



# Summer Foundation Response to Queensland Government's Productivity Commission Draft Report

**February 2021**

The Summer Foundation has extensive experience working alongside participants, support coordinators, housing suppliers, governments and the National Disability Insurance Agency (NDIA). We work to build capacity in the development of housing and support solutions that can be developed in line with participants' needs and preferences. We have undertaken demonstration projects and extensive research to demonstrate such opportunities. The outcomes of the research and our understanding of what it takes to effectively support people with disability to live in the community has evolved as we develop good practice, build meaningful relationships and push for greater outcomes for every individual.

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The Summer Foundation's contribution to the submission process focuses on the areas where we have significant experience and knowledge. We do not address all findings, recommendations or information requests.

# 1. Participant Outcomes

## QLD PC - Draft Finding 2

*While it is too soon to assess the longer-term effects of the NDIS, early evidence suggests that it is improving some outcomes for many participants in Queensland, but not as effectively or efficiently as it could be. There are various barriers that prevent participants fully engaging as informed and active consumers in the NDIS market:*

- *Planning and review processes are confusing and do not always place sufficient emphasis on the participant and their needs and circumstances, which can lead to poorly developed plans.*

The Summer Foundation agrees that many participants are not being supported to fully participate in the planning and review process. Supporting participants to make informed decisions is of critical importance for a successful National Disability Insurance Scheme (NDIS). Participants must be supported to explore housing and support options and to have their housing needs and preferences respected and upheld. A preference to live alone, or any other goal, should be reflected in a participant's NDIS plan. A crucial element of addressing this is support coordination, as well as adequate information and resources to allow participants to fully participate in planning.

### Problems

There are many issues around planning processes, including a lack of emphasis on participant input and contribution. Likewise, there is often insufficient funding of support coordination, delays in approval of Supported Independent Living (SIL), Specialist Disability Accommodation (SDA) and Assistive Technology (AT). This forces young people to enter or remain in residential aged care (RAC), be stuck in hospital or in other inappropriate housing.

Participants need access to information and resources so they and their families are able to clearly understand and contribute to their plans. Planners must ensure that a participant's plan not only achieves the needed level of support but meets their needs and preferences and furthers their goals.

## Younger People in Residential Aged Care

Sufficient hours of support coordination at the right level must be included in a participant's plan. This enables Young People in Residential Aged Care (YPIRAC) and those at risk of admission to RAC, as well as other participants with complex support needs, to access the support they need to achieve their goals. For this to be possible, planners must follow guidelines on the appropriate level of support coordination to be funded, particularly for participants with high and complex needs.

### Our Recommendation 1

*Ensure participants have the knowledge, support and opportunity to fully contribute to their plans.*

Planners must fund necessary support coordination, at the appropriate level, to allow participants to make decisions that reflect their needs and circumstances.

- a. The NDIA should report on the level of utilisation of support coordination for YPIRAC to the YPIRAC Joint Agency Taskforce (JAT) and Joint Standing Committee into NDIS (JSC).
- b. The NDIA provides limited targeted support coordination funding for exploring housing options and to support transition into suitable housing. This needs to be made available to more participants and expanded to cover secondary consultation for support coordinators, encompassing comprehensive housing search and mentoring.

## 2. Improving Participant Outcomes

### QLD PC - Draft Recommendation 3

*To improve plan utilisation, the Queensland Government should propose that:*

- *The NDIA's current consultation process on support coordination be used to clarify the role of support coordination and of the various types of providers engaged in similar roles, to avoid unnecessary overlaps and gaps in services.*

We support the recommendation to improve plan utilisation and address the barriers that support coordinators face in delivering high quality supports. This is crucial for support coordinators to deliver outcomes for participants.

## Problems within support coordination

Inadequate support coordination leads to neglect in key areas such as connecting with mainstream services (housing and health), supporting participants to understand and implement other funded supports and building a participant's capacity for self-direction and independence. The NDIA must work to provide support coordinators with the range of skills, resources and tools needed to deliver high quality support coordination.

Currently, support coordinators lack fit-for-purpose formal education, standardised best practice frameworks, peer-mentorship networks, and training around comprehensive supports. This results in significant gaps within support coordination services as participants are finding themselves without access to information and resources around more comprehensive supports such as health, housing, capacity building, goal setting and independence. These pose ongoing risks to participants and must be addressed through a focused effort on the continued upskilling of support coordinators.

## Improved outcomes for participants and support coordinators

An opportunity exists to provide support coordinators with the tools to deliver a quality service. Support coordinators must have:

- Professional development opportunities and information resources
- Training to ensure that support coordination extends beyond common functions and addresses more comprehensive supports such as health, housing, capacity building, goal setting and independence
- Fit-for-purpose formal qualifications, co-designed by participants, in order for a full range of support to be available for participants
- Best practice approaches around quality, ongoing learning, and development of support coordination practices

## Our Recommendation 2

### *Improve professional development options for support coordinators.*

Support coordinators must have access to professional development opportunities and information resources to support them to deliver high quality support coordination.

- a. The NDIA should fund industry-development measures including access to training and resources and membership of Communities of Practice (delivered through the Summer Foundation's UpSkill). Delivery of training and resources should be available in face-to-face and online formats to enable access from all locations.
- b. The NDIA should invest in the development of a formal qualification for the practice of support coordination. This qualification must be co-designed by NDIS

participants and support coordinators. Co-design will provide insight into what quality support coordination means to a wide range of participants. This qualification should not be mandatory so that participants may opt for a support coordinator who does not have formal qualifications.

- c. The NDIA should support and disseminate the findings of participant-driven research to develop a wider understanding of expectations and good practice within the Australian disability sector.
- d. The NDIA should put in place strategies that will enable support coordinators to develop the necessary skills and knowledge to work with participants who have complex housing and support needs.

### Our Recommendation 3

*Develop relevant best practice approaches around support coordination.*

The NDIS should document and implement best practice approaches as seen in:

- a. The [UpSkill Community of Practice](#) for people with high and complex support needs.
- b. The Summer Foundation's [Collaborative Discharge Approach](#) planning resource around younger people with complex needs.
- c. Hospital Liaison Officer (HLO) demonstrated best practice around hospital admissions and discharges.

## 3. Supply Side Issues

### QLD PC - Draft Finding 5

*For much of the NDIS market in Queensland there is a sufficient level of provider activity to allow for competition and availability of supports. However, there is evidence of thin markets in:*

- *Rural and remote locations—where there can be limited market size*
- *Innovative service delivery models in rural and remote areas, and opportunities, barriers and risks related to using them*

#### Supply side issues in rural and remote locations

There appears to be limited supply in NDIS service delivery, particularly in rural and remote areas. Only having a few providers and support services in these areas makes service delivery difficult. There have been gaps in supply where some supports such as allied health services and specialist supports take time to reach levels required to meet demand. When there is a gap in service delivery and lack of services to meet participants' needs, it limits a participant's ability to actively engage in the NDIS and therefore to exercise choice and control.

There is low utilisation of plan budgets in rural and remote locations, which is likely due to the lack of service provision and choice of service. Participants in rural and remote areas are only receiving around half the supports they are funded for. Many other barriers contribute to the insufficient level of provider activity such as an under-skilled workforce, the lack of knowledge around the demand for services and service providers and financial risks associated with running a service in rural and remote areas.

The NDIA recognises there are challenges to delivery in thin markets. The providers operating or thinking to launch in thin markets will need to consider many factors such as remoteness, existing infrastructure, cultural norms, availability of community and local participant characteristics. This is particularly clear for Specialist Disability Accommodation (SDA)<sup>1</sup>.

### Workforce

Providers in rural and remote locations have difficulty finding staff. This is particularly challenging when seeking skilled staff to deliver services to high physical support and other complex needs clients. Recruiting and retaining a skilled workforce is a major barrier for service delivery in thin markets. Service providers in rural and remote areas must be able to rely on a local workforce, people who understand the community. Workforce planning for thin markets can be challenging and needs to be factored in to NDIS viability and planning approaches.

Providing learning and development opportunities is an added challenge for service providers due to the lack of opportunities in remote locations, the lack of specialised training in remote areas, the technological difficulties with online training and the service provision risks if staff are sent to other areas for training. These challenges are multiplied when engaging with participants in Aboriginal and Torres Strait Islander (ATSI) communities. Many ATSI people want to receive support from ATSI staff<sup>2</sup>. Therefore, providers face an added complication of developing and retaining a culturally competent workforce.

If supply is to reach its full potential in rural and remote communities, the Queensland Government must work with the NDIA and local communities to ensure the workforce can keep up with demand. Prioritisation of training and creation of jobs is essential.

In 2020/21, the Summer Foundation is funded by the Department of Social Services to deliver the NDIS Housing Options Project in WA and Queensland. Through the project, providers in Queensland were interviewed to understand their challenges and experience in delivering SDA in rural and remote areas. They provided the following commentary:

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<sup>1</sup> Australian Government (2020) Australian Government response to the Joint Standing Committee on the NDIS report: Inquiry into market readiness for provision of services under the NDIS.

<sup>2</sup> Queensland Advocacy Incorporated (2019) NDIS Thin Markets Project

*"Finding trained staff specifically to deliver support services to high physical support clients has been difficult" – SDA provider, QLD*

*"Disability support providers are relying on an available workforce in remote areas to deliver SDA. Workforce planning for thin markets can be challenging and needs to be factored in when developing a business model" – SDA provider, QLD*

## **Our Recommendation 4**

*The Queensland Government and the NDIS must invest in the training and education of local communities in rural and remote areas to develop a skilled workforce.*

*Queensland Government must work with high schools, training providers, universities and TAFEs, to ensure training opportunities within this field are promoted and incorporated into common learning pathways.*

There is opportunity for the Queensland Government to stimulate the employment and education opportunities in rural and remote areas. For the NDIS to be fully operational in rural and remote areas both the NDIA and Queensland Government need to invest time and resources in training and education opportunities for rural and remote communities as well as Aboriginal communities. In turn NDIS participants will have more choice and control with local providers and support options.

### **Lack of demand data and connection to the participant**

There is minimal or no demand data available to demonstrate the needs of NDIS participants in rural and remote areas. There is no data to determine what services are required in these areas such as therapeutic, household tasks, participation in the community etc. Without this data it is increasingly difficult for service providers to understand how they can expand their services depending on the need.

SDA providers should build SDA with a participant in mind. This cannot be done if a provider cannot connect with participants in thin markets. SDA providers need clear advice on demand to help them determine scope, location and business models.

### **Opportunities**

The Housing Hub is an initiative of the Summer Foundation. The Housing Hub is a way for people with disability to find suitable housing, nationwide. Properties listed on the website include existing SDA, new SDA builds, non-SDA supported accommodation, private rental and properties for sale. Housing providers from anywhere in Australia can list their properties. The Housing Hub offers housing seekers the ability to create their own profile, identifying their housing needs and preferences.

The Summer Foundation facilitated 5 Queensland 'About SDA' information sessions in 2020. The recurring theme when asking the attendees about their number one challenge for delivering SDA was finding eligible NDIS participants. Lack of market integration between support coordinators, SDA builders, SIL providers and participants

is also a challenge when designing SDA. Connecting with SIL providers earlier on is important for SDA providers considering operating in thin markets as it enables support and housing to come together to tailor for each participant.

Commentary provided by providers at the Summer Foundation's 'About SDA' sessions in Queensland, specific to challenges in rural and remote locations:

*"We have struggled to find tenants in regional/rural/remote areas. Lowest tenancy numbers are observed in rural regions" – SDA provider, QLD.*

*"It has been very difficult to engage SIL providers to contribute knowledge to the design when we don't know who will be living in it. Ideally, we would like to have the tenant chosen, but it just hasn't worked out that way" – SDA provider, QLD.*

*"If we know that there are specific people in the area that need SDA then there isn't a problem to build for them" – SDA provider, QLD.*

## Our Recommendation 5

*National data should be made available of what type of services are being put in plans and where these services are required (de identified), this would assist with closing the gap in thin markets.*

The NDIA must facilitate greater market stewardship by using the data on what is being offered in participant plans. This would close the current gaps in services provision. If businesses are aware of the needs, they can allocate the resources. The Queensland Government should work with the NDIA to clarify the needs for thin markets across the state and provide insight to the NDIS market on what opportunities exist to meet the needs of NDIS participants.

### Financial risk

Most of the risks for investors relate to vacancy risk. The other risks identified by investors were around pricing and government regulation. Working with high-quality and experienced counterparties is also critical to success<sup>3</sup>. This is especially true in rural and remote areas where demand is lower compared to metro areas.

The costs of SDA delivery for providers looking to deliver services in thin markets appear to be high because distances are long, infrastructure is poor, and travel options are few in these markets. Services providers thinking of operating in thin markets need more support to secure finance to build. High operating costs are another challenge faced by providers delivering services in rural and remote areas. Low client numbers or difficulty in finding and connecting with clients results in higher per-client costs than can

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<sup>3</sup> Winkler, D., McLeod, J. Mulherin, P. Rathbone, A. & Ryan, M. (2020) Specialist Disability Accommodation (SDA) Explainer for Investors. Melbourne, Australia: Summer Foundation and JBWere

be supported under the current NDIS pricing<sup>4</sup>.

The SDA pricing framework is complex, with 5-year price reviews creating uncertainty for providers and investors. A systematic review to check key elements in SDA pricing methodology has not been done according to market conditions<sup>5</sup>. Appropriate location factors need to be considered when reviewing the Pricing and Payments Framework.

Providers at the Summer Foundation's 'About SDA' sessions, commented:

*"Working out the pricing framework and support from banks has also been difficult" – SDA provider, QLD.*

*"Private investors won't bear the cost of delivery in remote locations. So the company takes a step back when thinking about SDA delivery in these locations" – SDA provider, QLD.*

## Our Recommendation 6

*The NDIA should consider alternative funding models, seed funding and grants to encourage and support diversity of providers in thin market areas.*

*The NDIA, as the price setter, must consult with organisations looking to invest in delivering services to rural and remote locations to understand the risk and costs associated with delivering SDA in these areas.*

The NDIA should facilitate roundtable discussions with NDIS providers looking to deliver in thin markets such as rural and remote locations to consider what financial supports and safeguards could be put in place to ensure the longevity and success of their services in these areas.

## QLD PC - Draft Finding 6

*Higher than necessary search costs for participants, their intermediaries and providers are limiting the effective operation of the market in matching participants to their best provider. Those costs create incentives for providers to supply or link to support coordination, creating a conflict of interest and a barrier to entry for new providers.*

The Summer Foundation agrees with the draft finding. Effective operation of a market model requires participants to be able to easily search for and access suitable housing options. Providers who link housing with other supports, including support coordination, create lasting issues for tenants and the market as a whole.

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<sup>4</sup> YE (2019) NDIS Think Markets Project: Discussion paper to inform consultation.

<sup>5</sup> Summer Foundation (2018) Joint Submission Review of the NDIS SDA Pricing and Payments Framework

## Conflicts of interest - SIL housing

It is critical that service providers avoid conflicts of interest by providing either SIL or housing, not both. The provision of both may remove or limit the choice a person has about their housing and supports, pose conflicts of interest for the providers, and restrict a support coordination workforce that lacks independence. This situation will become harder to influence over time as conflicted providers become more dominant over smaller independent providers.

**Case Study - David** \*Name has been changed for privacy.

David\* is a 67-year-old man who had a stroke 15 years ago. David recently decided his support coordinator was not providing the support and service that he needed. *“Support coordinators need to have more connection with the person. To let us know what’s happening and what’s going on. We don’t know how the NDIS works, and I’ve found out that most coordinators don’t know either. It’s a shot in the dark sometimes.”*

David wasn’t able to get the help he wanted from his support coordinator. He would call the office and would have to wait 2-3 days to have his call returned. David was incredibly frustrated – *“there’s no action done.”*

David decided to do some research and found another provider he wanted to deliver his support coordination. When David attempted to change over, his provider told him that if he changed support coordinators, he could also lose his key support worker. David had worked with this support worker for more than 3 years and he did not want to lose her. The support coordination service failed to manage the conflict of interest that existed as the provider of support workers and of support coordination.

*“The NDIS is supposed to be about having choice and control but some providers just want to keep you on their books as their cash cows. They don’t care about you, they just care about the NDIS funds. It’s how much funding have you got and how fast can we get it off you?”*

David rang the NDIS to understand what his rights were. They confirmed that he should be able to have this of choice key support worker and change his support coordinator. *“No advice was given on what I should do though. Just that it shouldn’t happen.”*

## Solution

Effective market operations require clear guidelines allowing various providers to offer a range of effective options. Clear guidelines must be established to dissuade service providers from providing both SDA and SIL or other supports, with a future aim towards prohibiting providers from combining SDA and supports. Monitoring adherence to guidelines and consequences for conflict of interest among providers who are not independent providers must show clear separation between providers of support coordination/SIL/SDA and other NDIS supports.

## Our Recommendation 7

*Address the problem of conflict of interest among support coordination providers.*

The NDIS Quality and Safeguards Commission must monitor conflicts of interest with a view to transition to a separated support model and should:

- a. Undertake an analysis of existing provider registration details to identify organisations offering both support coordination/SDA/SIL and other supports. These providers should be monitored closely.
- b. Require providers of support coordination and other NDIS supports to lodge a 'conflict of interest' statement defining the potential participant impact and the measures they have adopted to reduce or eliminate any negative impacts of real or perceived conflict of interest on participant choice and control.
- c. Adopt and enforce an 'independence' requirement between intermediary and other funded supports at the participant level in regard to SDA providers. Stricter conflict of interest requirements for providers of both SDA and support coordination must be enforced.
- d. Closely monitor existing and prospective providers that combine SDA and support coordination provision. This should be carried out by the NDIS Quality & Safeguards Commission on the grounds that this combination involves inherent risks. Registration should be removed from or denied to providers when investigations fail to establish clear benefits to participants that they cannot otherwise access, as well as when there is no publication of measures to reduce the impacts of conflicts of interest.

### Quality of providers

**There is insufficient information available for participants (and providers) to properly assess the quality of providers and supports. This information is also required by the NDIS Quality and Safeguards Commission, participants and providers to assess the effectiveness of the quality regulation and audit requirements.**

Participants, their families, close others and support coordinators experience difficulties locating information to properly assess the quality of providers and supports.

The Summer Foundation's [UpSkill](#) program is designed to build the capacity of support coordinators and allied health professionals to understand the needs of the individuals they are working with and therefore assess services and providers that can meet their needs. It is designed not only to build the capability of support coordinators to assist people with complex needs to live well in the community and to reach their goals but also to enable participants and providers to locate skilled support coordinators and allied health professionals.

## UpSkill Directory

A key part of the UpSkill program is a [directory](#) which helps YPIRAC or those at risk of entering RAC to find support coordinators and allied health professionals who have completed training and developed a profile listing their experience. It provides access to a national database listing support coordinators and allied health professionals who have expertise working with people with complex disability.

## Our Recommendation 8

*Provide a means for participants and providers to assess the quality of providers and supports.*

A directory, such as UpSkill, provides clear access to information around the qualities and skills that participants and providers are looking for in both providers and supports.

## 4. Improving Market Coordination and Supply

- *Considers options for improved market coordination, including mechanisms to facilitate coordinated purchasing among participants*
- *Considers alternative commissioning models for purchasing supports where other market-oriented options are not viable*
- *Barriers preventing improved collaboration and coordination in service delivery in rural and remote markets*
- *Mechanisms to facilitate coordinated purchasing and barriers preventing their implementation.*

### Improving market coordination for rural and remote locations

The connection and coordination between SDA providers, SIL providers, support coordinators and other health professionals operating in thin markets appears to be fragmented. This issue exists in metro areas but is much worse in rural and remote locations. Queensland providers have told us:

*"We have only been in the space for 12 months, so it has been a very steep learning curve. Knowing who to speak to and team up with is really important" – SDA provider, QLD*

*"Connecting with contractors in remote locations is really difficult. I think you also need to come up with more innovative solutions when looking at SDA designs for remote locations" – SDA provider, QLD*

Support coordinators are in the best position to have oversight of participants' plans and needs in a particular area or for a specialised cohort and therefore should be encouraged to facilitate purchasing collectively for participants where possible. Support coordinators who are skilled and knowledgeable could drive better market coordination, particularly in thin markets.

## Our Recommendation 9

*The NDIA should provide funding to local support coordinators in rural and remote locations identifying market thinness to facilitate community coordinated purchasing.*

*The Queensland Government and NDIA need to improve sector-wide engagement, education and integration for improved market coordination.*

*The Queensland Government should fund the UpSkill program to build the capacity of support coordinators across Queensland, and in particular in thin and rural markets.*

The Queensland Government needs to put pressure on the NDIA to effectively engage in a market stewardship role to integrate the market and encourage it to mature in rural and remote locations. SDA is a product of the NDIS, therefore the NDIA is responsible for the market coordination and education of the sector to ensure that it is being developed and delivered appropriately.

## 5. NDIS Accommodation Issues

### QLD PC - Draft Finding 12

*Appropriate accommodation is important for the quality of life and social and economic participation for people with a disability, as it is for people generally.*

We agree with the draft findings. Appropriate housing options are essential for social and economic participation, meeting a person's needs and preferences and ensuring people with disability have housing options equal to others. While the number of participants requiring SDA is a small percentage of participants, suitable SDA remains a crucial issue for both providers and participants. Development of a healthy SDA market creates more options for those requiring SDA as well as setting an example of suitable mainstream disability modifications and builds that benefit the larger majority of participants. This also sets precedents for quality housing that can support people with all levels of ability and at all stages of their life.

The Summer Foundation would like to note that we have chosen to speak about "housing" options rather than "accommodation" as an approach to address the disparity between disability housing and the mainstream housing market. This is in recognition of the need for a viable housing market for people who require accessible housing and support to live independently in their community. This represents significant progress for a sector that has traditionally approached supported housing

as short-term accommodation or residential services that offer people little choice or control over their home lives. “Accommodation” is better suited for short-term housing needs, such as a place to stay while on vacation. We understand that this is a challenge when referring to SDA.

## Appropriate housing

Appropriate and accessible housing is crucial to support needs and goals for independent living. It also enables people to effectively take part and contribute to their community, both socially and economically. Participants need to have access to housing that is accessible, adaptable and affordable. Quality accessible housing options are limited in the Australian market. Residential design norms do not align with accessible design standards; compact housing with multiple levels only accessed by stairs and designs that maximise layouts by minimising space in hallways, door frames and bathrooms are commonplace. While this approach is considered highly profitable and in demand, it represents housing that is inaccessible to people with high levels of support needs. It also provides limited value to homeowners more generally, as housing that is unable to adapt to a person’s changing needs and abilities over their lifetime.

## Accessible housing stock

Quality accessible housing should be more readily available in the general housing market. This must be implemented and mandated by governments at all levels. The Queensland Government holds responsibility for the building and construction requirements across the state. Elements of this are delegated to council and regional governments. Both state and local governments have the ability to regulate and incentivise the market to encourage quality and innovation in accessible housing design for all communities. The Queensland Government must strengthen the requirement to build accessible housing.

In February 2021, the Building Minister’s Forum will meet to discuss the National Construction Code and implementing a minimum standard for accessibility of all new builds. The Summer Foundation made 2 submissions to the Australian Building Codes Board submission process in September 2020. The [first](#) highlights the stories of young people and their experience with lack of accessible housing. The [second](#) was completed in partnership with Melbourne Disability Institute and includes 3 pieces of critical research - an economic analysis that demonstrates the economic viability of implementing a gold standard of accessible housing, a survey of people with mobility issues, and analysis of accessibility features currently being used by volume builders in Victoria.

## The Housing Hub

In addition to the increase of accessible housing stock across Queensland, participants, their families, close others and support coordinators must have access to information and resources explaining housing options and how to search for

appropriate housing. The [Housing Hub](#) provides comprehensive listings of accessible housing. The Housing Hub is a nationwide platform on which housing providers from anywhere in Australia can list their properties. Properties include existing SDA, new SDA builds, non-SDA supported accommodation, private rental and properties for sale. Listings are for currently available housing and housing being built ([pipeline](#)). Participants can access information about the housing providers, enabling them to find a housing provider who shares their values or to engage a provider in discussions about building specifically for their needs.

The Summer Foundation and the Housing Hub have recently published the 2021 SDA Supply in Australia Report, which provides insight into SDA housing in the pipeline. The report tells us that, as at 10 November 2020, for Queensland, 366 dwellings and 520 places were in development. This is 28.6% of all new SDA places in Australia and is an increase in the number of new places from the [previously reported](#) 443. The SDA development pipeline in Queensland is predominantly High Physical Support apartments (308 places), followed by High Physical Support houses (86 places), Improved Liveability apartments (44 places), Fully Accessible apartments (24 places) and High Physical Support villa/duplex/townhouses (22 places)<sup>6</sup>.

## Our Recommendation 10

*The Minister for Housing and Public Works must support the implementation of a minimum standard for accessible housing in all new builds at the Building Minister's Meeting in February 2021 and through to implementation of the next iteration of the National Construction Code.*

It is essential that the Queensland Government, namely, the Hon Mick de Brenni MP, Minister for Housing and Public Works, supports the implementation of a minimum standard for accessible housing in all new builds.

*The Queensland Government should seek to make available information and resources on availability to accessible housing across the state. This can be done by encouraging Queensland builders to list their accessible housing on the Housing Hub and promoting the Housing Hub on Queensland Government websites.*

*A resource should be developed for support coordinators to use to complete a rigorous and methodical search for housing that aligns with a person's housing needs and preferences, as well as completing due diligence for any housing option.*

## Appropriate housing

*The appropriateness of specialist disability and other accommodation for NDIS participants will influence their quality of life and the effectiveness of the NDIS in*

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<sup>6</sup> Housing Hub, Summer Foundation (2021). 'Specialist Disability Accommodation Supply in Australia.' Third Edition, January 2021.

*improving participant outcomes.*

## Problems within current SDA

Access to quality SDA will affect the estimated 28,000 people who are expected to be eligible for SDA funding. Currently, SDA funding has only been allocated to 54% of this cohort, leaving the remaining 12,000 individuals with limited housing options including government housing, hostels, residential aged care, or remaining at home with family. These housing options commonly fall short in terms of meeting a person's independent living needs and housing rights, such as being in a preferred location, offering appropriate levels of accessibility or providing a living environment that supports a person's autonomy, dignity and privacy.

Experience of SDA providers to date shows that most NDIS participants who are eligible for SDA are not aware of SDA funding<sup>7</sup>. SDA properties are often difficult to secure. Group homes that accommodate up to 5 residents remain commonplace, and low density and independent living options are limited. A proportion of SDA funded residents continue to reside in established and legacy SDA dwellings that do not meet the required SDA Design Standard. A proportion of these residents will need to find alternative accommodation.

## Opportunities

Across Australia approximately 13,300 SDA places have been enrolled and are in the pipeline for development<sup>8,9</sup>. A [recent survey](#) of 57 providers revealed that 366 new dwellings are expected in Queensland, containing 520 spaces. This indicates that the SDA market is moving away from larger settings that accommodate multiple residents towards smaller independent living models, despite the lack of detailed demand data which remains a substantial impediment to market development<sup>10</sup>.

The quality of SDA is improving across Australia, with Queensland containing 27.6% of new dwellings and 28.6% of new spaces. Once the unmet demand and the need to replace old stock with contemporary models of disability housing are taken into account, new housing is needed for an estimated 19,000 NDIS participants over the next 10 years<sup>11</sup>.

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<sup>7</sup> Winkler, D., McLeod, J. Mulherin, P. Rathbone, A. & Ryan, M. (2020) Specialist Disability Accommodation (SDA) Explainer for Investors. Melbourne, Australia: Summer Foundation and JBWere.

<sup>8</sup> Housing Hub, Summer Foundation (2021). 'Specialist Disability Accommodation Supply in Australia.' Third Edition, January 2021.

<sup>9</sup> NDIA (2020). 'SDA Enrolled Dwellings and NDIS Demand Data.' Appendix P, Table P. 4; Table P.6.

<sup>10</sup> Winkler, D., McLeod, J. Mulherin, P. Rathbone, A. & Ryan, M. (2020) Specialist Disability Accommodation (SDA) Explainer for Investors. Melbourne, Australia: Summer Foundation and JBWere.

<sup>11</sup> Housing Hub, Summer Foundation (2021). 'Specialist Disability Accommodation Supply in Australia.' Third Edition, January 2021.

## Market solutions

A successful market-based approach to SDA will be one driven by evidence-based demand data that highlights the support needs and independent living preferences of housing seekers and informs best practice across the SDA sector. A rights-based approach to the delivery of SDA can only be achieved if the market is informed and shaped by the aspirations of participants. The NDIA is also “committed to continuing to increase SDA market data as the market becomes more mature and the quantity of available data improves”<sup>12</sup>. A fully functioning SDA market is expected to yield positive outcomes for investors, consumers and the broader community.

The [Housing Hub](#) has a broad range of features including the capability to capture high quality detailed data on the housing needs and preferences of people with disability. By June 2021, the Housing Hub will begin releasing regular reports which contain this data<sup>13</sup>.

## Our Recommendation 11

*The Queensland Government should utilise the SDA Supply in Australia Report 2021 to understand the current SDA landscape for the state. It is critical that the SDA market is supported to build for those eligible for SDA, rather than on SDA enrolment guidelines.*

*When available, the Queensland Government should engage with the demand data being produced by the Housing Hub to inform the state’s SDA market and support access to housing for people with disability.*

## QLD PC - Draft Finding 13

*Queensland’s market for specialist disability accommodation (SDA) remains immature. There is evidence that:*

- *Access to SDA plans is low relative to projected participation and below that of other states*
- *The overall supply of SDA in Queensland is below projected levels, and below that of other states*
- *Many people with disability are housed in inappropriate accommodation, including aged care and hospitals*
- *There are imbalances in the supply and demand of SDA across regions, including no SDA in Outback Queensland and no robust housing in most regions*

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<sup>12</sup> <https://www.ndis.gov.au/news/5514-latest-specialist-disability-accommodation-data-now-available>

<sup>13</sup> Winkler, D., McLeod, J. Mulherin, P. Rathbone, A. & Ryan, M. (2020) Specialist Disability Accommodation (SDA) Explainer for Investors. Melbourne, Australia: Summer Foundation and JBWere.

The SDA market remains immature and faces increasing risks due to a lack of demand data around preferences for housing options. However, SDA development in Queensland is on a positive trajectory and contains more than a quarter (28.6%) of new developments across Australia. [Previous](#) SDA market analyses indicated increased activity in Queensland (2019), with further development as at 10 November 2020 as previously stated in the [SDA Supply Survey Report](#).

## Housing sector issues

There is also a notable lack of investment in the improved liveability sector that supports people with complex support needs. There is a need for participants and providers to build knowledge and expertise in best practice housing models for people with different independent living support needs.

Many people with disability are living in accommodation that is inappropriate for their needs. This includes RAC, with parents, in housing that isn't accessible and in hospital. There is a significant need for more appropriate housing across Queensland. The Queensland Government must also play a role in enhancing the number and quality of accessible housing that is developed across Queensland. Accessible housing stock will not only support NDIS participants who are ineligible for SDA but will provide great benefit to seniors and the ageing population.

Efforts to address the imbalance in supply and demand of SDA housing in rural and remote areas must address specific needs around housing. For example, robust housing cannot simply mean reinforced structures with bolted down furniture as this fails to capture the complexity of the needs for participants with complex behaviours.

## SDA risks

*The market for SDA is inherently riskier than other types of housing. The lack of market information about supply of and participant demand for SDA, and difficulties in matching tenants in SDA are impeding investment.*

Risk within the SDA market may be categorised as financial, social and locational. Most financial risks relate to vacancy risk, while other risks include pricing and government regulation. The [SDA Market Explainer](#) shows that as only 54% of participants eligible for SDA have it in their plans, investors face vacancy risks around continued development of SDA places due to both low and slow uptake. Long SDA approval times contribute to this uncertainty as investors are unsure of when and if participants will move into their properties.

Pricing uncertainties due to government regulations and SDA pricing also contribute to barriers (or disincentives) in SDA investment despite efforts to provide transparency around price calculations. Location factors also prove risky as rural and remote locations can only support small markets at increased cost.

## QLD PC - Draft Recommendation 21

*The Queensland Government should propose that the NDIA increase the ready availability of market information on the demand for and supply of specialist disability accommodation (SDA) and supported independent living (SIL) support. This should include the preferences and needs of participants likely to require accommodation, while protecting participant privacy.*

### Collecting SDA demand data

The SDA market is in urgent need of demand data which informs best practice housing models - that represent the integration of accessible design with Independent Living Support (ILO) solutions - as well as a breadth of choice to meet the range of independent living goals and preferences of housing seekers. Detailed information about the housing and living preferences of participants will enable SDA providers to deliver homes that support participant goals and are consistent with emerging trends.

The Summer Foundation is collecting demand data by building the capacity of people with disability to document their housing needs and preferences and to create a [housing seeker profile](#) on the [Housing Hub](#). It is essential that this demand data informs the SDA market to enable appropriate SDA to be built. The NDIA currently does not capture demand data and only holds data on those wanting to move into an SDA, either currently not living in SDA or looking to move into a different SDA. This is not sufficient to inform the SDA market or for the NDIA to appropriately support participants with their housing goals.

Support coordinators working with people with disability who have a housing need should be proficient in the use of the Housing Hub and Nest. They should be adequately resourced to build and maintain working relationships with housing providers and health teams. Training available for support coordinators through the UpSkill program enables a thorough understanding of the housing pathway and housing search.

### Collecting SDA supply data

A new process for SDA enrolment will allow developers to obtain certification from qualified third-party assessors of proposed dwellings from the design-stage in order to improve investor certainty. The NDIA will also collate this information and release data to inform the market of the pipeline of SDA under development<sup>14</sup>. The NDIA will obtain data about SDA certified at the design stage from July 2021. Some initial data about the

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<sup>14</sup> NDIA (2019). 'Special Disability Accommodation (SDA) Design Standard Implementation Plan.' <https://www.ndis.gov.au/providers/housing-and-livingsupports-and-services/housing/specialist-disability-accommodation/sda-design-standard>.

pipeline of SDA under development is likely to be available from the NDIA in late 2021. The Summer Foundation will continue to implement and publish SDA supply surveys to document the pipeline of SDA and review the need for this survey when this data is routinely available from the NDIA<sup>15</sup>. The Summer Foundation will also continue to survey SDA investors in order to better understand their perspective and barriers to investing in the SDA market.

## QLD PC - Draft Recommendation 22

*The Queensland Government should propose that the NDIA investigate ways to streamline and align SDA, home modification and SIL access processes in order to provide faster access for participants and clearer signals to providers. Participants' eligibility should be determined regardless of their access to a support or the presence of a provider.*

SDA wait times continue to be a burden on participants and providers alike. The NDIA suggests the SDA Panel will now make SDA decisions within 10 days of receiving a participant's information<sup>16</sup>, though participants may still be looking at months of waiting while submitting requested evidence to apply for Home and Living supports such as SDA and SIL. The present waiting time for SDA and SIL outcomes can be up to 18 months from a participant's first request<sup>17</sup>. Long waits for SDA determinations and SIL approvals mean that participants are spending more time in unsuitable and inappropriate lodgings such as hospital and RAC. Younger people in hospital are at risk of entering RAC while awaiting more appropriate housing, while younger people in RAC are left with no suitable options or avenues to secure appropriate housing.

### Case Study

From participant statement:

*"I am ready to leave hospital as there is nothing more they can do for me, and the longer I am here, the more anxious I become. I gain a lot of strength from my husband and our youngest son who lives with us, and we speak on the phone every day. I have not seen them for several months because visitors have only recently been allowed back into hospitals due to COVID-19 risks. Also, the distance they must travel to visit me is not for good for our family car! I know that what lies ahead in learning to live outside of the 4 walls of a hospital will be a challenge, but I cannot remain here. I need to begin this next phase of my life, with the help of my husband, sons, my faith and the NDIA."*

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<sup>15</sup> Summer Foundation and Social Ventures Australia (2020). 'Specialist Disability Accommodation Supply in Australia'

<https://www.summerfoundation.org.au/documents/specialist-disability-accommodation-supply-in-australia/>

<sup>16</sup> Specialist Disability Accommodation Operational Guideline, 1 December 2020

<sup>17</sup> Winkler, D., McLeod, J., Mulherin, P., Rathbone, A. & Ryan, M. (2020) Specialist Disability Accommodation (SDA) Explainer for Investors. Melbourne, Australia: Summer Foundation and JBWere

The person was admitted to hospital in November 2019 and has now been in hospital for over 14 months. She has been medically ready for discharge for over 7 months (since June 2020) however is still in hospital as she does not have the funding she needs, and therefore, can't confirm a discharge destination. She been transferred from the initial specialist hospital bed to another 'step down' hospital further from her family while awaiting housing.

Public housing and mainstream properties have been considered and explored in a variety of suburbs, and there are no solutions currently available that meet her accessibility needs, family needs or community needs. Non-SDA disability housing (i.e. 'SIL housing') is not appropriate for this person as a long-term solution. She wants to, and has the right to, live with her husband and adult son, and continue her life living with her family; equitable to people without disability.

Exploration of SDA options has also occurred, in preparation for the requested SDA determination. Interim and long-term housing options have been identified to facilitate discharge from hospital. These options require SDA funding. The person would like to live in an SDA house with her family. An SDA funding request was made to the NDIA in December 2020 and the person has been waiting 4 weeks in hospital without a decision yet. A housing option has been missed while they wait.

## Our Recommendation 12

*The Queensland Government should keep the NDIA accountable for the timeliness of SDA and support decisions to ensure that Queenslanders with a disability are able to live in appropriate accommodation and build their independence. This can be done through regular reporting of timeliness and quality of SDA and associated support decisions.*

The NDIA is soon to bring in independent assessments for SDA and SIL/ILO. It is critical that independent assessments support each person to define and evidence their housing goal so that a true and relevant assessment can be made. Once the assessment is made, it should have all relevant and suitable evidence needed for the SDA Panel to make an informed decision that best meets the needs of the individual.

*The Queensland Government should ensure that independent assessments are working for Queenslanders by best supporting their needs, enabling development of independence and enhancing community participation.*

As previously stated, SDA provider experience is that the time taken by the SDA Panel to determine SDA outcomes and support applications continues to be a major contributing risk for the SDA housing market in regard to vacancies. Over the past couple of months, some potential tenants in new SDA properties have been told that they are ineligible for SDA either over the phone or via emails that provide virtually no information about the rationale for the determination. This has left vulnerable people who have been waiting for up to 12 months distressed and without the information they need to determine if they should appeal the decision. There is significant room for

improvement in order to achieve more streamlined and transparent SDA processes and communication.

While we await the outcomes of new SDA systems and processes currently being established and hope that they will result in the accurate and timely payment of SDA payments to SDA providers, it is critical that the Queensland Government seeks regular updates on the progress and performance. Teething issues with the payment of SDA to providers has caused some SDA providers unnecessary financial stress. Genuine and open collaboration between the agency, providers, investors, participants and other stakeholders with a central focus on tenant outcomes has enormous potential to strengthen the processes and ensure a viable and responsive market.

### Information requests

- *On policy options to reduce conflicts of interest in the provision of accommodation and supports provided within the home:*

Housing and support should be separated. However, in practice this is often not the case. Many support providers operate housing (non-SDA) that people can only live in if they use the support provider offering the house. There are many examples of this on the Housing Hub.

Most people are not eligible for SDA (6% of participants), so most people need an alternative form of housing and turn to housing known as "SIL houses" where there is no choice over support provider and often limited or no choice around housemates.

A new model to fund housing for participants who are not eligible for SDA is required to deal with this issue, as is a significant increase in accessible housing stock across Queensland and Australia.

There are also examples of third line forcing within the SDA market where the SDA provider forces tenants to use a predetermined support provider. Some SIL providers are going to SDA providers and guaranteeing to find tenants and keep the properties 100% tenanted at no risk to the SDA provider.

This perpetuates a system of third line forcing as the tenants must use the SIL provider and the SIL provider is in control over who becomes a tenant. We have heard of some SIL providers even offering SDA providers annual cash payments to contract into such an arrangement. This creates a disincentive for SDA providers to take an approach of separation of housing and support because if they do, they will have to market their properties themselves and carry the risk of vacancies. Such sharp practices should be acted on by the NDIA or Quality and Safeguards Commission.

- *Costs, benefits and risks in separating the provision of accommodation and supports within the home:*

**Costs** - identifying tenants involves a market-based approach where the housing provider markets their property and their business to consumers. This requires investment in advertising and tenancy matching services.

**Benefits** - full choice for PWD, increased agency by having control over who comes into your home and provides care services, a more ordinary life, different organisations have contact with tenants and may increase the likelihood of having people on hand without conflicts of interest to support people if issues arise.

- *What conditions might be necessary to separate specialist disability accommodation and supported independent living supports*

The NDIA or Quality and Safeguards Commission would need to enforce this requirement through close monitoring of existing and prospective providers that combine SDA and support coordination provision. This should be carried out by the NDIS Quality & Safeguards Commission on the grounds that this combination involves inherent risks. Registration should be removed from or denied to providers when investigations fail to establish clear benefits to participants that they cannot otherwise access, as well as when there is no publication of measures to reduce the impacts of conflicts of interest. SDA providers should be required to have a mechanism for the OOA provider to be reviewed on a regular basis (3 years) with each tenant having a vote.

- *Whether there are sufficient tools, mechanisms and supports to help participants find a suitable housemate*

This is currently inadequate with no tools in place. It is often done by SIL providers and tenants are "placed" and do not choose who they will live with. It is very hard to genuinely give choice to people over who they live with. Decision making can be complex and involve many people with varying views.

- *Whether there are ways to improve the matching of participants to each other and evidence on their effectiveness, including utilising:*
  - *Design of dwelling, such as privacy features*
  - *Technologies, such as digital registers and platforms*
  - *Community networks*
  - *Short or medium-term accommodation to trial living together*
  - *Centralised registers and/or team to facilitate*

Housing Hub and Nest are identifying a pool of potential tenants based these criteria. The way to do this is to attract a pool of potential tenants who are eligible for the SDA design category and wish to live in the dwelling type and location. Get each to complete

a survey about themselves and what they like to do at home (e.g. are they social and have friends over or are they quiet and keep to themselves). Then identify potential tenants that may be a match based on their needs and preferences and arrange for them to meet to "interview" each other. The tenants can then decide who they want their housemate to be.

A challenge would arise if no one chooses a particular person but they still wish to live with a housemate. This process can take a lot of time to do properly (many months). The NDIA does not allow for vacancies in dwellings while such a process is undertaken so providers are not incentivised to do this.

## 6. NDIS in Rural and Remote Areas

### QLD PC - Draft Finding 27

*The Queensland Government should propose that the NDIS Thin Markets Project prioritises the development of a thin market framework that:*

- *Establishes arrangements for identifying thin markets and developing timely responses*
- *Responds to the underlying causes of thin markets on a case-by-case basis*

#### Identifying thin markets

Thin markets continue to be an area of difficulty for the NDIS. There is little in place to support the identification or effectively address thin markets. NDIS support providers need to be flexible and responsive to the needs of individual communities.

Stakeholders have highlighted that different rural and remote locations have distinct cultures, identities and needs. Therefore, NDIS supports are required to be flexible and responsive to the needs and preferences of each community and individual.

The NDIS needs to have a greater understanding of the balance of supply and demand across different support services and geographic locations. Gaps need to be identified in a more timely manner with prompt responses. The underlying causes of thin markets will vary on a case-by-case basis and for that reason the Queensland Government and the NDIA need to consult and engage with both NDIS participants and NDIS service providers to understand issues and barriers regarding supply and demand as well as any potential solutions. Solutions will need to be tailored to the specific case and location.

## Our Recommendation 13

*The Queensland Government and the NDIA must explore a community-by-community approach to identifying thin markets to understand where the gaps in service delivery are and to understand what the actual demand is.*

There is an opportunity for the Queensland Government and the NDIA to connect with key organisations in rural and remote areas to fully understand what the market gaps are and what strategies are required for each area.

### Evaluation and reporting of thin markets

As the NDIS market matures in rural and remote locations there will need to be regular evaluations and reporting to ensure that level of service provision is meeting demand.

The NDIA Rural and Remote Strategy was developed in 2016 for the period of 2016 - 2019. The NDIA in this time has developed and progressed however to ensure the success of the NDIS in these areas a new strategy must be developed and committed to.

## Our Recommendation 14

*The NDIA must develop a renewed Rural and Remote Strategy and develop/implement a reporting mechanism that can accurately keep consistent data with emerging trends.*

This is an opportunity for the NDIA to consult and engage with organisations in rural and remote areas who have invested in seeing the NDIS grow in these areas.

*NDIA must evaluate and report on the outcomes and findings of the 2016-2019 NDIA Rural and Remote Strategy.*

The Queensland Government should utilise the information made available through this evaluation to identify areas requiring support and assistance.

## 7. Interactions with Queensland Government Services

### QLD PC - Draft Recommendation 35

*As part of developing a robust and complete approach, the Queensland Government should consider evaluating and quantifying the impact of NDIS transitions on mainstream government services in Queensland, for example the impact of NDIS access on hospital resources.*

We agree with this recommendation. The Summer Foundation has received feedback that hospital staff do not feel adequately resourced to go through the lengthy processes needed to implement NDIS services.

### Our Recommendation 15

*The Queensland Government should invest in NDIS leads in each HHS.*

The NDIS, health and housing sectors are in a constant state of flux. Therefore, despite the high utility of resources that have been developed as part of the deliverables of this project, information provided in these resources will likely become outdated in the medium to long term. Further, these sectors are prone to a high turnover of staff, meaning that an ongoing commitment to the education of health staff is crucial. It is therefore recommended that Queensland Health invest in NDIS leads in each HHS and large site. These leads would not only act as guides and mentors around navigating the NDIS/health interface but would also develop and maintain internal processes and resources and up-to-date working knowledge of the sectors.

*The Queensland Government should provide capacity building for all health staff.*

To address the issue of staff turnover and build sustainability of the NDIS/health interface, training in NDIS and housing fundamentals needs to be incorporated into mandatory training. Further specific training (e.g. Writing for SDA) should be implemented where there is a need. Supervision and secondary consultation should be provided either in-house or from external consultants to allow health staff to consolidate and practice learnings in navigating the NDIS for people with disability and complex needs.

For more information, contact the Summer Foundation's Head of Government Relations Amelia Condi at [REDACTED]