.

NOTED

No efficiency dividend was applied to previous CSTDA agreements and there is no efficiency dividend applicable to the new Disability Services Specific Purpose Payment.

RECOMMENDATION 8

That the Commonwealth set an indexation level in line with the actual costs of delivering services. This rate should be applied as a minimum indexation rate by State and Territory governments.

NOTED

The Commonwealth Government funds the Disability Services Specific Purpose Payment so that it has a growth rate based on the five year rolling average of year-on-year growth in nominal gross domestic product. This has averaged 7.0% over the period 2004-05 to 2009-10, compared with 1.8% under the Commonwealth State Territory Disability Agreement. The new indexation is the highest ever level of indexation for a Commonwealth/State disability agreement.

RECOMMENDATION 9

That the next CSTDA incorporate appropriate benchmarks and annual targets in relation to identified unmet need for specialist disability services.

AGREED

The National Disability Agreement (NDA) includes high level outcomes-focused performance benchmarks. The agreement includes the following performance benchmarks which will demonstrate improvements in the delivery of disability services:

- an increase in the proportion of people with disability in employment;
- a decrease in the proportion of potential population with unmet demand for services;
- an increase in the proportion of people with disability accessing services who have an individualised service plan;
- an increase in the proportion of younger people in, or at risk of entering, residential aged care assisted with more appropriate forms of accommodation, diversionary strategies and/or enhanced services;
- an increase in the proportion of Indigenous people with disability receiving disability services; and
- all services are subject to quality improvement systems consistent with National Standards by 2010.

In addition, parties to the NDA have agreed to develop a national population benchmarking framework. This framework will include the implementation of initial population benchmarking of disability services, based on available information, to improve the evidence base and assist in policy, service and planning decisions. This work is an identified priority area under the NDA to assist with reform in the disability services system.

Ministers have further agreed that population, service and outcome benchmarks will be phased in over time subject to data availability.

Please see the responses to Recommendations 15 and 21 for more information about improvements to identification of unmet need.

RECOMMENDATION 10

That the next CSTDA ensure 'matched funding' commitments do not provide a disincentive for governments to provide additional funding for specialist disability services.

AGREED

The Intergovernmental Agreement on Federal Financial Relations has a number of schedules including the National Disability Agreement (NDA). The NDA is based on agreed outcomes and objectives as determined by all Australian governments and does not specify input controls. This provides greater flexibility for State and Territory governments to implement solutions that will meet the agreed outcomes for people with disability.

RECOMMENDATION 11

That the Commonwealth have responsibility in the lead up to the next CSTDA for developing an equitable distribution formula of Commonwealth base funding which takes into account differences between States and Territories in terms of potential population and costs of service delivery.

AGREED

Through the Council of Australian Governments, the Commonwealth, State and Territory governments have agreed to implement new arrangements. The funding for National Disability Agreement will be based on per capita distribution which is being phased in at 20% per year;

- 2009: distribution based on historic split of funding as per the previous CSTDA (CSTDA Distribution).
- 2010 80% CSTDA Distribution & 20% per capita
- 2011 60% CSTDA Distribution & 40% per capita
- 2012 40% CSTDA Distribution & 60% per capita
- 2013 20% CSTDA Distribution & 80% per capita

RECOMMENDATION 12

That, in addition to that funding "platform", arrangements be put in place to allow specific services or programs to be initiated on the basis of cost-sharing or matched funding between the Commonwealth and particular State and Territory governments which commit additional funding for specialist disability services.

AGREED

The Commonwealth Government agrees to this recommendation, recognising the value of collaborative support to address key areas of concern.

One of the key elements of the new Federal Financial Relations Framework is the provision of National Partnerships between Commonwealth, State and Territory governments to support the delivery of specified projects or to drive reforms of national importance.

A key element of the new framework for federal financial relations is the ability to enter into National Partnerships with the State and Territory governments to facilitate or reward reforms of national importance.

There are two types of National Partnership payments that will be available:

- National Partnerships payments to support the delivery of specified outputs or projects; and
- National Partnerships payments to facilitate the implementation, or reward the delivery, of nationally significant reforms.

The Community and Disability Services Ministers Conference will be responsible for considering and proposing possible new specific projects in relation to the support of people with disability, their families and carers for consideration by the Council of Australian Governments.

RECOMMENDATION 13

That realistic outcomes based performance reporting requirements be added to the CSTDA.

AGREED

One of the objectives of the Intergovernmental Agreement on Federal Financial Relations is the improvement of the well-being of all Australians through enhancing public accountability for the outcomes achieved or outputs delivered under National Agreements. The National Disability Agreement has mutually agreed objective, outcomes and outputs and performance indicators:

Objectives

Through this Agreement, the Parties commit to the following objective as the long-term, overarching aspiration that governments should strive for in the provision of disability support services. All aspects of the National Disability Agreement contribute to, or measure progress towards:

“People with disability and their carers have an enhanced quality of life and participate as valued members of the community.”

Outcomes

The Agreement will contribute to the following outcomes:

- (a) people with disability achieve economic participation and social inclusion;
- (b) people with disability enjoy choice, wellbeing and the opportunity to live as independently as possible; and
- (c) families and carers are well supported.

Outputs

The Agreement will contribute to the following outputs in support of the agreed outcomes:

- (a) services that provide skills and supports to people with disability to enable them to live as independently as possible;
- (b) services that assist people with disability to live in stable and sustainable living arrangements;
- (c) income support for people with disability and their carers; and
- (d) services that assist families and carers in their caring role.

Performance Indicators

To aid public accountability, data will be published annually by the COAG Reform Council on the following performance indicators which indicate progress towards the outcomes specified in this Agreement:

- (a) labour force participation rate for people with disability aged 15-64 years;
- (b) proportion of people with disability who participate in social and community activities;
- (c) proportion of the potential population accessing disability services;
- (d) proportion of people with disability who are satisfied with the range of disability service options and quality of support received;
- (e) proportion of potential population expressing unmet demand for disability support services;
- (f) number of Indigenous people with disability receiving disability services as a proportion of the Indigenous potential population requiring services;
- (g) labour force participation rate for carers aged 15 to 64 of people with disability;

- (h) proportion of carers of people with disability accessing support services to assist in their caring role;
- (i) proportion of carers of people with disability who are satisfied with the range of disability service options and quality of support received; and
- (j) proportion of people with disability receiving income support.

RECOMMENDATION 14

That the Commonwealth take the lead in developing consistent cross-jurisdictional performance monitoring and reporting of specialist disability services to promote greater coordination and accountability between jurisdictions.

AGREED

As noted in the response to Recommendation 13, the Council of Australian Governments (COAG) has agreed to national performance indicators and reporting requirements relating to outcomes for people with disability, their families and carers.

The COAG Reform Council will monitor each jurisdiction's progress in achieving objectives and outcomes through the performance indicators and benchmarks. The current governance arrangements featuring the Community and Disability Services Ministers Conference and Disability Policy and Research Working Group will continue to drive and monitor achievement of reforms as outlined in the Agreement.

Monitoring the achievements of disability services will be improved through the National Disability Quality Framework which will introduce a national approach to quality assurance and continuous improvement of disability services.

RECOMMENDATION 15

That additional funding be made available under the next CSTDA to:

- **enable further analysis using the CSTDA data collections, to better inform policy makers and the public about the effectiveness of disability services; and**
- **enable jurisdictions and service providers to improve CSTDA NMDS data.**

AGREED

As noted in the response to Recommendation 13, the Commonwealth, State and Territory governments have agreed to a set of performance indicators and benchmarks which will be used to monitor the provision of disability services.

Under the "Better Measurement of Need" priority, Commonwealth, State and Territory governments have commenced work to improve the data collected through the Survey of Disability, Ageing and Carers (SDAC) and the quality of data reported under the Disability Services National Minimum Dataset ('the NMDS') (formerly the CSTDA NMDS) and jurisdiction level unmet demand data.

New data items were included in the 2009 SDAC. In addition, the survey sample was expanded to improve the quality of estimates at both national and State levels. The SDAC content was expanded to collect additional information on unmet demand for disability services and services for the elderly, labour force participation, and carers.

The 2009 SDAC was conducted between May and December 2009 and the results may be accessed on the website of the Australian Bureau of Statistics at <http://www.abs.gov.au> in late 2010.

Future work will consider options for the development of common principles data items, definitions and systems and processes. This will improve the consistency of data and be used to inform stakeholders about the effectiveness of disability services.

As well as work to improve the data available under SDAC continuous improvement in data quality and timeliness remains a key priority for data collected by AIHW for the NMDS.

Commonwealth, State and Territory officials have agreed to investigate the redevelopment of the NMDS. Issues to be considered include:

- improving data and comparability;
- enhancing the flexibility of the data collection for responding to the policy and service system environments of the future;
- increasing jurisdictions and the disability sectors' ability to meet strategic and policy information needs.

This work will also support new information and reporting requirements under the National Disability Agreement (NDA).

Commonwealth, State and Territory governments have agreed that due to the lack of research into disability issues, compared to other human services they would contribute a total of \$10 million over 5 years from the NDA for research in this area. This is in addition to the funding provided through Specific Purpose Payments by the Commonwealth and in addition to funding provided by State and Territory governments for disability services.

The effectiveness of the ability of jurisdictions to achieve the outcomes of the NDA will be monitored by the Council of Australian Governments Reform Council through the performance indicators and benchmarks specified in the NDA.

RECOMMENDATION 16

That the Commonwealth ensure that outcomes data is included in the CSTDA National Minimum Dataset.

AGREED

The National Disability Agreement is an outcomes based agreement, including performance indicators and benchmarks which will be used to monitor performance and progression against outcomes. To aid public accountability the Council of Australian Governments Reform Council will report annually on achievement of outcomes based on these performance indicators and benchmarks.

A number of initiatives are being developed to improve data and ensure that outcomes can be measured.

See the responses to Recommendations 13, 14 and 15 for more information.

RECOMMENDATION 17

That the Commonwealth, State and Territory governments implement a national equipment strategy as part of the next CSTDA.

AGREED-IN-PRINCIPLE

The Commonwealth Government strongly supports the idea of a national equipment strategy. Under the National Disability Agreement (NDA) the Commonwealth has responsibility for employment and income support and the State and Territory governments have responsibility for the provision of other specialist disability services, including aids and equipment.

State and Territory governments have agreed, under the NDA, to work with the Commonwealth as a priority to create more consistent access to aids and equipment for people with disability by the end of 2012.

RECOMMENDATION 18

That the next CSTDA include a commitment of additional funding for early intervention.

AGREED

Additional funding was provided under the National Disability Agreement (NDA) to reform the disability service system. The NDA includes Commonwealth, State and Territory government agreement to reform the disability service system and create a system which enhances the social and economic participation for people with disability. This includes the need to identify, plan and respond to the development and support needs for people with disability at an early stage and at key transition life points, to ensure services are person-centred and provide timely access to supports based on assessed needs. Over time this will mean that service delivery will change to meet the many needs of a person with disability.

“Early Intervention and Prevention, Lifelong Planning and Increasing Independence and Social Participation Strategies” is one of the priorities of the NDA that will assist this reform. Under this priority, jurisdictions will develop an Early Intervention and Prevention Framework. This framework will increase governments’ ability to be effective with early intervention and prevention strategies and to ensure that clients receive the most appropriate and timely support.

Early intervention is supported by Commonwealth Government initiatives such as the Helping Children with Autism programs, which commenced on 1 July 2008, and Better Start for Children with Disability program, which will commence on 1 July 2011.

RECOMMENDATION 19

That the Commonwealth increase the number of places in the Disability Employment Network for people on the Disability Support Pension who do not have mutual obligation requirements.

AGREED

On 1 March 2010, the Department of Education, Employment and Workplace Relations launched the new Disability Employment Services. Previous caps on services have been removed so that job seekers with disability no longer have to wait for the services they need to find work.

RECOMMENDATION 20

That the importance of access to appropriate transport and Patient Assisted Travel Schemes for people with disabilities be reflected in the terms of the next CSTDA.

AGREED-IN-PRINCIPLE

All Australian governments have recognised the importance of mainstream services, including access to transport, in supporting outcomes for people with disability, their families and carers. Through the National Disability Agreement, Commonwealth, State and Territory governments have agreed to undertake further work to ensure that all people have access to mainstream government services within their jurisdiction, including health care services such as Patient Assisted Travel Schemes. The provision of health transport services is a responsibility of State and Territory governments and is provided through programs such as the Patient Assisted Travel Scheme (PATS). PATS assists people living in rural Australia with travel and transport to access specialist medical services provided in city or regional centres.

Australia ratified the UN Convention on the Rights of Persons with Disabilities (the Convention) in 2008. Article 9 of the Convention states in part that ‘States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas’.

The National Disability Strategy will address the performance of mainstream and specialist systems for people with disability, their families and carers, such as transport and health. Commonwealth Departments, such as those responsible for health and transport, and States and Territories have been developing the National Disability Strategy as a vehicle for improved outcomes for people with disability through mainstream programs under the auspices of the Council of Australian Governments.

The *Disability Discrimination Act 1992* (DDA) and the associated *Disability Standards for Accessible Public Transport 2002* (the Standards) recognise the importance of access for people with disability to public transport.

The Standards establish minimum accessibility requirements to be met by providers and operators of public transport conveyances, infrastructure and premises and take into the range of disability covered by the DDA and apply to most public transport. They also set out requirements in relation to issues such as access paths, manoeuvring areas, ramps and boarding devices, allocated spaces, handrails, doorways, controls, symbols and signs, the payment of fares and the provision of information.

The Standards require the Minister for Transport and Regional Services, in consultation with the Attorney-General, review the efficiency and effectiveness of the Standards within five years after they take effect, and every 5 years thereafter. These Standards were subject to a review in 2007. The final report on the review is currently being considered by the Australian Government. The Government intends to release the report and its response as soon as possible.

The Commonwealth Government will articulate its future strategy on disability access issues in the transport context when it responds to the final report of the review of Transport Standards under the DDA. This strategy will involve a range of measures underpinned by a commitment to more inclusive and ongoing consultation on disability issues.

RECOMMENDATION 21

That Commonwealth, State and Territory governments jointly commit as part of the fourth CSTDA to substantial additional funding to address identified unmet need for specialist disability services, particularly for accommodation services and support.

AGREED

Through the Disability Specific Purpose Payment, from 1 January 2009 to 30 June 2014, the Commonwealth Government will be providing more than \$6.2 billion to the State and Territory Governments for increased and improved specialist disability services. This means that in 2013-2014, the Commonwealth Government's contribution will exceed \$1.35 billion, compared to \$620 million in 2006-07. This significant increase in funding will help to provide more services and drive important reforms which will create a more effective and accessible disability service system.

Funding will be used for growth and reform and to provide more accommodation, respite, in home care and individualised packages. Additional funding has also been provided by State and Territory governments to provide further support for accommodation, respite, in home care and individualised packages.

The Commonwealth Government provided \$100 million to the State and Territory governments in May 2008, specifically to provide supported accommodation for people with disability who are cared for by an older carer. The Commonwealth Government will also provide an additional \$60 million over three years from 2011 to community organisations to deliver up to 150 additional supported accommodation places.

The Commonwealth Government will fund the Disability Services Specific Purpose Payment so that it has an indexation rate based on the five year rolling average of Nominal Gross Domestic Product - this has averaged 7.8% over the period 2003-04 to 2008-09.

The Commonwealth Government will maintain its oversight, coordination and leadership role in disability policy and will continue to work cooperatively with State and Territory governments to implement these reforms.

RECOMMENDATION 22

That funding arrangements and eligibility requirements should be made to allow supplemental aged care services to be made available to people with disabilities who are ageing, allowing them to age in place. Administrative funding arrangements should not impede access to aged care services for people with a disability who are ageing.

AGREED-IN-PRINCIPLE

The Commonwealth Government will take full funding responsibility for all national aged care services and full funding responsibility for specialist disability services delivered under the National Disability Agreement (NDA) for people aged 65 and over. This will enable more simplified and integrated assessment across all forms of care and more integrated provision of aged care, including to people with a disability who are ageing.

RECOMMENDATION 23

Access to generic services should continue to be a priority for the next CSTDA, particularly access to health care services.

AGREED

All Australian governments have recognised the importance of mainstream services in supporting outcomes for people with disability, their families and carers. Through the National Disability Agreement, Commonwealth, State and Territory governments have agreed to undertake further work to ensure that all people have access to mainstream government services within their jurisdiction, including health care services.

In addition, the National Disability Strategy will set out a ten year national plan for improving life for Australians with disabilities, their families and carers. It will address the performance of mainstream systems, such as the health system, and also the disability service system, for people with disability, their families and carers.

RECOMMENDATION 24

That Commonwealth, State and Territory governments, as part of their commitment to life long planning for people with disabilities, ensure:

- **that transitional arrangement options are available for people with disabilities who are cared for by ageing family members; and**
- **that there are adequate options for people with a disability and their carers to plan for their futures.**

AGREED

As previously noted, the Commonwealth Government has provided significant funding to State and Territory governments for supported accommodation. This includes the \$100 million provided to State and Territory governments in May 2008 and \$60 million that will be provided to community based organisations from 2011 to provide supported accommodation facilities for people with disabilities, especially those being cared for by ageing carers. These additional facilities will allow older carers to plan for the transition of their children with disability from home to other accommodation arrangements and will provide older carers with greater peace of mind when they are no longer able to provide care on a full time basis.

In responding to the House of Representatives Standing Committee on Family, Community, Housing and Youth '*Who Cares..?*' report on the inquiry into better support for carers, the Commonwealth Government committed to developing a National Carer Recognition Framework. A National Carer Strategy will be developed under the Framework, which will consider transitional arrangement options for people with disability and their carers, including older carers.

Transition arrangement options for people with disability who are cared for by ageing family members and support for people with disability and their carers to plan for the future are supported through the National Disability Agreement.

In addition, in September 2006, the Commonwealth Government established Special Disability Trusts (SDT) to assist families who wish to make private financial provision for the future care and accommodation of their family member with severe disability, by providing social security and veterans' affairs means test concessions. SDTs enable immediate family members who are of age pension age, to gift up to \$500,000 into the trust without having the social security gifting rules apply. An SDT can hold assets worth up to \$563,250 (indexed annually and current as at 1 July 2010) and income from the trust can be used for the care and accommodation of the beneficiary (that is, the person for whom the trust is established) without these funds impacting on their Disability Support Pension.

The Commonwealth Government will work with State and Territory governments through these initiatives to ensure that the support and care needs of people with disability are determined appropriately and easy to access.

RECOMMENDATION 25

That a review of alternative funding arrangements be undertaken through the research and development program of the next CSTDA which specifically considers, amongst other elements:

- **the likely costs and benefits of individualised funding;**
- **the issues encountered in the introduction of alternative funding overseas;**
- **provisions and alternatives to allow people with disabilities to choose the level of self-sufficiency with which they are comfortable;**
- **the provision of decision support tools and services to assist people with disabilities, their families and carers; and**
- **that the findings of the review be reported to the relevant Ministerial Council.**

AGREED-IN-PRINCIPLE

Options to allow people with disabilities to choose the level of self-sufficiency with which they are comfortable; and the provision of decision support tools and services to assist people with disabilities, their families and carers will be explored through the policy and reform directions of the National Disability Agreement (NDA).

As noted in the response to Recommendation 15, Commonwealth, State and Territory governments have agreed that, due to the lack of research into disability issues compared to other human services, they would, subject to an agreed agenda and governance structure, contribute a total of \$10 million over 5 years from the NDA for research in this area. This is in addition to the funding provided through Specific Purpose Payments by the Commonwealth and in addition to funding provided by State and Territory governments for disability services.

The Commonwealth Government also commissioned research from the Social Policy Research Centre into the effectiveness of individual funding approaches for disability support. The report was released in July 2010.

As noted in the responses to Recommendations 4 and 5, the Commonwealth Government has also announced that, as part of the National Disability Strategy, the Government has commissioned a feasibility study into a national long-term care and support scheme for people with disability in Australia. This decision demonstrates the Commonwealth Government's commitment to researching and finding new, alternative approaches to funding and delivering disability services. The Inquiry will consider costs, implementation and design issues, governance arrangements and administrative issues, including for a social insurance model that reflects a shared risk of disability across the population.

RECOMMENDATION 26

That additional funding for research and development should be committed under the next CSTDA within agreed policy priorities.

AGREED-IN-PRINCIPLE

As noted in the responses to Recommendations 15 and 25, Commonwealth, State and Territory governments have agreed that, due to the lack of research into disability issues, compared to other human services they would contribute a total of \$10 million over 5 years from the National Disability Agreement (NDA) for research in this area. This is in addition to the funding provided through Specific Purpose Payments by the Commonwealth and in addition to funding provided by State and Territory governments for disability services. The Commonwealth Government is currently investigating possible models for developing and implementing the NDA research agenda.

RECOMMENDATION 27

That the Commonwealth defer the implementation of its restructure of the national disability advocacy program and incorporate planning for advocacy services, including carers advocacy, in the negotiation of the next CSTDA.

AGREED

Through the National Disability Agreement, all Australian governments agreed to consider improvements in administration of advocacy services, with a focus on improving service delivery and access to advocacy services for people with disability. Disability officials are currently progressing this priority and have developed a nationally consistent framework for disability advocacy that covers both individual and system-wide advocacy, common desired outcomes and data issues. [The framework](#) is intended to promote greater national consistency and coordination across government programs to ensure advocacy support is provided in a more accessible and efficient manner. The framework includes common definitions, outcomes, principles and policy and reform directions that all governments will use when planning and delivering disability advocacy programs. [Consultations with disability advocacy and peak organisations about the draft framework are finalised and Disability Ministers will consider a final version before the end of 2010.](#)

RECOMMENDATION 28

That the next CSTDA continue to incorporate a prominent role for disability and carer advisory bodies as well as the new National Disability and Carer Ministerial Advisory Council. These bodies should be able to provide advice to government on service delivery, progress made in meeting objectives and priorities and directions for research and development.

AGREED-IN-PRINCIPLE

The Commonwealth Government values input from people with disability, their families and carers provided through a variety of consultative mechanisms. This includes the 28 member National People with Disabilities and Carer Council (NPWDACC) and national

disability peak bodies which have a prominent role in providing advice to the Commonwealth Government on disability and carer issues.

The Commonwealth Government provides funding to a number of service, consumer and provider peak bodies to provide it with advice on social policy issues. In particular, it funds the following twelve dedicated national disability peak bodies to contribute to government policies about disability issues affecting Australian families and communities, to carry information between government and the community on social policy issues, and to represent constituent views.

- Australian Federation of Disability Organisations;
- Deaf Australia Inc;
- Deafness Forum Australia;
- Blind Citizens Australia;
- Brain Injury Australia;
- National Council on Intellectual Disability;
- National Ethnic Disability Alliance;
- Physical Disability Australia;
- Women With Disabilities Australia;
- First Peoples Disability Network (Australia);
- Children with Disability Australia; and
- National Disability Services.

This is in addition to conducting other consultation processes to inform policy and program development when required. For example the Commonwealth Government in partnership with the NWPDACC, undertook a consultation process on the National Disability Strategy. The response to this process was extensive with over 2,500 people attending capital city forums and focus groups in regional and remote areas and over 750 submissions were received. Submission respondents and consultation participants included individuals (people with disability, their families and carers) and representatives from a range of backgrounds, including service providers, community and advocacy organisations, peak bodies and State, Territory and Commonwealth government agencies.

The National Disability Strategy consultation report, “Shut Out: The Experience of People with Disabilities and their Families in Australia”, was launched and presented to the Commonwealth Government by the Council on 5 August 2009. The Commonwealth Government commissioned the Shut Out report because it wanted to hear what people with disability, their carers and families wanted to see in a National Disability Strategy. The Shut Out report has been instrumental in informing the Strategy, helping governments to identify the barriers and issues facing people with a disability, their families and carers, and guide solutions.

The Commonwealth consults with the NWPDACC on an ongoing basis on the development and implementation of the National Disability Strategy.

RECOMMENDATION 29

That Commonwealth, State and Territory governments ensure that people with disabilities and their families are not discouraged from accessing care services in their homes because of potential occupational health and safety liability.

AGREED-IN-PRINCIPLE

The Commonwealth Government is concerned about the wellbeing of carers, and provides substantial assistance through Carers Payment, Carers Allowance and other supports to assist them continue in their role. Occupational health, safety and welfare matters for in-home care are broader than National Disability Agreement (NDA) services and are regulated under State and Territory legislation. Service providers are provided with Program Guidelines that include relevant Commonwealth Government, State, Territory and local government legislation.

Under the NDA, State and Territory governments are responsible for delivering specialist disability services. State and Territory governments have indicated they have not received any feedback which indicates people with disabilities and their families have been discouraged from accessing care services in their home because of a potential occupational health and safety liability.