

**Submission: Queensland Productivity Commission:
Inquiry into the National Disability Insurance Scheme
Market in Queensland**

QDN

QUEENSLANDERS WITH DISABILITY NETWORK
NOTHING ABOUT US WITHOUT US

Submitted to the Disability Royal Commission
August 2020

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About Queenslanders with Disability Network (QDN)

Queenslanders with Disability Network (QDN) is an organisation of, for, and with people with disability. QDN operates a state-wide network of 2,000+ members and supporters who provide information, feedback and views based on their lived experience, which inform the organisation's systemic advocacy activities. We believe people with disability should always be at the table when decisions are made that directly impact their lives.

QDN also currently hosts 21 peer support groups across Queensland, made up of people with a diverse range of disabilities, and convened by people with disability. The groups network socially, share information, life experiences and solutions to create more inclusive lives and communities. Local groups are a safe space for people with disability to share information on topics that are of interest to them, to extend their social networks and to build capacity and leadership skills. Groups usually meet on a monthly or bi-monthly basis and meetings can be face-to-face or virtual.

Introduction

Queenslanders with Disability Network (QDN) welcomes the opportunity to make a submission to the Queensland Productivity Commission: Inquiry into the NDIS market in Queensland. This submission draws upon the lived experience of Queenslanders with disability, their families and carers. Additionally, the submission draws on QDN's broader NDIS systemic policy work and specific project work across a range of areas, including NDIS participant readiness, access, plan activation, implementation, and review. It is also informed by key areas of importance to QDN members across mainstream services, including health, housing, employment, transport, rights and advocacy and justice.

The *United Nation Convention of the Rights of People with Disability (2006)* (CRPD) provides the international context for safeguarding and upholding the rights of people with disability. The principles of the CPRD and articles form the basis for national and state based policy frameworks for disability, and a foundation for building a framework that has developmental, preventative and corrective measures to safeguard the rights of people within the scheme and ensure access to quality supports and services.

Almost 1 in every 5 Queenslanders have a disability, which is almost 900,000 people, and approximately 91,000 of these people are expected to enter the National Disability Insurance Scheme (NDIS) as participants in Queensland ([ABS 2012](#)). The NDIS is delivering large-scale transformational change delivering much needed supports for 10 percent of Queenslanders with disability with disability.

QDN supports the introduction of the NDIS and the benefits to people with disability and their families, particularly for the estimated 45,000 Queenslanders new to the scheme who have never previously received any specialist disability funded support. QDN acknowledges the significant work required to introduce a national scheme, with associated size, scale and timeframes, and the work that has occurred to date by the Queensland Government, the Commonwealth Government, the National Disability Insurance Agency (NDIA), alongside service providers and people with disability, families and carers to build and deliver a scheme that is cognisant of the outcomes and transformational change that was promised in the early design.

This implementation of the NDIS needs to be considered within the context of broader State and Commonwealth responsibilities. QDN and our members are committed to ensuring people with disability and their families and carers have an enhanced quality of life and can participate as valued members of the community. Within this changing legislative and policy landscape, it is critical that Local, State and Commonwealth Governments work together to deliver governance, accountability mechanisms, and ways of measuring outputs and outcomes that are informed by people with disability.

The NDIS is built on the foundations of choice and control and enabling people with disability to access the reasonable and necessary support they need. A thriving, diverse and strong market, where people with disability can maximise their plans, and be able to achieve their desired goals and outcomes is critical for success.

QDN welcomes the opportunity to make this submission, to provide feedback and inform the inquiry from the perspective of people with disability, to share learnings, insights and recommendations to help shape the way forward and highlight the important role of the Queensland Government as partner and investor in the NDIS to ensure it delivers for Queenslanders with disability.

Transition in Queensland

Queensland has experienced a long journey in transition to the NDIS over the past four years, commencing in this state on 1 July 2016. A broad range of activities have been undertaken to assist people with disability and their families, disability service providers, the community services sector and mainstream government agencies both in the lead up and throughout transition. This has included a broad range of investment and activities that have delivered information and capacity building for individuals, families and the broader sector.

Queensland continues to be unique in NDIS transition in comparison to other jurisdictions based on 50% of people being new participants of the estimated 91,217 Queenslanders to enter the scheme, also the state's diverse and dispersed geographical landscape, and the timing of the State's roll out approach and phased locations with all significant numbers in the final year.

Queensland's roll out timeframes included the staged phases of roll out commencing in regional, rural and remote communities, with the metropolitan areas transitioning in the final year. QDN's state-wide network have consistently provided direct feedback from the first roll out location in Townsville and surrounds. Through all stages of the transition our members on the ground feedback has been invaluable in being providing real-time end-user feedback to ensure the positives and challenges of implementation were able to be incorporated into system and the scheme's overall planning, implementation and review. This feedback from Queenslanders with disability and their families have helped shape system improvements and continue to drive better outcomes and processes and approaches that better meet the needs.

Queensland roll-out stages left the largest numbers of transition for the final year, with 60,000 people to transition during 2018-2019. Whilst this approach enabled a 'scale up' model to test the implementation, learn and adapt, it was still a challenging volume to manage for any system. This was compounded by the late commencement of the Partners in the Community: Local Area Coordination (LACs) and Early Childhood Early Intervention services.

In addition to this, the high-level of need for assistance, capacity building and targeted outreach to the 45,000 new participants, as well as the other essential stakeholders in this Scheme entry

process (ie, General Practitioners and Allied Health Professionals to complete required paper work), was, in QDN's experience and opinion, underestimated in early planning and modelling.

Because of QDN's work across its state-wide network and specific NDIS participant engagement projects, QDN was able to identify and highlight the specific issues across the primary and allied health sector. In particular, challenges they were experiencing with completing access request forms and documentation without the appropriate participant information related to significant functional impact, permanency and lifelong disability. The information required was not necessarily the day to day role and skill set of professionals who need to complete the application forms. QDN identified the need to build health professionals capacity and understanding of the criteria the access request is assessed against and ensuring the information provided meets the threshold for approval. Because Queensland was the only state with a bilateral that had 50% new participants, this resulted in many 'new' access requests being completed that were failing to meet NDIA requirements. Additionally, QDN found that another barrier to access is affordability of the assessment for people with disability which are required to demonstrate adequate evidence of disability and level of significant functional impact needed for new participants.

Consistent throughout this transition has been the slower than expected approved access requests, lower rates of activation of approved plans, lower levels of utilisation, and need for plan reviews to deliver appropriate plans reflective of individual needs.

This has been reflected in QDN members' feedback that they have experienced challenges across all components of the participant journey, from accessing the scheme, plan activation through to navigating the new market and under utilisation of their plans. People with disability generally have expressed their challenges navigating the new market, however the following groups have identified additional barriers and challenges including:

- people living in regional, rural and remote areas of the state;
- people living with psychosocial disability;
- people from Aboriginal and Torres Strait Islander backgrounds;
- people from Culturally and Linguistically diverse backgrounds;
- people who are homeless or at risk of homelessness;
- people who are part of the juvenile or criminal justice systems and child safety system.

At all stages of the transition, people with disability and their families have expressed the need for more targeted, accessible information and hands on assistance to access the Scheme, activate plans, ensure they are properly resourced, and act as empowered customers in this new market environment.

Access to individual and systemic advocacy has continued to be a critical factor in getting fair, reasonable and equitable access and outcomes from the NDIS throughout transition. This has been particularly so for people who experience additional disadvantage and are engaged in multiple service systems. Access to individual and systemic advocacy that sits outside the NDIS, funded through State and Commonwealth programs, will continue to be critical for people with disability. Scheme maturity will not negate the need for individual and systemic advocacy as part of the landscape of the disability sector at State and Commonwealth levels.

Measures to increase participation

With Queensland's transition, it is acknowledged that a range of measures have been put in place by the Commonwealth, State and NDIA, including a range of pilots, initiatives and system improvements to address not only the Queensland situation, but also consideration of national approaches in response to ongoing barriers.

Throughout transition, there have been a range of initiatives to increase participation, with leadership taken by the Queensland Government, the NDIA and the Commonwealth Government. These have had varied impacts on the ground, and people with disability have consistently reported that the measures that deliver the best outcomes for participants are those that are 'hands on, practical, accessible' and targeted to meet their needs for support. Participants report that it's not easy to pick up the phone and call the 1800 number to get access, and there are a range of cohorts who experience barriers and challenges to their participation across the system. People with disability need clear pathways, clear information, and a system that doesn't have layers of complexity about who is there to assist with what.

The Commonwealth and Queensland Government collaboration has resulted in the Targeted Outreach Project, which is being delivered by QDN and project partners QCOSS and Aged and Disability Advocacy through the Aboriginal and Torres Strait Islander Disability Network of Queensland (ATSIDNQ). The establishment of the Assessment and Referral Team (ART) within the Department of Communities, Disability Services and Seniors is an important response to address this need and challenge specific to the Queensland context. QDN acknowledges that there are a range of measures in place by the NDIA and LACs and it is important to continue to deliver these targeted responses without duplication.

QDN and project partners bring a strong connection to communities and an effective approach to consumer and community engagement by and for people with disability, which has enabled targeted strategies that meet the needs of people with disability.

There are still a significant number of people who are 'hard to reach' and yet to understand the benefits of the NDIS, their eligibility and engage with the scheme. QDN and project partners QCOSS and Aged and Disability Advocacy through the Targeted Outreach project will continue to work in partnership for the period from 2020 to June 2022 to provide this targeted outreach to engage with people where they are at, and deliver information and assistance in accessible, engaging ways that meet needs.

Transition for marginalised and 'hard to reach' populations

Over the past six years, QDN has been involved in a range of projects to deliver participant information, education, peer support and projects. This work has been focused on providing a high level of targeted support and intervention for Queenslanders with disability to assist them in their NDIS pre-access and access request process. From QDN's experience, marginalized people with disability who are already experiencing disadvantage require more specialised delivery of information and capacity building to become empowered consumers in this new market.

Additionally, QDN has continued to receive feedback directly from people with disability, including those who are considered 'hard to reach', that the challenges identified in the early stages of the transition have continued. This has included working with people experiencing a range of complexities and interfaces, often with multiple service systems across homelessness, child safety, juvenile justice, domestic and family violence, health and criminal justice systems. People with disability from Aboriginal and Torres Strait Island backgrounds as well as people with disability from Culturally and Linguistically Diverse backgrounds also continue to need specific engagement and targeted strategies to support their needs for access, pre-planning and planning to enhance participation in the scheme.

From this feedback, QDN identified the importance of hands on work with people who said they needed help with gathering evidence and getting documentation completed to meet NDIA requirements. For many thousands of people, without this hands-on, practical help it means that

they would not have met access requirements. People with disability believed to be eligible for the NDIS have reported stories of having their access requests denied multiple times. QDN was able to raise this with the Queensland Government, NDIA and Commonwealth Government and was successful in receiving funding for a range of projects to provide this support. The NDIA has also responded to this feedback both at a state level and more broadly across Australia, adjusting its initiatives, responses and structures throughout the Agency to deliver improved pathways and support for participants.

Through the Queensland Government funded Peer to Peer Advocacy Project delivered from 1 July 2018 to 30 June 2019, QDN was able to provide support, information and advice to 1,195 participants. Of those supported to develop successful access requests, 31% had previously had their access denied by the National Access Team. Learnings from this project identified the importance of supporting this cohort throughout the entire process, from pre-access and finding out about the NDIS, to access request, through to pre-planning and planning meeting stages.

The role of community organisations like QDN to provide independence and skilled support and expertise not only enhances services and supports for individuals, but also for services and the system. Critical to this engagement is the proactive role that peers with disability, community, voluntary and mainstream organisations, and allied health professionals can play in promoting the scheme and supporting people along their NDIS pathway.

Lessons from transition for future consideration

QDN strongly asserts that people with disability and their families continue to require targeted capacity building, education and mentoring that is delivered in an accessible and inclusive way to enable people to operate as active consumers in this new market driven environment. While the NDIS brings choice and control to people with disability, their families and carers in terms of how, when, where and from whom they purchase their supports, it also places increased responsibility on participants.

The way the scheme has been rolled out makes an underlying assumption that people with disability and their families automatically assume the required level of skills, knowledge, and capacity to behave as an informed customer once their plan is approved. While this may be the case for some participants, it is QDN's view that many participants and their families find this very challenging. Participants have regularly reported challenges with access to quality and consistent supports to assist with this capacity building. This includes the quality and consistency of supports delivered by Local Area Coordinators, as well as the specific individual supports through to the Supports Coordination line item.

The NDIS represents a major transformational shift for people with disabilities, families and service providers, and there has been a significant investment of time and resources to date to ensure that all parts of the 'market' are able to behave appropriately within that context, and that everyone involved is well informed to understand this new environment. However, there remain ongoing challenges for people with disability in accessing a maturing market that need to be addressed to ensure the NDIS delivers for all Australians with disability.

Information, Linkages and Capacity Building is an investment strategy that has been key to providing funding for a critical part of the disability service system, that does not provide NDIS specific line items but delivers a range of fundamental and foundational services by and for people with disability. Peer support and the place of people with disability in leadership, capacity building, and subject matter experts who carry a strong knowledge of the history, but also the policy and the broader context to inform and shape the system to operate at its best.

Peer support is a key element of a strong and robust system and builds connection, informs, and supports people with disability to lead and influence change in their communities and increase social and economic participation.

Alongside this, individual and systemic advocacy are essential parts of the disability sector, supporting individuals to have their needs amplified and listened to, as well as an important mechanism for both State and Commonwealth Governments to be able to gain valuable insights and feedback to inform strategies to improve outcomes for people with disability.

Beyond 2022 with the completion of Targeted Outreach and ART, it will be important to ensure a similar approach remains in place to deliver what is needed for participants. This includes targeted outreach delivered by skilled, local organisations with connections to community, accompanied by specific intervention to undertake assessments and hands-on assistance with access and planning.

Going forward, measures to increase participant participation need to put the person with people with disability at the centre, and deliver outcomes that are tailored to individual needs and minimise duplication and confusion, drawing on the skills, expertise and knowledge of locally based organisations.

Participation in the scheme: for Participants

Until the NDIS started to rollout in Queensland, the majority of people with disability in Queensland had no experience of choice or control. This included how their supports were delivered, contracts, understanding implementation of funding to purchase supports, and engagement with providers in an equal relationship. Queensland had a small number of participants operating under the Your Life, Your Choice initiative operated by Department of Communities, Disability Services and Seniors that was based upon similar foundations of choice and control.

The NDIS has brought with it the opportunity for people with disability to be the driving force in their own lives and the transition to becoming empowered, well informed consumers will take more time and investment, ensuring people have the right skills, knowledge and capacity to navigate and operate in the NDIS market environment. However, there continue to be a broad range of challenges experienced by participants in the scheme.

Broadly, QDN members report a range of positive experiences in becoming participants in the NDIS, some accessing funded disability supports for the first time in their lives and others reporting improved access to funded disability supports that better meet their level of need.

With the introduction of this new system and market, people with disability are moving from being passive recipients of service to customers. For this fundamental shift to occur successfully for more individuals, people with disability require additional support, resources, and information. For some people with disability this will be the first time in their lives that they experience choice and control over their service provision. To make this move to effective empowered consumers, people with disability need to be adequately resourced, supported through staff and resources such as supports coordinators who can build their individual capacity. Additionally, there is an important role for peer support to enable people to be informed and skilled in engaging and navigating this new market.

QDN continues to receive feedback that a range of people continue to experience challenges, including;

- People with complex needs who need a range of specialist supports from a relatively thin market to support their needs. This includes additional support and assistance to make an access request to the NDIS and then activate and implement and fully utilise their plan;
- People who identify as Culturally and Linguistically Diverse (CALD) have experienced challenges in accessing the right information in the right format, and having access to someone who is culturally aware to explain the NDIS and support them to successfully implement plans and receive supports;
- People with dual or psychosocial disabilities have identified that a significant barrier to participation in the marketplace is actually making an access request, and then the additional supports that people need to implement their plan, as their fluctuating needs and life circumstances impact at different times;
- People living in rural and remote areas have identified that they are finding it difficult to locate information and services, particularly allied health workers and supports coordination due to the lower levels of availability in these areas.

Feedback from QDN members identifies that without adequate resources and information and supports, people with disability are not going to be able to utilise the Scheme to its full potential and achieve their goals to increase social and economic participation.

As the Scheme has rolled out in Queensland, the focus of the Local Area

Coordinators (LAC) has been assisting people with disability in this State to access the Scheme and NDIS planning meetings. Feedback received by QDN has been that throughout transition, the focus of LACs has not been on assisting people with plan activation or exploring the right supports and services to meet individual needs, but rather just signing people up to the Scheme. This has impacted upon transition and resourcing for this important element of activation and navigation.

Queenslanders with disability have expressed that they believe effective support to develop skills and knowledge needs to occur through adequate supports coordination and knowledge/skill building sessions on plan activation and implementation to start to work towards individual goals. This is still an area of development that needs attention and a consistent approach.

The delivery of Supports Coordination by the same organisation that delivers NDIS services and supports continues to pose a conflict of interest for participants and needs to be addressed. Safeguards need to be in place to ensure that the same provider does not hold responsibility for all these elements and the potential risk and power imbalances that exist need to be addressed and adjusted. Additionally where the provider also is the 'owner' of the property, the provider of Supported Independent Living (SIL), the Supports Coordinator and delivering core supports means that the person is receiving 'whole of life' supports from one provider and this highlights greater risks and issues for individuals as identified recently through the Disability Royal Commission, and more recent high profile media reports on abuse and death of people with disability including Ann-Maree Smith.

Readily accessible information and support on activating plans will continue to be critical to the success of plan implementation for people with disability to achieve the goals and outcomes of the Scheme.

Meeting the needs of participants: Plan utilisation

Queenslanders with disability continue to have lower than national average plan utilisation rates, which has direct impact upon individuals and accessing the supports and services they need, as well as the broader social and economic benefits to communities.

The most recent NDIA Quarterly Report published for the period to 31 March 2020 indicates that Queensland's plan utilisation continues to sit at around 67%, with varying levels across different geographical areas and by different cohorts.

QDN members continue to report that they need assistance and more time from Supports Coordinators and others to understand the Scheme and activate their plans. QDN continues to have contact from Queenslanders with disability who need hands on practical support and from feedback from members, Supports coordination appears to be an underdeveloped and immature part of the market, and under resourced in plans that do not deliver the level of support that is actually needed by participants. While supports coordination has a framework for what this service 'should' deliver, there is no consistency about how supports coordination is being translated on the ground. It is critical that supports coordination fulfills the need to better assist people with disability through practical and accessible information to understand how their plans work, what services are available in their local area and how they can navigate the market.

Our members in regional areas have also expressed that they require more support to activate plans and engage with service providers. This is particularly a challenge for people who have never received supports before and are trying to access support in an already thin market. People are having challenges in finding the right supports or programs, finding services with availability, as well as understanding the services they are purchasing including their obligations under contractual arrangements.

Some people with disability have provided feedback that they did not understand how to engage a service provider so have opted to wait and see how others engaged staff. This lack of confidence in being able to utilise their plans and engage with service providers has delayed people with disability working towards their goals. It could also have implications when plans are reviewed as it could be seen that people do not require that level of funding rather than whether they have the skill level to fully utilise the funding.

Meeting the needs of participants: NDIA processes

As outlined above, Queenslanders with disability have identified a range of challenges with the NDIA processes including access, getting assessments as part of their access process, being prepared for the NDIS plan, planning meetings and plan reviews. As participants are moving into the regular review processes, this has emerged as a key issue for participants, who report worry with the review process, and poor satisfaction with the outcomes where they lose funded supports from their plan that they may not have been able to access because of a range of valid and reasonable reasons including:

- low level of knowledge and their own developing skills – not being able to fully activate their plan,
- limited options in the market to be able to buy their supports,
- low workforce numbers and limited supply of workforce.

Whilst a range of measures have been put in place that have improved the complex pathways and interfaces with mainstream services, there continue to be ongoing challenges as the system moves forward. During COVID-19, the work undertaken in Queensland with the rapid hospital discharge for clinically well NDIS participants has been a successful example of the collaboration and integration of the systems being able to implement positive outcomes for a large number of Queenslanders with disability who have experienced challenges in leaving hospital pre -COVID. It

will be important to examine these lessons and learnings, and ensure they are incorporated in system reforms going forward to embed good practice, systems and processes.

Meeting the needs of participants: NDIS Services

Queenslanders with disability have had varied experiences with NDIS services meeting their needs. Throughout transition, many people have reported that they found it challenging finding organisations with capacity to be able to deliver what they want at the right time, in the right place, by the right people, with the right skills.

Many people have also reported positive experiences with being able to access a range of services and supports, some for the first time and the benefits that this has had on their individual lives and ability to achieve a range of goals.

Self-management and plan management continue to be an important part of the market landscape that need ongoing investment and support to continue to grow, develop and assist to increase uptake and maturity. Both individual capacity building through individual plans, as well as peer support and broader knowledge, skills and educational approaches are important to build.

QDN sees that Information, Linkages and Capacity Building (ILC) continues to provide an important part of the funding envelope for the NDIS and more broadly the National Disability Strategy. Having mainstream services and community that can be more inclusive and responsive to people with disability will help deliver outcomes and aims in terms of social and economic benefits as well as individual benefits in terms of quality services, delivered in inclusive, accessible, safe ways. While ILC funding is an important way to improve community inclusion for all people with disability, it does not respond to and invest in workforce activities needed to deliver the increased skill, knowledge and expertise required of mainstream services like health, housing, employment, education, police, justice, and transport so they can deliver appropriate, accessible, quality and safe services to all people with disability. These require additional focus, targets, strategies and measures to deliver improved accountability and outcomes across all portfolio areas within State/Territory and Commonwealth Governments.

The NDIS Quality and Safeguards Commission is also a key part of the service system, playing a crucial role in monitoring the services and system. Whilst the Commission is recently established, there is a need for the Commission to have greater presence and power to monitor and hold accountable services and individuals who do not comply with regulations and hurt or cause harm to people with disability.

Meeting the needs of participants: Outcomes and impacts

QDN acknowledges that there are a range of internal measures in place for the NDIS to gather data to measure NDIS participant satisfaction, and a need for services and providers to be able to assist with how their services and supports can value add to the achievement of participant goals and outcomes. As the NDIS provider market has developed, there have been a range of methods that have emerged to deliver not only quantitative measures of outputs as well as qualitative measures of outcomes and impacts.

QDN sees that there are critical measures that need to be in place both within the system as well as independent of the system to gather evidence and data to demonstrate how the NDIS is meeting Queensland participant needs effectively and efficiently. The Queensland Government is an equal partner with the Commonwealth in funding Queensland NDIS participants, and therefore has a stake in ensuring that Queenslanders who are participants in the scheme are getting the

best outcomes, including access to the scheme, meeting of ongoing needs, and strong engagement with participants.

While the NDIS, NDS and jurisdictional disability plans increase the focus on issues related to the impact of disability, there are still many accountability measures needed to ensure communities are truly accessible and inclusive, and the data that is collected through the different agencies needs to be integrated in order to paint a clear picture of not only individual outcomes but also broader system and community impacts around inclusion and social and economic participation for people with disability.

Achievement of goals and impacts of investment

There are a range of different factors that influence goals, the flow through to what is funded in plans, and the way that information is collected to measure achievements of goals. As discussed previously in the submission, it is important that people with disability are in the driver's seat to be able to understand, interpret, analyse and have input into the collection of evidence and data about the achievement of their goals. There are a range of different ways this has been done to date, and a user led co-design approach to creating these solutions is a key feature. Market driven and service led design of reporting has been undertaken across industry with a range of different reporting frameworks, programs, and technology, however, QDN believes that it is important that any approach places people with disability as a key partner.

NDIS market conditions and prospects

The NDIS market continues to grow, evolve and emerge, however for Queensland there is still a range of work to be undertaken to continue to shape, steward and support its development.

The development of the disability workforce to support the emerging market has been a keen issue for QDN members. There are continued issues about workforce supply ability to meet the demand, and this has been further exacerbated by COVID-19. As demand for support services rapidly doubles when we reach the bilateral estimates of 90,000 people, the supply of support staff including allied health professionals has not necessarily increased at the same rate. The thin market is leading to people with disability not having the right supports, having to pay over the market price to secure staff, or having funded packages they cannot utilise. The lack of available and qualified staff is impacting on people's choice and control, particularly for younger participants who are seeking support staff who can help them learn new skills to achieve their goals around social and economic participation.

Investment in training and development of staff is still a critical missing piece to achieving a quality thriving NDIS market with skilled workforce.

Additionally, the impact of compliance and burden on service providers influences being able to grow and develop the market.

ILC is also a critical part of the market, and delivers investment in a range of fundamental and bedrock services, particularly disabled person and family organisations who are key to reforming the nature of the system and enabling people with disability and their families to shape, lead and influence change in their lives and in their communities.

With the need for an increase in this workforce, investment in training and development for people with disability should be explored. The majority of people with disability with the right supports are keen to be valuable members of the workforce. Up until the introduction of the Scheme, people with disability have been limited in what they could do regarding employment owing to their

support needs. With this barrier being reduced people with disability with the right training could potentially reduce the stress on this quickly growing market where people have the skills and experience to deliver on market segments in response to demand.

Members have also expressed a view that they have not seen many service providers engage with customers to redesign and redevelop their products to meet this new market. People with disability identify that they are still facing challenges trying to access the right staff, at the right time to meet their individual needs. Some members report that they have not seen active work on service designs being explored to meet the new model of individualised supports. This is leading to frustration by people with disability who are trying to be active consumers in a new market which cannot meet their developing needs.

Our members, particularly in remote areas in the Gulf of Queensland, have shared stories about the lack of new support services in their communities. Feedback from QDN members in these areas is that people now have funded supports, however there is not the appropriate workforce available to meet the increased demand. Remote areas such as the Gulf of Queensland need more investment in training to develop a workforce with focus on the needs of Aboriginal and Torres Strait Islander people with disability.

Impact of COVID-19

The COVID-19 pandemic has shone a light on a broad range of service and system gaps that have existed for people with disability over many decades. COVID-19 has also driven a rapid and collaborative policy and system response to put in place a number of key policy, strategies and initiatives to ensure people with disability could continue to access essential day to day disability supports, food and nutrition, housing, health care and other essential services.

People with disability face a range of unique challenges in emergency situations, many of these highlighted by the ongoing COVID-19 pandemic. Not only are many people with disability at higher risk from COVID-19, but the pandemic has exposed and exacerbated pre-existing inequalities and barriers for people with disability.

COVID-19 has also seen a number of people with disability already living in closed and isolated environments and systems become further isolated because of government health directives and measures that have been put in place to slow the spread of the virus.

For 10% of Queenslanders with disability, their access to funded disability supports is through the National Disability Insurance Scheme (NDIS), managed by the National Disability Insurance Agency (NDIA) and quality and safeguarding oversight by the NDIS Quality and Safeguards Commission. Both these Commonwealth agencies have played a key role in working collaboratively as key issues for people with disability have emerged and worked to address these both locally and nationally.

The specific health needs of Aboriginal and Torres Strait Islander and Culturally and Linguistically Diverse people with disability is also a key consideration in terms of access to services, information, and supports.

Throughout this pandemic, the Queensland Government, the NDIA, and other key agencies alongside people with disability have worked together to listen and respond to key issues and put

a range of measures in place. Some key areas emerged as critical to Queenslanders with disability during this pandemic which can be framed within the following areas:

Preparedness:

- emergency personal planning by and with people with disability for the specific COVID-19 public health emergency;
- having access to user-friendly public health information about the virus, preventing the spread and knowing what to do to stay safe;
- having access to digital technology and knowing how to use it to be able to get information, access essential disability and health services and stay socially and emotionally connected with family, friends and networks of support;
- targeted focus for people with disability who have been assessed as medically safe to leave hospital, to transition and be discharged from hospital to live and receive care and support in the community,

Response:

- access to 'essential' disability supports on a day to day basis to ensure continuity of care
- continuity of essential primary and acute health care that were impacted by Chief Health Officer directives;
- access to Personal Protective Equipment (PPE) for people with disability, the disability workforce and carers and training in how to use it;
- a need for priority testing for people with disability and the disability workforce

Recovery:

- access to supports and services that enable people with disability to transition from isolation to inclusion;
- focus on building resilience and well-being of people with disability, including mental health and well-being services;
- rehabilitation of individuals who may contract COVID-19 and any ongoing complications, and;
- ensure the role and voice of people with disability to contribute to the recovery process is planned and integrated.

One of the ongoing issues for people with disability is ensuring they are included and leading emergency planning and preparedness and the important role that the NDIS plays in supporting people in doing this.

QDN acknowledges the work of the NDIA, Commonwealth Government and other jurisdictions to work collaboratively in this emergency planning and response to ensure that the needs of people with disability were considered, and appropriate actions and plans put in place to deliver much needed access to information, essential basic needs such as food, essential support services across disability, health and housing and broader services and supports. However, QDN acknowledges that this may not have occurred on the ground and translated as day to day experiences for all NDIS participants. The NDIA needs to be an enabler of emergency planning and preparedness and assist in placing this as a fundamental element of NDIS planning processes to build it into policy, procedures and practice to ensure it happens for everyone consistently.

QDN members reported a significant increase in their cost of living as a result of COVID-19, which included delivery fees, shortages of and access to everyday groceries and increased prices for personal protective equipment (PPE), which became a major issue for people with disability during the peak of the crisis. Additionally, stockpiling of items like hand sanitizer and masks, left people with disability without critical PPE they use regularly as part of their day to day infection control procedures. QDN members reported instances where the price of hand sanitizer more than tripled during the peak of the pandemic. For people with disability, these items are essential to manage basic daily tasks such as eating and personal hygiene practices.

QDN is pleased that as this second wave has emerged in Victoria and New South Wales, the NDIA has responded with flexibility to how people can use their NDIS plans to assist with purchasing these essential items and to be able to receive safe supports in the current COVID-19 environment. QDN would hope that the NDIS would respond in similar ways for other states should similar situations arise.

QDN also acknowledges that there are a significant number of people with disability who are not digitally connected or have low levels of digital literacy. Community and disability services industry providers have played an important role in ensuring people with disability who access their services get information, however it is also important to recognise that this workforce may also experience challenges in understanding the information, interpreting the directives, and communicating these to people in user friendly ways. The community and disability services workforce also need to develop their skills and knowledge in digital literacy and digital inclusion.

QDN again acknowledges the policy change implemented by the NDIA to enable participants to purchase low cost technology to address this need during COVID-19. Digital literacy and digital access remain a critical and ongoing need that will need to be addressed. As health and other essential services continue to move to more virtual models of care relying on digital devices, equity of access to service will be at risk for people with disability.

Further to this, as well as 'having' a device, people with disability will also need the skills and knowledge to know how to use this device, how to access their essential services and in some cases where they receive funded supports, have a workforce with the skills and knowledge to support people with disability to develop their digital capacity.

Feedback to QDN in the COVID-19 environment indicated the need for greater access to devices and data to enable people with disability, in particular more socially disadvantaged or marginalised people, to remain connected and have their essential needs met and social connections maintained.

Participant capacity

There are a range of key areas in which it is important to continue to build participant capacity that maybe delivered through specific NDIS funded supports by workers or in different capacities through peer support. Transference of skills and knowledge occurs in a variety of ways. The key areas include:

- understanding how to activate their plans
- navigating the NDIS system
- choosing and engaging providers and getting good quality services

- exploring housing and accommodation options and what is possible
- being in the driver's seat to manage the data about own NDIS services and how they are delivering the positive outcomes
- self-management and plan management
- knowledge about NDIS Quality and Safeguards and roles and responsibilities as participants.

It is important to be able to drive system and service level change, and for people with disability to have a strong understanding of what good quality services look like, and what their roles and responsibilities at different parts of the system.

People with disability as NDIS participants who self-manage, and plan manage have a range of responsibilities under the NDIS Quality and Safeguards Commission. Both for current participants who opt to operate under this model, and future participants who may wish to move to this level of management of their NDIS plans, it is critical that appropriate resources are put in place to provide people with information, skills and capacity building.

It is important going forward that initiatives are in place to build participant capacity to self-manage well and within legislative frameworks to safeguard people who want to make this choice. QDN acknowledges the importance of this work being undertaken by services who are independent of being an NDIS Registered Provider and acknowledges the role and capacity of peer support as an effective mechanism to deliver this information.

Thin markets

Some people report very limited options in their communities for service provision and this means that they are not in a position to be able to readily change from one service provider to another if they are unsatisfied with their current service provision. In remote, regional and rural areas with limited service provision, members are also concerned that if the current service provider finds this area financially unviable and stops providing services, people will have no other service provision options. They are concerned that there are no contingencies in place in remote areas if service provision ceases by one major provider.

In regional areas where the supply for support workers is low and demand has become high, QDN members have commented that they have been choosing to self-manage their packages to try to secure the best possible support staff in an under resourced market.

Housing

Housing is a fundamental need and human right, and key to enabling people with disability to be included in community and family life, and to participate fully as citizens.

QDN members would like to see access to housing that is accessible, affordable, secure, and inclusive and reflects individual choice. The NDIS has enabled a range of different options and funded supports for housing that includes Specialist Disability Accommodation (SDA), Supported Individual Living (SIL) and more recently Independent Living Options (ILO). QDN acknowledges that a range of recent policy and operational guideline level changes have been made by the NDIA to improve the range of housing funded supports under the NDIS to drive change and improve outcomes for people with disability that align with the principles of choice and control.

QDN notes that under the NDIS, group homes remain a principal form of supported accommodation despite calls for more innovative housing and support models. QDN welcomes the national reform agenda under the NDIS that emphasises choice and control including choice of service providers however, for Queensland, QDN notes that most of the current NDIS SDA residents live in premises that were previously State Government funded group homes and

receive SIL funded NIDS supports as part of legacy arrangements as well as the new funded arrangements that primarily focus on SIL. QDN is concerned that the previous group home 'culture' may pervade these new models where choice and control are meant to be fundamental principles. The current market of accommodation providers delivers traditional models of congregate care. The NDIS provides a great opportunity to drive innovative housing model responses that can shift the market and deliver options that give people with disability a range of choices about their living arrangements.

QDN members have expressed concerns about the limited housing options for people with high support needs across the state and the lower than expected numbers and growth of the SDA market. SDA has the potential to address the undersupply of suitable accommodation for people with disability. However, it is clear it will take years before SDA can deliver the required level of supply of suitable accommodation.

QDN acknowledges that the benefits of this depends on a fully functioning, mature and competitive market that can offer the type of housing that people with disability want. Having a participant's whole-of-life services provided by one provider does not represent 'best' practice and is at odds with the fundamental NDIS principles of choice and control.

QDN asserts it is important to protect the participant from a provider conflict of interest where the provider of SDA is also the provider for SIL. Further, where SDA, SIL and other supports are provided by different service providers, participants are also less likely to experience violence, abuse, neglect and exploitation and are more likely to be empowered to raise concerns about what is not working for them. QDN strongly recommends that accommodation, SIL, and other supports such as core, capacity building and community participation are provided by different service providers for these reasons.

There is significant work to support people with disability to help them understand and fully explore what they need in relation to their housing supports, what this means for SIL and ILO, and to build the capacity of people with disability to understand SIL arrangements in smaller, more individualised living arrangements.

At all stages, it is critical that people with disability are included in the planning discussions, that people can get the information they need to make informed decisions and choices about what is possible.

QDN looks forward to changes in the NDIS operational guidelines for SIL improving the participant experience and maximising the benefits that SIL can offer. National implementation of these changes will allow participants greater choice and control, and the opportunity to maximise their independence and social inclusion.

QDN looks forward to seeing outcomes for NDIS participants from the 2020 national rollout of the NDIS *Individual Living Options* (ILO) Project as this aims to tailor housing and support around the participant's individual needs and preferences, with the intention of enabling greater choice of where and with whom participants live.

NDIS interaction with other markets and schemes

As the NDIS rolls out and Queensland transitions to the national service system, there are emerging gaps and areas where people with disability, particularly those with complex needs, will need measures in place to ensure they have access to emergency accommodation and services where the market fails to deliver what they need. As identified earlier in this submission, regional,

rural and remote areas are experiencing the impacts of thin markets and services which are unable to meet demand.

The loss of a range of specialist disability services during transition, and the impacts of the 'cashing out' of a range of essential services that have often provided a safety net for some of the most vulnerable and marginalised individuals are starting to emerge. There is an acknowledged risk of market failure as NDIS registered providers make business decisions based upon financial viability. This action may leave people with disability who have more complex support needs and higher cost services without access to service and supports, as these costs may not currently be adequately reflected in the current pricing structure.

As the NDIS has grown and evolved, the interaction with other markets and schemes has responded to emerging needs, issues and gaps. However, the speed of transition has been challenging and system change, and response has not worked at the speed required to deliver a coordinated and cohesive experience for participants. There continues to be a lack of coordination and a sense of who is responsible in the demarcation of services. This means that at the end of the day, people with disability are left floating without one specific agency to take responsibility.

With the cash-out of a range of 'disability' supports, there are still a significant number of people who are not eligible and find themselves without adequate supports. The new Queensland Community Support Service, replacing the old Queensland Community Supports is a rationed and time-limited system that has also been having impacts upon people who are missing out and falling through the gaps.

NDIS participants continue to report challenges with coordinating services provided by different agencies. There are many well intentioned staff working in different departments, services and organisations who provide good services, however there continue to be challenges with the interactions and intersectionality of the systems. A shift in the way services are coordinated needs to be considered along with service redesign for people who engage with multiple service systems.

Market governance and management

The Queensland Government, as a key partner and investor in the NDIS for Queenslanders with disability has an important role to play in market governance and management. There is no consistent data collection across state government departments, let alone a way that interacts at the national level. Whilst it is understood that this is currently being looked at by State/Territory and Commonwealth Governments, it is important that this takes into consideration the range of policy levers and agencies involved to deliver quality design that is useful to people with disability, providers, regulators and stewards.

At a Commonwealth level, the National Disability Agreement and National Disability Strategy (NDS) have provided the blueprint for the national disability policy landscape and architecture. The report by the *Productivity Commission on 1 February 2019, Review of the National Disability Agreement* provides clear recommendations for a cohesive policy architecture that will provide roles, responsibilities, accountabilities and overarching performance reporting frameworks for all levels of government, extending well beyond the NDIS to other service systems such as housing, transport, health, justice and education. This implementation of the recommendations of this report and its timeframes for developing and entering into a new National Disability Agreement was previously time lined for the beginning of 2020 and will be predicated on the Commonwealth Government's response to the Commissions' findings and recommendations.

Successful implementation of these outcomes and initiatives will be intrinsically linked to hearing directly from the experience and voice of people with disability. Post NDIS transition, the Queensland government has an important oversight role with the NDIS, ensuring accountability - that existing participants are getting good outcomes from the scheme and that new participants can access it - and that service gaps and interface issues continue to be understood and communicated to the NDIA.

State governments retain responsibility for many mainstream services which people with disability access and experience discrimination within, such as education, health, justice, transport, housing, employment, accessing infrastructure and community activities. It is important that the Queensland Government has the direct input of people with disability, subject matter disability policy experts and the broader stakeholders to develop good public policy and improve systems to ensure these systems and policies work for people with disability. However, QDN sees that there needs to be an established outcomes and impact reporting framework to be able to measure outcomes both within the system, but also a way to measure impacts of the NDIS, of more people getting the services and supports they need related to their disability and what this has meant for impact on mainstream services.

The *Productivity Commission Report, Review of the National Disability Agreement* report identifies that “The NDA’s performance reporting and evaluation framework can also play a role. Indicators relating to the use of, and experiences with, mainstream services by people with disability could help to identify accessibility issues and facilitate the assignment of responsibilities to improve these services.”

These issues reinforce the need for state and territory governments to plan for mechanisms going forward that deliver ways of engaging with people with disability to inform performance reporting, evaluation, as well as a function to identify issues as they emerge and provide advice and information to Government to inform strong public policy formation and evaluation, along with good decision making around NDIS implementation. This will be an important consideration in informing the role of the Queensland Government going forward and stewardship and functions.

Given the transformational change involved in national reforms such as the NDIS and NDS and the touch points for disability across multiple portfolios, QDN supports mechanisms which give a central governance structure and focus on disability within Commonwealth and State/Territory Governments. A centralised and linked structure would ensure co-ordination across disability national reforms and related National Agreements and the NDIS and ensure State/Territory Governments can play an active and key role in monitoring the outcomes of the NDIS for their constituents, and have oversight of their investment in the scheme to ensure delivery on expectations and improving the lives of people with disability.

A critical part of all of this is the access to funded independent individual and systemic advocacy for people with disability and their families and carers. Notwithstanding NDIS or ILC supports, QDN sees that there will always be a need for robust, independent individual and systemic advocacy for people with disability, and that in fact, need and demand for strong advocacy is increasing.

Conclusion

QDN is committed to working with the NDIA, the Queensland Government and the Commonwealth Government around these important issues to ensure that the NDIS delivers on what has been promised to people with disability, their families and carers, providers and the broader community.

QDN welcomes the opportunity to provide further comment and help develop these key areas.

As the Scheme continues to develop in Queensland and more people with disabilities become NDIS participants, the need for ensuring informed and market ready consumers increases. QDN believes there is still further skill development to occur for people with disability to become empowered consumers. Feedback QDN has received is that people with disability would like further assistance in how to activate their plans and how to navigate this new market including sourcing and purchasing the right supports so people can reach their goals. QDN is committed to supporting people with disability to become ready for the Scheme, assist people to activate their plans and support people with disability to achieve their goals to have a good life.

QDN believes there needs to be more development of the disability workforce, particularly in regional and remote areas. The increase in demand for support services has not been matched with an increase in supply. This inequality between demand and supply is impacting on people with disability having access to the required supports. The NDIS as the market steward needs to step in to regulate this thin market, particularly to ensure services remain viable in remote areas.

Appropriate, accessible and affordable housing continues to be a major concern for people with disability. In relation to housing options for people with disability, QDN believes that there needs to be an increase in the supply of accessible, affordable housing particularly in rural and remote areas where supply is low. QDN believes there needs to be further development of the housing market, particularly looking at innovative ways that can assist people with disability to be homeowners or to access affordable private and social housing options.

QDN strongly supports a robust quality and safeguarding system which protects and upholds the rights of people with disability. QDN believes that it is important that all parts of the service system, including people with disability are adequately supported with the information, education, training and supports to be able to identify, report, and respond to abuse, violence and neglect as well as implementing a nationally consistent quality system which delivers accountability and quality outcomes.

People with disability should not be left in a more vulnerable and disadvantaged position with the introduction of the NDIS and the operationalisation of safeguards for provider of last resort, crisis accommodation, and what will happen where 'thin markets' exist is critical.

The Queensland Government is an equal partner with the Commonwealth in funding Queensland NDIS participants, and therefore has a stake in ensuring that Queenslanders who are participants in the scheme are getting the best outcomes, including access to the scheme, meeting of ongoing needs, and strong engagement with participants.

There are many Queenslanders with disability who are experiencing the positive impacts of the NDIS and what it means in their day to day life, however there are also many people who are experiencing disadvantage in operating as a customer within the new market. QDN looks forward to continuing to work with all key stakeholders to ensure the 90,000 Queenslanders with disability eligible for the Scheme can access it and maximise the opportunities it brings to achieve social and economic participation in their communities.