



# NDIS COMMUNICATIONS HANDBOOK

January 2016

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## **NDIS General**

### **Background**

The National Disability Insurance Scheme (NDIS) is a once in a generation reform that will improve the lives of people with disability in Australia.

People with disability have the right to decide their own best interests, and to have choice and control over their lives and the supports they receive.

Through the NDIS, people with disability will be able to access the reasonable and necessary supports they need, to live the life they want and achieve their goals and aspirations.

The NDIS replaces the existing state system with an approach based on an entitlement to support people with disability.

When the NDIS is fully operational, an estimated 140,000 people in NSW will be able to access supports – this is an increase of approximately 50,000.

NSW was the first state to sign up to the NDIS and established a trial site in the Hunter on 1 July 2013.

In March 2015, the NSW Government committed to deliver the NDIS for children and young people 0-17 years in the Nepean Blue Mountains area one year ahead of schedule. The early rollout commenced on 1 July 2015, with children and young people receiving individual support packages from September 2015.

The early rollout will give around 2,000 children and young people faster access to the NDIS and essential early intervention support.

In September 2015, the NSW and Commonwealth Government signed the National Disability Insurance Scheme (NDIS) Bilateral Agreement outlining how and when the NDIS will roll out across NSW.

The NSW Government, the National Disability Insurance Agency and the Department of Social Services signed the NSW NDIS Operational Plan in December 2015.

The signing of the Operational Plan is an important step in the rollout of the NDIS in NSW. It builds upon the commitments outlined in the NSW NDIS Bilateral Agreement and sets out the activities needed for a successful rollout of the NDIS in NSW.

The NDIS will be rolled out between 1 July 2016 and 30 June 2018.

From July 2018 the NSW Government will not provide any residual specialist disability supports or basic community care services.

After 2018, the NSW Government will continue to ensure that NSW is a place where people with disability can access mainstream services and be part of the community. This includes the ongoing

implementation of the Disability Inclusion Act 2014, which requires all public authorities to develop strategies to support people with disability.

### **When will the NDIS rollout across NSW?**

From July 2013 to June 2016, around 10,000 people are expected to access the NDIS in the Hunter trial. Currently, around 7,400 access requests have been made for the scheme.

From 1 July 2015, the early roll out of the NDIS in the Penrith and the Blue Mountains area commenced, with planning conversations commencing on 1 September 2015. It is expected that around 2,000 children and young people will receive individual support packages by June 2016. Currently, nearly 950 children and young people have made access requests for the scheme.

From 1 July 2016, people living in Hunter New England, Southern NSW, Central Coast, Northern Sydney, South Western Sydney, Western Sydney and Nepean Blue Mountains will be able to access the NDIS.

From 1 July 2017, the NDIS will be in place across the rest of NSW, and people living in Northern NSW, Mid North Coast, Sydney, South Eastern Sydney, Illawarra Shoalhaven, Murrumbidgee, Western NSW and Far West NSW will be able to access the NDIS.

These locations reflect the current NSW disability and Health service districts.

### **Once the NDIS is available in an area, when will people be able to access it?**

With so many people coming into the scheme in such a short time it is important that there is a planned approach to how they access the NDIS.

The majority of people currently receiving specialist disability supports will be able to access the NDIS in the first six months of each of the two year rollout periods, using a simplified access process. This includes people who might be living in supported accommodation, accessing a community access service such as a day program or case management service.

People who access specialist disability supports from time-to-time, or for a short amount of time each week will be able to access the NDIS throughout each of the two year rollout periods. People receiving respite services will go through a simplified access process. People receiving community care services will be supported to apply for access to the NDIS.

Supporting people who are in immediate need of assistance, and do not currently have support, is important during the rollout. There is some capacity during the rollout for people who have not previously received supports to access the scheme when it starts in their local area.

### **What will be the NSW Government's role in disability services after the rollout of the NDIS?**

The role of the NSW Government will change under the NDIS. NSW will transfer all funding for disability services, into the NDIS by July 2018. That funding will be used to support people with disability and deliver individualised funding arrangements to an estimated 140,000 people.

### **What is the NSW Government's funding commitments for the NDIS?**

From 2018-19, NSW Government will contribute \$3.206 billion and the Commonwealth will contribute \$3.32 billion in funding to the NDIS in NSW. This is a significant increase in funding and gives people with disability certainty about their supports.

### **How will NSW ensure there is protection for people with disability under the NDIS?**

During the transition the NSW Ombudsman will have continued responsibility including investigating complaints about disability services. All providers are subject to oversight from the Australian Competition and Consumer Commission (ACCC) and NSW Fair Trading, and relevant standards setting bodies. NSW quality assurance and safeguarding arrangements will apply during transition.

A national quality and safeguarding system will be in place once the rollout is complete.

The Commonwealth, States and Territories have agreed that a national approach to quality assurance and safeguards in the NDIS is required. These will ensure NDIS participants are protected against abuse, neglect and exploitation while supporting the aims of choice and control in the scheme.

In November 2015, the Disability Reform Council endorsed a report on the outcomes of a national consultation process undertaken by the Commonwealth in the first half of 2015 to inform the development of a framework for NDIS quality and safeguards. The report is available on the Department of Social Services website at <https://engage.dss.gov.au/ndis-qsf/>.

The design of the new nationally consistent system will be considered by the Council Council in early 2016.

### **Is the Government confident about the level of service provision that will be provided by the non-government sector?**

The non-government sector already provides 60 per cent of disability and community care support in NSW. In some areas the non-government sector is the only provider of support. The non-government sector has the flexibility and responsiveness to meet the needs of the most vulnerable people in our communities, including those with complex needs.

An important aspect for transition of NSW government services to the non-government sector will involve retaining the skills and expertise of NSW government staff to continue to deliver supports to people with complex needs, working within the non-government sector.

The NSW Government is also working closely with the National Disability Insurance Agency (NDIA) to share its knowledge and expertise in supporting people with complex needs.

### **How is the NDIS governed?**

The NDIA is a statutory body established under Commonwealth legislation which administers the NDIS.

The Board of the NDIA sets the strategic direction for the NDIA, maintains relationships with all partner jurisdictions, and ensure compliance with statutory responsibilities.

The Council of Australian Governments (COAG) Disability Reform Council governs the national design and implementation of the NDIS. The Minister for Ageing and Disability Services, the Hon. John Ajaka and NSW Treasurer the Hon. Gladys Berejiklian are members of the Disability Reform Council alongside their colleagues from other states and territories.

### **What work has already been done by the NSW Government to prepare for the implementation of the NDIS?**

In 2011, the NSW Government committed \$2 billion in new funding for disability services from 2011-12 through to 2015-16 under Stronger Together 2. This funding was the second part of the NSW Government's 10-year plan to reform disability services that aimed to, expand individualised support and funding arrangements, and prepare NSW for the NDIS.

NSW was the first state to sign up to the NDIS reforms and launched a trial site in the Hunter on 1 July 2013. The trial site has been operating for over two years and is making a profound difference in the lives of thousands of people with disability in the Hunter, who are experiencing more choice and control over their supports for the first time.

The NSW Government will build on the lessons learned from the Hunter trial and the early transition in Nepean Blue Mountains in preparation for the implementation of the full rollout of the NDIS, including the need for both people with disability and service providers to be ready.

The NSW Government is working with people with disability and service providers to ensure they are ready for the NDIS. This includes ensuring that people understand and are ready to engage in the NDIA planning process and that service providers understand the impact of a competitive market on their business.

NSW has also passed key legislation to support the NDIS implementation, including the NDIS (NSW Enabling) Act 2013 and the Disability Inclusion Act 2014.

The NDIS (NSW Enabling) Act 2013 supports the transition to the NDIS and enables the transfer of services to the non-government sector. The Disability Inclusion Act 2014 provides safeguards, protects people's rights and promotes community inclusion.

### **Will the growth in the disability sector open up employment opportunities?**

The disability sector in NSW is set to grow significantly over the next few years, as the NDIS will see more and more people receive the help and support they need to more fully live their lives.

With the increased level of new funding flowing into the system, and more people receiving support, an estimated 25,000 additional jobs will be needed to support people with disability who are expected to participate in the scheme.

The NSW Government is working in partnership with the non-government sector to expand the capacity of the industry and workforce, including setting up the CareCareers recruitment website, [www.carecareers.com.au](http://www.carecareers.com.au) and the projectABLE training scheme.

Staff currently in the sector will be in the best position to take advantage of the opportunities offered by the transition to the NDIS.

For people currently working in the public service who will transfer to the non-government sector their current employment entitlements are safeguarded by two pieces of legislation:

- The NDIS (NSW Enabling) Act 2013
- The Commonwealth Fair Work Act 2009.

The NSW Government is able to negotiate with a new employer about the terms of transfer and provide for continuity of staff entitlements in this process, including sick leave, annual leave, long service and extended leave, and superannuation benefits.

### **Why is the government transferring disability services to the non-government sector?**

Transferring services to the non-government sector will simplify the system and allow one level of Government – the Commonwealth – to have clear responsibility for providing support to people with disability. It will provide a greater degree of flexibility innovation in the provision of services.

### **What is the timeline for the transfer of aged care and disability services?**

In August 2015, the NSW Government signed an agreement with Australian Unity for the sale of Home Care, including Aboriginal Home Care. The transfer will be complete by the 19 February 2016.

The Government will shortly consider the proposed approach and timetable for the transfer of supported accommodation, and this will be communicated once approval is obtained. The market process will commence in the first half of 2016.

### ***Specific questions for People with Disability and their families***

#### **What happens to the supports that people with disability receive now?**

NSW Government funded disability supports will continue until people with disability can access the NDIS in their local area.

#### **If people with disability are receiving NSW Government disability supports at the moment, will they definitely receive NDIS supports?**

To access the NDIS a person must be eligible as outlined in the NDIS access requirements. The NDIA will determine if a person is eligible for the NDIS. To meet the eligibility requirements a person must be under 65 years of age, be an Australian citizen or resident, or permanent visa holder and meet the disability or early intervention requirements.

People currently accessing skill development, day programs, and community living programs such as supported accommodation, will generally be considered to satisfy the disability access requirements.

If people with disability meet the access requirements (age, residence and disability) and become a participant in the NDIS, they will have an NDIS planning discussion. This discussion will consider

what their goals and aspirations are and whether these can be met from informal, community, or mainstream supports, or a combination. There will also be consideration as to whether there are reasonable and necessary supports that should be funded through an individual package.

No one will be disadvantaged in the move to the NDIS. People who have been receiving state funded specialist disability support, but are not eligible for the NDIS, will maintain the same outcomes they received before the NDIS through arrangements including Information Linkage and Capacity building supports. They will transition to alternative arrangements over time.

In the Hunter trial site, people currently receiving NSW disability services who do not meet the access requirements for the NDIS, for the period of the trial will continue to receive support under the Continuity of Support arrangements between the Commonwealth and NSW Governments. Continuity of Support is being monitored by the NDIA, Commonwealth and NSW to ensure that no person is disadvantaged by the rollout of the NDIS.

**Can people with disability keep receiving their supports from the same providers when they transition to the NDIS?**

The NDIS will provide people with disability the opportunity to make their own decisions about their supports, including who provides them. This may include choosing a provider they already receive support from. However, they must be a registered NDIA service provider.

**What will happen to the group home where my family member/loved one lives when it is transferred to the non-government sector?**

The process for transferring group homes to the non-government sector is being developed.

The NSW Government is committed to ensuring minimal disruption to people's lives and living arrangements during the process of transition to the NDIS and the transfer of group homes to the non-government sector. All residents of group homes will be fully supported through the transition and transfer once a decision is made.

**What services other than Group Homes that ADHC directly provides to people with disability, are in scope to transfer to the non-government sector?**

All services that ADHC directly provides to people with a disability are included in the scope for transfer. This includes but is not limited to other accommodation services such as Specialist Supported Living (SSL), Centre Based Respite as well as clinical services for people with a disability.

**What consultation has there been with the Aboriginal communities about disability supports during and after the NDIS transition?**

An independent Aboriginal Advisory Committee works to ensure that Aboriginal people with disability, their families, carers and communities are NDIS ready and that the system reforms meet their needs. The Aboriginal Disability Network NSW has also been engaged to work with Aboriginal communities in metro, regional, rural and remote NSW to start the dialogue about NDIS.

FACS is progressively rolling out additional Aboriginal Gatherings for Aboriginal people with disability, their families and carers within Districts to continue to raise awareness about the NDIS. Information about local Aboriginal Gatherings will be distributed once these dates are known.

**What happens to people over the age of 65 when the NDIS is implemented?**

To become an NDIS participant, you must meet residency and disability or early intervention access requirements and be under 65 years when you enter the NDIS.

If you are aged 65 years and over, and you currently receive disability supports, you will not be disadvantaged. You will continue to receive supports that achieve similar outcomes to those you are currently receiving.

If you are 65 years and over and do not currently receive specialist disability support, or you are diagnosed with a disability after the age of 65 years, you will receive support from the Commonwealth aged care system.

If you turn 65 years after you have become an NDIS participant you will have a choice. You can either continue to receive disability supports in the NDIS or receive supports through the Commonwealth aged care system.

**Who will be the point of contact when the NSW Government is no longer involved in disability service provision in crisis situations?**

The NDIA will be the point of contact for unplanned or priority access requests from people with disability and their families.

During the period of transition the NSW Government will work closely with the NDIA to ensure that processes and expertise are established to be able to actively respond to these requests.

## **NDIS Key Agreements for Trial and Full Scheme**

### **What are the NDIS key agreements for the Hunter Trial Site?**

The NSW NDIS trial site covers the Newcastle, Lake Macquarie and Maitland Local Government Areas.

The trial commenced on 1 July 2013 and is being rolled out over three years. Over this period about 10,000 people with disability will transition to the NDIS.

Eligible NDIS participants are allocated an individual funding package based on assessed support needs. Participants have full choice and control over their supports and can choose to receive assistance to consider options and make decisions about their goals and support provision. NSW will provide \$550 million for individual care and support in the Hunter trial site over the three year period of the trial, and \$35 million over four years.

In line with COAG recommendations, continuity of support arrangements are in place in the trial site, ensuring that people currently receiving specialist disability services in NSW, but assessed to be ineligible for the scheme, continue to receive support.

### **What are the NDIS key agreements for the Full Scheme?**

In December 2012, the NSW and Commonwealth Governments signed a Heads of Agreement (Agreement) that will ensure full NDIS rollout across NSW by July 2018.

The agreement will provide individualised support to eligible NSW residents with disability. There are around 95,000 people currently supported in the NSW disability services system, but by July 2018 all eligible people with disability in NSW will be covered by the NDIS.

From July 2018, NSW will provide a capped, fixed contribution of \$3.206 billion in 2018/19 to fund individual packages and other supports. This includes \$2.729 billion of existing specialist disability funding and a maximum \$477.5 million capped in-kind contribution.

The \$477.5 million capped in-kind contribution will be drawn from programs within the range of supports funded by the NDIS, which are not currently funded by Ageing, Disability and Home Care.

In line with our Agreement, the Commonwealth Government will provide \$3.32 billion in 2018/19 for administration of the scheme and to contribute to individual packages and other supports for people with disability.

The NSW and Commonwealth Governments signed a Bilateral Agreement outlining how and when the full rollout of the NDIS will occur across NSW.

The NSW Government, the National Disability Insurance Agency and the Department of Social Services signed the NSW NDIS Operational Plan in December 2015.

The signing of the Operational Plan is an important step in the rollout of the NDIS in NSW. It builds upon the commitments outlined in the NSW NDIS Bilateral Agreement and sets out the activities needed for a successful rollout of the NDIS in NSW.

**What are the NDIS key agreements for Nepean Blue Mountains?**

The NSW and Commonwealth Governments agreed to an early transition to the NDIS for children and young people in the Nepean Blue Mountains area.

NSW and the Commonwealth commenced transition one year earlier than the current Heads of Agreement so around 2,000 children and young people (0-17 years) living in this area will benefit from an early entry to the NDIS in 2015/16.

The area for this early transition reflects the NSW Department of Family and Community Services (FACS) Nepean Blue Mountains District boundaries. A formal Memorandum of Understanding between the NSW and Commonwealth Governments has been finalised.

From 1 July 2015, the early roll out of the NDIS in the Penrith and the Blue Mountains area commenced, with planning conversations commencing on 1 September 2015. It is expected that around 2,000 children and young people will receive individual support packages by June 2016. Currently, nearly 950 children and young people have made access requests to enter the scheme.

## **NSW and the Commonwealth Bilateral Agreement for the rollout of the NDIS across NSW**

### **When will the NDIS be rolled out across NSW?**

The NDIS will be rolled out across NSW between 1 July 2016 and 30 June 2018.

### **What district will be able to access the NDIS from July 2016?**

From 1 July 2016, people living in Hunter New England, Southern NSW, Central Coast, Northern Sydney, South Western Sydney, Western Sydney and Nepean Blue Mountains will be able to access the NDIS.

### **What districts will be able to access the NDIS from July 2017?**

From 1 July 2017, the NDIS will be in place across the rest of NSW, and people living in Northern NSW, Mid North Coast, Sydney, South Eastern Sydney, Illawarra Shoalhaven, Murrumbidgee, Western NSW and Far West NSW will be able to access the NDIS. These locations reflect the current NSW disability and Health service districts.

### **How will people access the NDIS in NSW?**

With so many people coming into the scheme in such a short time it is important that there is a planned approach to how they access the NDIS.

The majority of people currently receiving specialist disability supports will be able to access the NDIS in the first six months of each of the two year rollout periods, using a simplified access process. This includes people who might be living in supported accommodation, accessing a community access service such as a day program or case management service.

People who access specialist disability supports from time-to-time, or for a short amount of time each week will be able to access the NDIS throughout each of the two year rollout periods. People receiving respite services will go through a simplified access process. People receiving community care services will be supported to apply for access to the NDIS.

Supporting people who are in immediate need of assistance, and do not currently have support, is important during the rollout. There is some capacity during the rollout for people who have not previously received supports to access the scheme when it starts in their local area.

## **Home Care Transfer**

### **What is the Agreement?**

Australian Unity (AU) is the new operator for Home Care, including Aboriginal Home Care.

On 28 August 2015, the Minister for Disability Services the Hon. John Ajaka MLC announced that Australian Unity would be the new operator of the Home Care Service of NSW (Home Care).

The Government will finalise the transfer of Home Care to AU on 19 February 2016.

There will be no changes to the services clients receive. Under the agreement, Home Care staff and clients, including Aboriginal Home Care will transfer to Australian Unity and services will continue to run as normal.

Australian Unity is a strong, diverse and established organisation with origins dating back 175 years. The Government is confident Home Care's long standing 70 year tradition of excellent service will continue with Australian Unity.

## **Supported Accommodation and Other Disability Services Transfer**

Transferring services to the non-government sector will simplify the service system and allow one level of Government – the Commonwealth – to have clear responsibility for the important reforms occurring in both the ageing and disability sectors.

The role of the non-government sector in disability service provision is not new. Non-government organisations already deliver over 60 per cent of services to people with disability, their families and carers in NSW. Additionally, they provide around 70 per cent of supported accommodation services in NSW, and well over 80 per cent of other services, such as therapy.

Most importantly, non-government organisations are well placed to find innovative approaches that enable people with disability to have choice and control over their supports and how they are provided.

The NSW Government and its advisors are separately finalising the plan for the transfer of supported accommodation and other disability services and will commence a market process in the first half of 2016.

This follows market sounding and a series of forums with clients and families across the State.

The Government's priority for the transfer of supported accommodation services aims for a smooth transition and continuity of services to clients.

### **Transfer of Assets**

Under the NDIS, the Commonwealth has committed to provide a subsidy (User Cost of Capital) as accommodation support for people with disability needing integrated housing and support.

This means that when some of our most vulnerable clients have transitioned to NDIS in NSW, there will be safeguards in place to ensure that they can continue to afford to stay in the home they are living in.

The Government will finalise its approach to the transfer of assets once the NDIA has confirmed the arrangements for administering the subsidy and price.

The National Disability Insurance Agency (NDIA) is committed to finalise and set the benchmark prices and eligibility guidelines for the User Cost of Capital subsidy for specialist support accommodation for people with disability during 2016. Once this is finalised, the NSW Government will formalise its approach to the specialist disability accommodation it owns.

Separately, the market has been asked to respond to an Expression of Interest, seeking non-government organisations to finance and develop new accommodation for clients currently residing in large residential centres in the Hunter region.

A Request for Tender to shortlisted proponents will be issued once the NDIA delivers the pricing and eligibility.

### **Capital Program**

Providing safe secure accommodation that support people with disability to live in the community is a key priority of this Government.

The NSW Government is committed to completing its investment in assets and infrastructure as part of its *Ready Together* commitments and is also part of this Government's preparations for the NDIS.

In 2014/15, the FACS spent \$157 million on the capital program acquiring new sites and providing new and improved disability accommodation. In 2015/16, a further \$141 million has been provided for new and improved disability and land. This funding reflects the Government's commitment to increasing the supply of specialist housing arrangements.

Under *Ready Together*, a \$724 million commitment for an extra 1,750 places across various accommodation programs was made.

As at 30 June 2015, almost 1,600 places were delivered – exceeding the *Ready Together* target of 1,440. It is planned to fund an additional 306 places under *Ready Together* for 2015-16 through a range of accommodation supports.

### **NDIS – Supporting housing options for people with disability**

The accommodation needs and goals of NDIS participants are considered in support planning administered by the NDIA, with supporting people with disability to live independently in the community as a key priority.

Support plans include assistance for participants to look for and secure independent living arrangements.

The NDIA will also provide guidance on the circumstances under which an accommodation subsidy will be provided for the small number of NDIS participants who need integrated housing and support.

The Disability Reform Council (DRC) has agreed to consider broader disability housing issues separately associated with the roll-out of the NDIS, in conjunction with State and Commonwealth Ministers responsible for housing, as soon as possible in 2016.

In addition, DRC has agreed to develop and test innovative accommodation pilots in trial sites to help expand the supply of appropriate and sustainable integrated housing and support models for people with disability.

### **FACS Disability Services – Staff Transfer**

The *NDIS (NSW Enabling) Act* allows for the transfer of staff from the government to the non-government sector. A key objective of the *Act* is to ensure that implementation of the NDIS is managed in NSW in a way that promotes service continuity for people receiving disability services and community care supports. The *Act* protects key employment entitlements for transferred staff.

The *Act* allows for an employment guarantee period to be set and the terms and conditions of employment of a transferred employee under an industrial instrument that cannot be varied during the employment guarantee period, except by agreement or in accordance with any applicable industrial law.

The Government has agreed that staff who transfer to a non-government operator (NGO) will receive:

- A transfer payment of up to eight weeks for ongoing (permanent) staff, based on completed years of service.
- An employment guarantee period of two years from the date of transfer for ongoing employees, and a maximum of six months for temporary and casual employees.
- Maintenance of existing superannuation arrangements, including membership of defined benefit superannuation schemes.
- Recognition of prior service, transfer of sick leave, and the option to cash out some, or transfer all, accrued annual and extended or long service leave.

The Government has put in place the *National Disability Insurance Scheme Enabling Act 2013* (NDIS Enabling Act) to enable staff to transfer to the new operators with their existing entitlements and conditions of employment. This will ensure that they are able to continue providing quality services to their clients.

### **Client fees in group homes**

The NDIS will fund reasonable and necessary supports that help clients to live in their house such as personal living and accommodation supports. Clients will contribute rent to the group home they reside in when this has transferred to a non-government agency as they have been doing for their FACS group home. An accommodation subsidy will also be provided to clients needing integrated housing and accommodation support.

### **Clients and families input into the transfer process**

Client and family forums are talking place across NSW to understand, from the perspective of clients and families, the sorts of things that make a good provider and what is important to them. Client and family input is being collated and will be used to inform the selection process for new providers.

FACS is committed to providing people with disability, their families, carers or guardians with the most up-to-date information as we progress through the transfer process. FACS will send clients and families a summary of the key points from the forums once they are completed and will also provide regular updates as new information becomes known.

## Accommodation Services

### **How many registered requests does ADHC have for supported accommodation?**

As at 3 August 2015, the ADHC Register of Requests for Supported Accommodation shows:

- 991 people with an immediate need for 24/7 supported accommodation
- 1,521 people have indicated an anticipated future accommodation need.

### **What are the Supported Living Fund and Individual Accommodation Support Packages?**

The Supported Living Fund and Individual Accommodation Support Packages deliver portable, flexible, individualised funding arrangements. They provide increased choice and control over disability supports for people with disability to live in their own accommodation arrangement with a combination of supports provided by families, carers, the disability sector and mainstream services.

### **How many non-government organisations does ADHC fund to deliver accommodation services?**

ADHC funds more than 190 non-government organisations to deliver accommodation services.

### **How are requests for supported accommodation managed by ADHC?**

ADHC maintains an Accommodation Support Register. The allocation of accommodation support is based on vacancy availability and decisions are made depending on priority of need and suitability.

### **How will people in supported accommodation transition to the NDIS?**

People in supported accommodation will be transitioned to the NDIS as per the phasing schedule in the NSW Bilateral Agreement. The majority of existing NSW specialist disability clients will access the NDIS in the first six months of each of the two year rollout periods.

### **Will I be able to change providers when I transition to the NDIS?**

Once you have your NDIS support plan, choice of provider will be a matter for you to decide. If you are in a group accommodation service operated by a particular provider, you may need to seek an alternative service if you want an alternative provider. Your service provider may change once accommodation services transfer to the non-government sector, but you will not need to move.

### **Will I have security of tenure in my group home after transition to the NDIS?**

Unless you have a residential tenancy agreement with the owner of the group home, you will have the same rights and responsibilities that you currently do. If you have a residential tenancy agreement, you will be protected by the agreement and the Residential Tenancies Act.

### **What supported accommodation options are available?**

FACS funds supported accommodation chiefly in group homes and apartments. In some cases apartments are attached to a group home much like a 'granny flat'. Generally apartments are arranged in small single storey groups within the community, much like private 'villa' developments. Depending on your support needs you may be eligible for either type of accommodation.

If you do not require 24 hour support you may be eligible for 'drop-in' support in your own home, which might be your private property or a rented property.

FACS is working progressively toward individualising accommodation support arrangements so people with disability have the opportunity to apply for a range of FACS funded or provided

accommodation support options until the NDIS is in full effect. Current accommodation support options include but are not limited to:

- using an individualised package to live in private accommodation, private rental or social housing;
- using an individualised package to remain living with family; and
- combining an individualised package with others to live in a group arrangement.

Accommodation support options currently funded to a service provider include:

- living in private or public accommodation and receiving drop-in support from a designated service provider (NGO or FACS); and
- living in group accommodation and receiving more intensive support from a service provider

## Individual Funding

### What is individual funding in NSW?

In NSW, individual funding is allocated to a person rather than to a program, place, or funded provider. It delivers person centred, portable, flexible, individualised funding arrangements and provides increased choice and control over disability supports for people with disability, their families and carers.

### What is individual funding used for?

Individual funding is used flexibly to pay for disability related supports that are tailored to a person's unique needs and circumstances.

### What current programs include individual funding?

FACS funds a number of programs which have individual funding arrangements. These include but are not limited to:

- Supported Living Fund (SLF)
- Individual Accommodation Support Packages (IASP)
- Leaving Care Program (LCP)
- Community Support Program (Younger Onset Dementia) [CSP]
- Young People in Residential Aged Care (In-Reach and In-Home) [YPIRAC]
- Young People in Residential Aged Care (Individual Accommodation Support Packages) [YPIRAC]
- Extended Family Support (EFS)
- Community Participation (CP)
- Flexible Respite
- Boarding House Relocation Program
- Life Choices / Active Ageing (LC/AA)

FACS districts also work with people receiving disability supports who have registered their interest in individualising or amalgamating their funding arrangement.

### The Individual Funding Handbook (the Handbook)

In order to create an improved system for service users, guidelines for the programs listed above have been streamlined into a single document: the Individual Funding Handbook (the Handbook).

The Handbook provides information for people with disability, their families and carers, the sector and FACS staff on how to manage individual funding provided by ADHC, including what funding can and cannot be used for. The simplified arrangements in the Handbook will also assist the sector in preparing for the NDIS.

It also applies to people who receive their funding through the Direct Payment Agreement.

In addition, Individual Funding Packages – Guidance for Intermediaries (the Guide) has been developed as a companion to the Handbook, with advice to help organisations better understand the intermediary role and its requirements.

The Handbook, Guide and resources will apply up to the time at which an individual transitions to the NDIS.

The documents are available on the ADHC website.

### **How will people with individual funding packages in NSW transition to the NDIS?**

Individual funding is based on an individual support plan which is centred on realistic, achievable outcomes. NDIS funding is also reliant on individual support plans.

Current support arrangements will continue until people with disability move across to the NDIS. After that, staff from the NDIA will meet with them to discuss their ongoing support needs and how they will transition to the NDIS.

### **What are direct payments and how do they work under the NDIS?**

Direct payments are available in NSW through the Direct Payment Agreement (DPA) which enables people with disability to receive their funding directly in their bank account.

Funding through the DPA is individualised and participants can receive and manage their own budget, subject to the outcome of a safeguard assessment.

In August 2015 the expansion of the DPA was approved to be available to all people with individualised funding packages under Living Life My Way and in line with the Disability Inclusion Act 2014. Leaving Care, Transition to Work, Intensive Family Support, Extended Family Support and Short Term Supports/Emergency Response are not included in the expansion, as these are specialised program types.

People living in LGAs that are transitioning to the NDIS within the following six months would not be encouraged to apply for a DPA due to the lengthy planning process to approve and receive a direct payment.

NDIS participants can talk to their planner about self managing the funding of their supports. If participants choose to self-manage their funding they will be responsible for:

- sourcing and arranging their supports
- making payments to their chosen providers, including ensuring that providers receive their payment on time
- managing their plan expenditure, including submitting “My Plan Purchases” forms to the National Disability Insurance Agency (NDIA)
- keeping records of all their plan purchases and providing these to NDIA.

More information is available under “Self Managing the Supports in My Plan” on the NDIA website.

## People living in Large Residential Centres (LRCs)

### Where are the LRCs located in NSW?

There are 6 ADHC operated LRCs: Hunter region:

- Stockton Centre (Newcastle)
- Kanangra Centre (Morisset)
- Tomaree Lodge (Shoal Bay)

Sydney and Southern NSW:

- Rydalmere (Western Sydney)
- Westmead (Western Sydney)
- Riverside (Orange)

### Why are people moving out of LRCS into the community?

The NSW Government has had a long standing and bipartisan commitment to improving the lives and wellbeing of people living in LRCs. This is being enabled by the closure of LRCs, initiated under the *Stronger Together 2* initiative launched in 2010, and continued under *Ready Together* initiative launched in 2013.

Under these initiatives, a range of new contemporary accommodation is being made available for all people living in LRCs to transition to community living by 30 June 2018. This will enable people to live in a home-like environment in the community, with enhanced choice and control in their daily lives..

### How will the new contemporary accommodation provide a better living environment for people living in LRCs?

Enhanced privacy - each person will have their own bedroom, with ample space for personal belongings, photos, artwork, clothes and whatever audio visual equipment they choose – for example: television, radio and music player.

Enhanced amenities - The facilities and fittings are contemporary, with modern kitchens, accessible bathrooms, secure outdoor spaces, and well appointed living and dining rooms. All of these will be provided on a single level with easy access for all mobility equipment, and with accessible vehicles to support community participation.

Continuity of support - All of the new accommodation models will include 24 hour, 7 days per week, support staff. They will also have ongoing access to allied health professionals as required, including physiotherapists, occupational therapists and speech pathologists.

### What is the NSW Government's funding commitment for supporting people living in LRCs to transition to community living?

The NSW Government has allocated both capital and recurrent funding for the re-development of all *LRCs in NSW*.. This includes:

- \$160.4 million (recurrent and capital funds) for the Westmead and Rydalmere Centres (Sydney) for 64 homes across 44 sites;
- \$30.08 million (capital funds) for the Riverside Centre (Orange) for 10 homes across 8 sites;
- \$58 million is currently being requested to finish the land acquisition and the construction of 88 homes across 70 sites and the first 20 homes for people living in LRCs in the Hunter region; and
- Approximately \$158.37 million for the 14 non-government organisations by 2018.

### **What consultation has taken place with people, their families and guardians and other key stakeholders?**

A consultation team has been established on site for each redevelopment and the team at Hunter Residences is also responsible for consultations and activities related to the transition to the NDIS.

### **What will happen with intake in current LRCs?**

No new residents will be admitted to LRCs, except under exceptional circumstances and only with the approval of ADHC's Deputy Secretary.

### **What is happening with the Riverside redevelopment?**

The Riverside Centre redevelopment is well advanced. Since May 2014, 43 people have moved to new accommodation in Bathurst and Orange. A further 23 people will move to purpose-built accommodation in the Orange area by December 2015. The redevelopment of the Riverside Centre is scheduled for completion in 2016.

### **How many people will have move from LRCs to new homes in 2015-16?**

By June 2016 150 people will have moved from the Metro Residence. The project involving over 280 people is scheduled to be completed by June 2017. At least another 100 people will move from LRC's operated by NGO's.

### **When will people living in LRCs be assessed for the NDIS?**

People living in the Stockton Centre began to receive their NDIS plans from January 2014, where there are 310 eligible NDIS participants. People living in the Kanangra Centre started to receive their NDIS plans from April 2015, where there are 52 eligible NDIS participants.

## **Stockton Centre**

The NSW Government is committed to improving the wellbeing and lifestyle of people living in Large Residential Centres (LRCs) by providing new, safe and contemporary forms of accommodation that are more home-like, and will enhance opportunities for people to participate in their local community. Since the NSW Government announcement in 1998, over 800 people have moved from LRC's across NSW.

### **Why is the Stockton Centre being redeveloped?**

The Stockton Centre does not meet contemporary standards for supported accommodation. It currently restricts opportunities for residents to live in the community, and enhance their choice and control over their daily lives.

### **What planning has been done for people with disability in Stockton to access the NDIS?**

Every eligible resident has a plan (310 people), and they will be reviewed and updated as required..

### **What consultations have been conducted for the redevelopment of the Stockton Centre?**

At the request of the NSW Deputy Ombudsman, ADHC has participated in roundtable meetings occurring bi-monthly with organisations that are interested in the redevelopment of LRCs such as the Stockton Centre. A prime focus of these meetings has been around the independence of the service planning and advocacy available to residents and their families.

### **What have been the limitations in providing advocacy?**

One of the limitations in providing more independent advocacy has been the challenge of establishing trust with families, who in many cases support their relatives in decision making. LRC residents and families have been, and will continue to be, offered the option of independent advocacy, but to date, this offer has not been taken up.

### **What consultation is there for residents and families?**

ADHC established the Hunter Residences Consultation Unit within the Stockton Centre in 2013., This is made up of experienced staff who have earned the trust and confidence of people and their families. The Consultation Unit is supporting families and residents to choose where they would like to move to, assist their transition into new community accommodation and in a number of cases, begin accessing support services through the non-government sector.

### **What measures is ADHC taking to improve the consultation process?**

ADHC is examining further measures to improve the consultation process, including:

- commissioning an independent review of the assessment process to improve planning for people with complex behaviour support needs;
- appointing a non-government organisation (NGO) to support the implementation of people's NDIS plans at Stockton Centre and Kanangra;
- a 'support for decision-making' pilot in partnership with a NGO and LaTrobe University at Kanangra to support people to be at the centre of their key life decisions;
- the development of preferred communication methods and assessment reviews for all people living at the Kanangra Centre;
- developing an educational program, to be delivered by an independent agency, that will help to inform people living in LRCs and their families of their rights, and
- providing the staff of the Unit and those working in LRCs with advanced training in support planning from international experts such as Michael Kendrick.

## Information, Pathways and Lifespan Reforms

The Information, Pathway and Lifespan Reforms support the implementation of *Ready Together* and are an NDIS readiness activity. They will ensure all FACS districts are prepared and ready for the NDIS, and will contribute to transition to the NDIS, in combination with other ADHC projects.

### What do the Information, Pathway and Lifespan Reforms do?

These reforms focus on:

- shifting the demand, role and function of Community Support Team (CST) services to the broader disability sector. This is being achieved by introducing referral and pathway systems in the FACS Districts that divert new CST referrals and transition existing clients to alternative supports in the sector (where capacity exists)
- retaining sufficient CST clinical capacity to safeguard clients and manage risk
- supporting CST staff to continue to provide their expertise and skill in the NGO sector, and in doing so encourage the growth of the broader disability sector
- building the capacity of the NGO and mainstream sectors to provide supports to people with disability in inclusive environments
- preparing individuals and their families and carers for individualised funding and transition to the NDIS.

### Who is implementing the Information, Pathway and Lifespan Reforms?

These reforms are being implemented by FACS districts who are the best placed to determine their local needs and client and business priorities.

## **NSW Ability Links**

### **What is Ability Links?**

Ability Links NSW (ALNSW) is an initiative created to support the ongoing reforms of the disability service system in NSW. It is a key foundation of the Government's plan to improve the way that people with disability, their families and carers are supported by placing them at the centre of decision making.

### **What is the Government's funding?**

The NSW Government has committed \$43.8 million per year (based on 2015-16 figures) for 268 Linkers and 79 Early Linkers, across the state. Of these, 74 are Aboriginal identified positions. Linkers support people aged 0 to 64 years.

### **Where are Ability Links established?**

Ability Links launched in the Hunter area in July 2013, supporting the implementation of the National Disability Insurance Scheme (NDIS).

In July 2014, the program expanded state wide, so that families across NSW now have access to a Linker.

In July 2015 the number of Early Linkers expanded from 44 positions to 79 positions to better support families and carers of children aged 0 to 8 years.

The NSW Government is committed to ensuring the Ability Links program is accessible and relevant to people from all communities, and supports provided are responsive to the diversity of the people of NSW.

### **What involvement is there from non-government organisations?**

There are now 28 non-government organisations 16 non-government organisations and joint working arrangements in place across NSW delivering the Ability Links NSW program. 18 of these providers are Aboriginal organisations and partnerships.

### **What is the role of a Linker?**

Linkers work with people with disability, their families and carers to help them plan for their future, build their strengths and skills, and develop networks in their own communities so they can do what they want with their lives - outside of the traditional disability service system. Linkers also work with local communities to help them be more welcoming and inclusive of people with disability.

Early Linkers focus on supporting families and carers of children 0 to 8 years who have a developmental delay or are pre diagnosis, awaiting or post diagnosis. This is a very emotionally challenging period for families. Early Linkers focus on the child's strengths to optimise opportunities for them to live a fulfilling and inclusive life.

### **What work is being done by Ability Links in Aboriginal communities?**

As part of the Government's commitment to supporting Aboriginal organisations, a culturally sensitive approach to capacity development has been offered to ALNSW Aboriginal providers and joint working arrangements.

Positive feedback has been received from ALNSW Aboriginal providers that have engaged in organisational support. As an example, providers note that this support has assisted them in setting up financial and governance structures, establishment of a communication protocol between partners, taking into account long-term business focus.

### **How is Ability Links being promoted?**

To promote the availability of the Ability Links program, providers have been active in their local communities. A website is also available which allows people to find Linkers within their local community and read about individuals' experiences of Ability Links. The website is at [www.abilitylinksnsw.org.au](http://www.abilitylinksnsw.org.au).

### **What footprint has Ability Links made?**

Since the program's inception, Ability Links has assisted more than 31,000 people state-wide and made over 281,000 community connections.

### **What did the independent study of Ability Links find?**

Urbis Pty Ltd (Urbis) was engaged to conduct an independent evaluation of the first three years of Ability Links NSW implementation.

Some of the key findings were:

Ability Links NSW delivers significant economic benefit to the wider NSW community. Engagement with the program has the potential to produce direct economic benefits, for example, volunteering and employment opportunities and improved health outcomes, as a result of participating in physical activities.

People engaging with Ability Links also report indirect individual and community benefits, including improved self-esteem, family cohesion and community connectedness. At full operational capacity it is projected that Ability Links NSW will return \$1.50 in benefits for every dollar spent, with the potential to achieve even more.

### **What awards has Ability Links been recognised for?**

Ability Links NSW evaluation won an award in the 2015 Annual Impact Measurement Awards in the category of 'Achievement in Impact Measurement by a Government, Corporate or Philanthropic Organisations'.

### **What support is being provided for the longevity of Ability Links?**

Ability Links NSW is continuing to support the ongoing reforms of the disability system in NSW, and the move towards person centred approaches, individualised funding and the transition to the NDIS. The Department is supporting the development of working relationships with Ability Links NSW providers and the National Disability Insurance Agency to work alongside and complement the NDIS.

## **NDIS Early Rollout in the Nepean Blue Mountains**

### **What is early transition to the NDIS?**

During the NSW election campaign the NSW Government committed to an early transition of the NDIS in the Nepean Blue Mountains area for children and young people with disability aged 0-17 years.

This decision, in agreement with the Commonwealth Government, will allow the delivery of supports including early intervention services for around 2,000 children and young people by 30 June 2016. Children and young people started to receive packages from September 2015, one year ahead of the planned 1 July 2016 date for the rollout of the NDIS across NSW.

The NSW Government is now working with the Commonwealth and the National Disability Insurance Agency (NDIA) to implement this early transition.

### **Who is eligible to access the early transition to the NDIS?**

The early transition will enable around 2,000 children and young people aged 0-17 years living in the NSW Department of Family and Community Services (FACS) Nepean Blue Mountains District to access the NDIS one year ahead of schedule. The FACS Nepean Blue Mountains District covers the four Local Government Areas of Penrith, Hawkesbury, Blue Mountains and Lithgow.

### **When will supports be available?**

The NDIA opened a shop front in Penrith on 1 July 2015 and have established a presence in Windsor, Katoomba and Lithgow.

Information, Linkage and Capacity building (ILC) supports are now also in place. Since July, the NDIS has been helping children, young people, their families and carers to get ready for the Scheme through community engagement forums and assistance with access and planning.

Children and young people ages 0-17 years, along with their families and carers, will work with Community Connectors from the NDIA to help them access the NDIS and prepare for the planning process. Community Connectors will support families by providing information and training sessions. Where required they also support people individually.

There are 12 Community Connectors across the Nepean Blue Mountains area. The Community Connectors are based in the local community to help people prepare for the NDIS and connect with local community organisations and services in the area.

For more information about Community Connectors people can contact 1300 883 430 or email [communityconnectors@unitingcarenswwact.org.au](mailto:communityconnectors@unitingcarenswwact.org.au).

Planning for funded supports in the Nepean Blue Mountains commenced from September 2015 as eligible participants are phased into the Scheme.

### **What will happen to supports children and young people receive now?**

FACS will continue to provide and fund disability supports to existing clients as they transition to the NDIS. Once a client transitions to the NDIS the funding that NSW provides for their current disability

supports transfers to the NDIS. Children and young people and their families will then plan for, and choose, the supports they need to meet their needs under the NDIS, in discussion with the NDIA.

### **When will people over the age of 17 in Nepean Blue Mountains be able to access the NDIS?**

People with disability over the age of 17 in the Nepean Blue Mountains District will be able to access the NDIS from 1 July 2016.

FACS will continue to provide and fund disability supports in the Nepean Blue Mountains District until the NDIS is fully implemented in the area and all clients have been transitioned to the Scheme.

### **How will people with disability, their families and carers be supported to access the NDIS early?**

FACS has been working closely with the NDIA to ensure that children and young people with disability, their families and carers are fully informed about early transition to the NDIS.

NDIS Community Connectors are now located across the Nepean Blue Mountains area to help families prepare for their transition and to assist with pre-planning, which includes holding a number of local information sessions up until June 2016.

### **What does this mean for existing and new service providers?**

The early transition is great news for existing service providers in the Nepean Blue Mountains area, and for new providers who may want to establish a presence in the area. FACS has been working closely with funded service providers in the area to provide them with information about the early transition and to help them prepare. A number of joint FACS-NDIA service provider forums have been held from May 2015, and a series of further forums has been planned in partnership with National Disability Services NSW and Early Childhood Intervention Australia (NSW Chapter) throughout the remainder of 2015.

### **What does this mean for younger people and children?**

Faster access to the NDIS will make a very real and sustained difference to people's lives. It will also enable children with disability in Nepean Blue Mountains to enjoy the same day-to-day experiences and opportunities that all children do, and get the best possible start to life.

Early intervention, including providing specialist supports such as therapy to children in their everyday environments as early as possible, brings a range of benefits for the child and family. Early intervention promotes skill development, participation and inclusion of children in their communities, including learning and play-based activities, and opportunities to play, learn and interact with their peers.

Early intervention supports children with disability to transition to child care and mainstream schools, and participate fully in life. It helps families to promote their child's, strengths and abilities.

**How will the NBM roll out affect 2015 School Leavers and access to a Post School Program?**

The school leaver process will not change for young people residing in the Nepean Blue Mountains in 2015. 2015 School Leavers residing in the Nepean Blue Mountains District have been assessed and notified of their assessment outcome.

School leavers who are eligible for Post School Programs will commence with their selected service provider in February 2016 and transition to the NDIS from July 2016.

**Who is the Government partnering with to enable this early rollout?**

By working in partnership with early childhood services, local schools, health services and the non-government sector, it enables collaborative work towards meeting individual families' needs and goals, particularly as they change over time.

**What is the funding envelope for the early rollout?**

The total funding envelope in 2015-16 is to cover the costs for support packages, the administrative costs of the NDIA and the implementation of Information, Linkages and Capacity Building (ILC) – formerly known as 'Tier 2'.

The Commonwealth will also contribute funding in 2015-16 to meet the administrative costs of the NDIA and the implementation of ILC.

The total commitment is \$25.55M.

## NDIS National Governance

### What is the governance framework for the NDIS?

The Council for Australian Governments (COAG) has established national governance arrangements to support implementation of the National Disability Insurance Scheme (NDIS) trials and progress planning and design work required to ensure that the transition to a full NDIS across Australia occurs within agreed timeframes.

### What is the Disability Reform Council?

The Disability Reform Council (DRC), chaired by the Commonwealth Minister, has primary responsibility for driving the national NDIS reforms, and includes Disability Ministers and Treasurers from all jurisdictions.

At the December 2013 meeting, COAG agreed that its Council system should be refocused on COAG's strategic priorities over the period from January 2014 to June 2015.

To reflect this decision, COAG agreed that the 22 COAG Councils would be replaced by eight Councils. This decision saw the disbanding of the Standing Council on Community and Disability Services, which was replaced by the DRC.

National officer level working groups have also been streamlined to better support implementation of DRC's priorities. These groups include the Senior Officials Working Group, Disability Policy Group and the Funding and Governance Working Group.

Separate governance arrangements have been established with the Commonwealth and the NDIA to support operational implementation of the Hunter trial and Nepean Blue Mountains early transition

The Council's role includes:

- overseeing evaluation of the national trials, including how lessons learnt can inform full scheme implementation
- making recommendations to COAG on the transition to a full scheme NDIS
- ensuring a broad range of reforms are implemented through the National Disability and Carers Strategies to support people with disability, their families and carers.

The DRC is supported by a Senior Officials Working Group and subgroups established to provide advice on funding, governance, policy and design issues.

National work on NDIS design and transition is being guided by a detailed multilateral work plan developed by the Commonwealth in consultation with jurisdictions and the National Disability Insurance Agency (NDIA). Current priorities include:

- improving client transitions to the NDIS through the trials
- system and client readiness for full scheme transition
- sector and market development, including workforce development
- resolution of key policy issues for full scheme implementation, including a Quality and Safeguarding and an Information, Linkages and Capacity Building Commissioning Framework

- clarification of interfaces between the NDIS and mainstream service systems.

### **How is the NSW Government contributing to the design and implementation of the NDIS through the governance framework?**

NSW is actively contributing to the design and implementation of the NDIS through the governance arrangements established by COAG. Robust governance arrangements are also in place with the Commonwealth and the NDIA to support operational implementation of the Hunter trial and early transition of the Nepean Blue Mountains area. These arrangements will ensure lessons learned from the trial inform national policy and design.

The NSW and Commonwealth Governments signed a Bilateral Agreement outlining how and when the full rollout of the NDIS will occur across NSW.

The NSW Government, the National Disability Insurance Agency and the Department of Social Services signed the NSW NDIS Operational Plan in December 2015.

The signing of the Operational Plan is an important step in the rollout of the NDIS in NSW. It builds upon the commitments outlined in the NSW NDIS Bilateral Agreement and sets out the activities needed for a successful rollout of the NDIS in NSW.

In addition to participation in formal governance arrangements established by COAG, NSW is also working closely with the Commonwealth and other jurisdictions as part of specific working groups established to develop a national approach to quality assurance and safeguards in the scheme. I

It is critical that key national policy threshold issues such as quality and safeguards are resolved as soon as possible to support the transition to full scheme.

## Information, Linkages and Capacity Building

Information, Linkages and Capacity Building (ILC) supports are a critical component of the NDIS as they generate economic and social participation opportunities for people with disability and carers by building their capacity and linking them with appropriate mainstream, community and specialist disability supports.

An ILC Framework for the NDIS has been agreed by all jurisdictions and is available on the NDIS website [www.ndis.gov.au/community/ilc-home/ilc-policy-framework](http://www.ndis.gov.au/community/ilc-home/ilc-policy-framework)

The NSW Government has strong expectations that ILC supports will be delivered by the NDIS given the NSW Government's \$3.1 billion contribution to the NDIS includes funding for existing ILC type supports.

The ILC Framework has been provided to the NDIA to inform the implementation of the ILC component of the NDIS.

The NDIA has released the ILC Commissioning Framework – Consultation Draft, which outlines outcomes expected from ILC and how ILC activities will be funded and managed. Consultations with people with disability, their families and carers and service providers will be held across Australia during February and March 2016.

### **What is the ILC Commissioning Framework?**

The NDIA has now released their Information, Linkages and Capacity Building (ILC) Commissioning Framework – Consultation Draft.

The overarching ILC policy framework was endorsed by the Disability Reform Council in April 2015, and can be found at <http://www.ndis.gov.au/ilc-policy>.

The Commissioning Framework is the NDIA's proposed approach to how ILC supports will be commissioned. Further information is yet to be provided by the NDIA on what will be commissioned and how the sector can prepare for this.

The Consultation Draft also provides information on the next steps and the timeframes for the public to take part in the consultation process.

### **What impact does the Draft Commissioning Framework have on ADHC funded service providers?**

The release of the Draft Commissioning framework for consultation does not change ADHC's current funding arrangements with non-output providers. These funding arrangements will remain in place until an ILC transition process is finalised.

It should also be noted that, at this stage, the provider transition information on the geographic rollout of the NDIS commencing 1 July 2016 applies to direct service provision only. ADHC will inform providers as more information on the transition process for non-output services is known.

Should you require any further information please refer to the NDIA website [www.ndis.gov.au](http://www.ndis.gov.au).

**Who can access ILC?**

All people with disability (including those who also receive an Individual Funded Package), their families and carers can benefit from ILC supports. ILC supports can also assist community and mainstream services.

**What other policies intersect with ILC?**

ILC policy needs to intersect with other critical pieces of policy, such as quality and safeguards; market and workforce strategy; and mainstream interfaces development.

## **NDIS Transition**

### **What is the NSW Government commitment to the transition to the NDIS?**

NSW became the first jurisdiction to agree to the full scheme National Disability Insurance Scheme (NDIS) in December 2012.

Commitment to the scheme has remained strong; with positive outcomes for participants in the Hunter trial site, actively participating in national forums to refine the design of the scheme, and invested in capacity building across the state to ensure that individuals and providers of supports are confident to begin their transition into the scheme.

### **What is the early rollout of the NDIS in Nepean Blue Mountains District?**

The NSW Government has also committed to deliver the NDIS for 0-17 year olds in the Nepean Blue Mountains area one year ahead of schedule.

The early rollout commenced on 1 July 2015 and will give around 2,000 children and young people faster access to the NDIS. The NSW Government and the Commonwealth have agreed on arrangements to enable this to occur.

### **What is the Government's position on transition of full scheme roll out to the NDIS?**

With respect to the full scheme, our Heads of Agreement states that full scheme NDIS will be rolled out across the whole of NSW between 1 July 2016 and July 2018.

At the COAG meeting in October 2014, all governments re-affirmed their commitment to the rollout of the full scheme NDIS. NSW was vocal in its position that we are not willing to re-negotiate our timeline for the full scheme NDIS.

### **What stage is the NSW Bilateral Agreement at?**

The NSW and Commonwealth Governments signed the Bilateral Agreement on the 16 September 2015 outlining how and when the NDIS will roll out across NSW. The full scheme rollout will take into account the lessons learned from the NDIS trial site in the Hunter local government areas of Newcastle, Lake Macquarie and Maitland, the early transition in Nepean Blue Mountains and the other trial sites around the country.

### **What sector readiness activities have and are being undertaken?**

We continue our work with individuals and the sector across NSW, to build readiness for the NDIS. ADHC has been implementing NSW program of reform and growth, through Ready Together, investing in delivering more flexibility, choice and control to people with disability.

It is essential that the NSW transition to full scheme is achieved as efficiently and effectively as possible. The Government is committed to working with all parties to roll out the NDIS successfully and sustainably.

## NDIS Eligibility

### What are the eligibility requirements under the NDIS?

A person is eligible for the NDIS if they are:

- are under 65 when their application is made (except in the early transition in the Nepean Blue Mountains where children and young people must be aged under 18 years as at 1 July 2015);
- are Australian Citizens or residents, permanent visa holders; and
- meet the disability or early intervention requirements

### Why could an individual be found ineligible for the NDIS Hunter trial site or early roll out in Nepean Blue Mountains?

There are many reasons why people may be ineligible for the Scheme. They might be:

- over the age threshold
- live outside the trial or early roll out sites
- not be assessed as having a lifelong disability or significant functional impairment

NSW has asked the National Disability Insurance Agency (NDIA) to review ineligible decisions when they relate to decisions around functional assessment for people who have been previously receiving State funded supports.

NSW continues to work with the NDIA to refine the process of eligibility determination at a local level and to understand the circumstances of people found ineligible to ensure they receive continuity of support.

### What support will be provided to people with disability who are found to be ineligible for the NDIS?

All governments have agreed continuity of support will be provided for people with disability residing in a trial area that currently receive support but do not meet the access requirements outlined in the National Disability Insurance Scheme Act 2013, to ensure they are not disadvantaged in the transition to the NDIS.

NSW is working with the Commonwealth to finalise the operational arrangements for the transition to full scheme to ensure that people found ineligible for the NDIS who previously received services funded by NSW will receive continuity of support.

Current data shows many of these people to be in receipt of low levels of support where community based alternatives to government subsidised support can be explored. The supports provided through Ability Links that the NSW Government has put in place across NSW are assisting those people who do not have a package with the NDIS to access those community supports.

### How will school leavers be effected by the NDIS?

Each year FACS, with the support of the education sector, assesses eligible young people with disability across NSW for an ADHC-funded Post School Program.

School leavers in the Newcastle, Lake Macquarie and Maitland LGAs, and young people under 18 at 1 July 2015 in Nepean Blue Mountains will not be assessed for a Post School Program (PSP) in

2016 as these locations have transitioned to the NDIS. School leavers in these sites will be able to access support directly through the NDIS.

FACS is working with the NDIA to ensure that 2016 school leavers in the Districts transitioning to the NDIA from 1 July 2016, will be prioritised for NDIA support. School leavers in year one Districts can still choose to take part in the school leaver assessment but they will not be given a Post School Program outcome. School leavers can give consent for FACS to share their school leaver assessment with NDIA to assist with their applications for the NDIS.

The school leaver process for 2016 will not change for young people residing in the Districts transitioning to the NDIA from 1 July 2017.

Schools should support students with disability to make contact with the NDIA to see if they are eligible for support.

### **How will the NDIS impact on the National Interstate Portability Protocol?**

The National Interstate Portability Protocol (NIPP) assists people receiving specialist disability services to:

- move interstate through enabling disability service information sharing and registration for services;
- access (if eligible) a one-off transfer of funds, equivalent to 12 months funding in their state of origin, between State/Territory departments to enable disability services at the new location to be secured for a period of up to 12 months; and
- identify and apply for ongoing services in the destination state.

The NIPP will continue to apply to people who move into NDIS launch sites from interstate. The NDIA will work with the state of origin to determine continuity of support as per the NIPP whilst the person is assessed for eligibility under the NDIS.

### **What happens to funding for NDIS participants who move out of trial sites?**

The NDIA has made a commitment that NDIS participants who move out of trial sites will continue to be supported by the NDIA. The National Interstate Portability Protocol does not apply to existing NDIS participants.

## Provider of Last Resort

### **How will the NSW Government's role in the disability service system change under the National Disability Insurance Scheme (NDIS)?**

The NSW Government's role in the disability service system will change under the National Disability Insurance Scheme (NDIS). NSW will not be a residual (or last resort) provider under the NDIS.

### **What is a provider of last resort?**

A provider of last resort provides supports to a person with disability where no other provider is able to meet their particular need.

Under the current system, when a person's support arrangements fail, or when the sector is not adequately resourced to respond to the needs of the person and their family, or where a change in service is needed by a person that cannot be delivered by their current provider, ADHC works with the person and other providers to build capacity and find alternative and sustainable solutions. Usually, another NGO is engaged to provide their services, but in some instances, ADHC steps in to directly provide support.

Under the NDIS, people will receive reasonable and necessary supports that they require to live in their communities. The NDIA is responsible for ensuring that participants in the scheme have access to the supports that they need and are supported to find a provider that is able to deliver the supports that the person wants. Once the NDIS is implemented across NSW in 2018, finding alternative solutions for people will be the sole responsibility of the NDIA, and ADHC will not provide any supports.

### **How will the NDIS ensure that the market can meet the needs of participants and ensure that the non-government sector grows to meet demand?**

As part of the rollout of the NDIS, the NSW Government is working to ensure that the market can meet the needs of participants, including those who have complex support needs, and supporting the non-government sector to grow to meet the demand that the expansion of funding and support the NDIS will bring.

The NSW Government has invested in a range of initiatives to support and enable providers to make this transition. This includes the Industry Development Fund, which provides tools and resources to support non-government service providers across NSW to successfully transition to individualised funding and service provision.

FACS district contract managers will continue to work with service providers to manage existing funding arrangements and to support the movement of people into the NDIS as it is rolled out. ADHC funding arrangements with service providers will be varied to reflect the movement of existing ADHC-funded service users in to the NDIS. As the rollout continues, we will provide you with more detailed information on how and when this will occur for each of your funded services.

The non-government sector provides the majority of disability services in NSW and is the primary or dominant provider in many parts of the state. This includes a number of regional areas where all, or nearly all, accommodation is provided by non-government or other organisations.

### **What statistics are there on non-government disability service provision?**

There are over 650 FACS-funded non-government organisations (NGOs) across NSW currently delivering services to thousands of people with disability. NGOs already deliver over 60 per cent of services across NSW to people with disability, their families and carers in NSW.

NGOs also provide around 70 percent of supported accommodation services in NSW, and well over 80 percent of other services, such as therapy. In other cases, the NGO sector is the only provider of some types of supports, for example transition to work supports for young people with disability leaving school, and day program activities.

The majority of people living in ADHC-provided supported accommodation also receive supports and other disability services from NGOs. This is because the previous disability law in NSW, which was in place from 1993 to 2014, did not allow one provider to deliver all supports to a person with disability.

Other NGOs work with thousands of people with disability to give them the skills and confidence to self-direct their support arrangements.

NGOs are also well placed to engage with local communities to find all possible avenues of support for people with disability to participate in the activities they want to do in their life.

The NSW government has invested resources and supports to assist the disability sector transition to the NDIS. Almost all the growth in funding has been directed to the NGO sector over this time. There has also been investment in strategies to build the capacity of the NGO workforce so they can recruit and retain skilled workers.

## **NDIS Community Justice Program and how it will be managed under NDIS**

### **What is the Community Justice Program (CJP)?**

The NSW Government provides support to people across NSW with intellectual disability exiting custody with a high risk of re-offending, through the Community Justice Program (CJP). People with intellectual disability are four times more likely than people without intellectual disability to be in NSW prisons and three times more likely to be victims of physical assault, sexual assault and robbery.

### **How will CJP clients transition to the National Disability Insurance Scheme (NDIS)?**

The Department of Family and Community Services (FACS) is committed to ensuring a smooth transition to the National Disability Insurance Scheme (NDIS) for all people with disabilities, including CJP clients.

CJP clients who transition to the NDIS in the Hunter trial site, engage in a joint planning process with the National Disability Insurance Agency (NDIA) and FACS.

FACS staff with clinical expertise work with the NDIA and other stakeholders in the Hunter trial site through a joint planning process to transition of CJP clients to the NDIS to ensure that appropriate safeguards are in place to support their transition.

This work includes outlining support currently provided to CJP clients by FACS, the Justice Cluster and non-government organisations so that, as CJP participants enter the NDIS during the Hunter trial, there are no gaps in the supports provided and the provision of non-NDIS funded supports continues. Learnings from the trial site will be used to inform transition support for CJP clients in full scheme.

### **What quality and safeguard arrangements will be in place for the transition of CJP clients to the National Disability Insurance Scheme (NDIS)?**

NSW quality and safeguards arrangements will be in place during transition to the Scheme, while all Australian governments work to finalise a national Quality and Safeguards Framework.

## Ready Together

### **What is Ready Together?**

Ready Together was launched in December 2013 to prepare people with disability, the disability sector and workforce for the National Disability Insurance Scheme (NDIS). Ready Together continues the multi-billion dollar investment by the government in Stronger Together and Stronger Together 2 reforms. In 2014-15, \$587 million was committed for Ready Together. This investment enables people with disability to lead more independent lives – to make decisions, participate in the community, and choose individualised supports that meet their goals and suit their stage of life. It is supporting 447 people in large residential centres in the Hunter, to move to more modern, home-like supported accommodation.

Ready Together includes the Living Life My Way Framework to give people choice and control over their supports and individualised funding arrangements, Large Residential Centre redevelopments, and inclusion and readiness activities, including the NDIS (NSW Enabling) Act 2013 and the Disability Inclusion Act 2014.

The aim of Ready Together is to build a system with more support places, more individualised funding, more choice and control, stronger rights, protections and safeguards for people with disability, and confidence that the NDIS will be managed carefully and implemented fairly.

### **How does Ready Together support the sector and its workforce to build its capacity, capability and readiness for the NDIS?**

Ready Together supports the sector and its workforce to build its capacity, capability and readiness for the NDIS.

The Industry Development Fund, delivered in partnership with National Disability Services, is supporting providers to design and cost their service offerings in readiness for the NDIS and CareCareers has been expanded to be a national portal for the sector's jobs – to help obtain workers for the 25,000 projected new jobs the NDIS will create in NSW.

These positive results will grow, driven by the Government's Disability Inclusion Act, passed in 2014, and the Disability Employment Strategy which is connecting employers and industry groups to prospective workers and making workplaces more inclusive and accessible.

Ready Together retains the NSW Government's \$2 billion commitment to deliver 47,200 new places for people with disability by June 2016. It manages demand growth by investing in prevention and early intervention and supports at critical life transition points.

## Summary of Ready Together Targets and Expenditure

<b>Ready Together</b> (building on ST2 expenditure and places) * Figures are in 2013-14 dollars (so do not align to Budget Paper 3 dollars referenced in the HFN text).** Places delivery is on track against targets.						
	Expenditure (\$m)			Cumulative target places increase		
	2013-14	2014-15	2015-16	2013-14	2014-15	2015-16
<b>Decision support</b>	33.99	52.54	68.93	6,660	18,600	24,080
<b>Individual support</b>	69.51	101.41	136.70	2,390	4,300	6,360
<b>Targeted individual support</b>	124.32	158.22	200.94	3,100	4,050	5,160
<b>Support for children and families</b>	27.11	36.68	48.21	3,970	5,170	6,710
<b>Community supports</b>	107.3	123.23	149.72	3,600	4,090	4,900
<b>Large residential redevelopments</b>	63.84	77.27	37.57	-	-	-
<b>Sector readiness and capacity</b>	16.57	16.46	16.69	-	-	-
<b>TOTAL</b>	<b>\$442.63</b>	<b>\$565.82</b>	<b>\$658.76</b>	<b>19,720</b>	<b>36,210</b>	<b>47,210</b>

## Sector Readiness

Under the Bilateral Agreement, NSW and Commonwealth Governments have agreed to work together to support sector and system readiness. This includes supporting workforce growth and development, building the capacity of individuals to participate in the market and developing the capacity of providers to participate in a more contestable market.

### **How is the NSW Government building the capacity of NGO disability providers as the transition to the NDIS continues?**

As the rollout of the NDIS continues, the NSW Government has invested more than \$30 million (since 2011) in a range of capacity building programs and initiatives to ensure that disability providers put people with disability at the centre of decision-making, and offer flexible, high quality supports that people with disability need. These include initiatives such as the Industry Development Fund (IDF), Organisation Transition Fund (OTF), market and capacity development for Aboriginal and multicultural service providers, and financial management projects.

### **How is the NSW Government supporting NGO workforce growth and development in transitioning to the National Disability Insurance Scheme (NDIS)?**

We have invested in a range of initiatives as a part of the Workforce Recruitment Strategy and the Industrial Relations and Workforce Development Strategy, including:

- Carecareers', the online recruitment hub and targeted advertising campaign, has now carried over 40,000 NSW job advertisements and attracted over 98,000 applications. 'ProjectABLE' workshops, attended by over 2,300 students interested in opportunities for working in the sector.
- ProjectABLE and Carecareers have been so successful that the Commonwealth has committed to fund them nationally to support the rollout of the NDIS.
- An online Disability Career Planner and Workforce Capability Framework, accompanied by 12 workshops delivered across the state.
- Online induction and Orientation learning modules, which were accompanied by 16 workshops held in early 2015.
- Human Resource Management Best Practices and Workforce Development case studies, with further workshops scheduled to roll out across metropolitan and regional areas from February until April 2016.

#### **a) What is the Industry Development Fund?**

The Industry Development Fund (IDF) is a key initiative assisting non-government disability providers to prepare for the NDIS. The IDF offers a range of practical resources, specifically tailored for the disability sector in NSW. Nearly all resources are free to access online, and FACS-funded disability providers can also access face-to-face support through the Sector Support Consultants initiative. The IDF has invested in a number of projects, including:

- Board and leadership development
- Sector reform roadmap and toolkit
- Sector Support Consultants
- NSW Quality Framework
- Aboriginal Resources and Pathways (ARP)
- Person Centred Approaches program

- “Price is Right” workshops focussed on unit costing, cash flow management and loans/financing designed to assist with preparation for transition to the NDIS.

**b) What percentage of FACS organisations have received support from the IDF?**

Approximately 94 per cent of FACS-funded organisations providing disability services have accessed resources and/or supports from the IDF. This assistance has come in the form of skills workshops, tailored supports, change management seminars and the Aboriginal Resources and Pathways project to build networks between disability service providers and Aboriginal communities.

An independent mid-term review of the IDF reported positive outcomes of participation in readiness activities. Disability providers surveyed in the review reported that they are more engaged with NDIS reforms and better prepared for full transition to the NDIS. For example, 72% of survey respondents reported they had made significant changes to their organisational policies to prepare for the NDIS transition as a result of participating in IDF initiatives.

As at June 2015, investment in IDF projects has totalled over \$24 million, with over \$2 million<sup>1</sup> for sector development initiatives still to be delivered.

**c) What is the Organisation Transition Fund (OTF)?**

A \$2.8 million Organisation Transition Fund has provided support grants for individual disability services preparing to transition to the NDIS, assisting providers to review their operations, undertake planning and make operational changes.

In 2014, the OTF offered grants of up to \$25,000, or pooled funding of up to a maximum of \$125,000 for small and medium ADHC funded providers (large providers could to apply where sector-wide benefits were demonstrated) to help service providers transition to the NDIS.

Rounds one and two of the OTF targeted ADHC funded providers in the Hunter NDIS launch site. Rounds three and four were opened to all ADHC funded NGO providers across NSW.

81 applicants, including 10 joint applications, received a grant, and projects are currently being implemented. Grants recipients have agreed to share findings, resources and outcomes from their projects with the wider sector. Information about the successful organisations, their projects and resources can be found on the Organisation Transition Fund webpage:

[www.idfnsw.org.au/organisation-transition-fund](http://www.idfnsw.org.au/organisation-transition-fund).

**d) How is the NSW Government building the capacity of Aboriginal and multicultural service providers?**

The NSW Government is supporting Aboriginal and multicultural service providers to prepare for the changes and opportunities presented through the NDIS.

In 2013 – 14, ADHC allocated \$2 million to Settlement Services International to deliver the FutureAbility project, also known as the Market Development Fund for the Multicultural Sector and invested a further \$1.5 million to AbSec to deliver Aboriginal Capacity Building projects. Both projects aim to build the number and capacity of Aboriginal and multicultural organisations operating in the NDIS.

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<sup>1</sup> National Disability Services (NDS) Financial Report to August 2015

**e) What are the financial management resources available to disability organisations?**

To assist disability organisations manage the financial implications associated with the transition to NDIS, FACS has worked in partnership with the sector and financial experts to create a package of financial management resources covering unit costing, cash flow management and access to investment and finance. This package, funded through the Sector Development Fund, is free to access and is available to all NGOs in the disability sector.

**How much has the Commonwealth Sector Development Fund contributed to capacity building in the sector?**

The Commonwealth Sector Development Fund allocated \$500,000 to the development of financial management resources. These resources are designed for the financial teams of service providers and are available to all NGOs. Resources include toolkits, webcast and material for Board members and operational managers covering unit costing, cash flow and access to investment and finance packages.

**How does FACS monitor a provider's performance and risk?**

FACS uses a risk-based approach to monitor provider performance. FACS has a Funding Agreement with its funded providers. The Funding Agreement requires providers to comply with a range of performance measures including having a quality management system in place and submitting annual compliance returns and acquittals. FACS contract managers use this, and other information, to identify and manage a provider's performance and risk.

**How do providers register to provide services under the NDIS?**

Registration to become a provider under the NDIS is administered by the National Disability Insurance Agency (NDIA), ADHC has no role in the registration process. Once providers have submitted the Provider Registration Application Form, the NDIA will process the form and issue the provider with login details. Providers are then able to register online with details about their organisation and the supports they intend to provide.

For all forms and further details on registration, please visit

<http://www.ndis.gov.au/providers/registering-provider> or contact the NDIA on 1800 800 110.

## NSW Quality Framework

### **What is the NSW Quality Framework for disability services?**

As the NSW Government reforms for disability services are implemented, it is important that service providers deliver contemporary, quality services and supports.

The NSW Quality Framework (the Framework) for disability services is built on the National Disability Quality Framework and based on the NSW Disability Services Standards (NSW DSS). The NSW DSS directly align with the National Standards for Disability Services, maintaining quality of practice in NSW, consistent with other States and Territories of Australia.

### **How will the NSW Quality Framework be implemented?**

Ageing, Disability and Home Care (ADHC) is partnering with National Disability Services (NDS) to implement the Framework and support the development of a unified, regulated sector where people with disability are at the centre of decision making.

### **How does the Disability Inclusion Act relate?**

The new Disability Inclusion Act 2014 and the Disability Inclusion Regulation 2014 confirm that all disability services operated or funded by FACS must comply with the NSW DSS which aims to improve the quality of supports and services and deliver a consistent approach to quality assurance across the sector.

### **What requirements do services providers need to meet?**

To meet the requirements of the Framework, service providers are required to implement a quality management system and attain Third Party Verification to confirm performance against the Standards. Providers receiving only Community Care Support Program funding are required to meet ADHC quality requirements after 1 July 2015. In line with the ADHC Red Tape Reduction Plan, the TPV recognises other accreditation systems and standards where these meet the NSW DSS, so that processes are not duplicated to verify providers are meeting requirements.

### **What assurance do quality standards provide to people with disability, their families and carers?**

The NSW Quality Framework aims to deliver a consistent approach to quality assurance across the sector. Through the use of external verification by a third party, people with disability, their families and carers will have assurance that service providers are meeting quality standards that are nationally consistent.

### **How is the NSW Government supporting organisations to meet the Framework requirements?**

Since mid 2012, up to \$6.75 million in one-off funding has been made available under the Industry Development Fund. This funding is to support all non-government organisations that are disability service providers funded by ADHC to meet the Framework requirements.

Disability service providers include those providers funded for younger people (people under the age of 65 and under the age of 50 for Aboriginal and Torres Strait Islander people) under the Community Care Supports Program (CCSP). Financial support ("quality subsidy") to assist NGOs meet the quality requirements is administered by [National Disability Services](#) (NDS). The subsidy

continues to be available to assist all ADHC funded non-government CCSP providers meet the new quality requirements (such as developing a quality management system, preparing for and meeting third party verification) which apply from 1 July 2015.

### **What is Quality Framework Reporting?**

Quality Framework Reporting (QFR) has been developed to assist organisations in reviewing service performance and progress against implementing the quality requirements. Service providers are required to report on progress in achieving the milestones by submitting a QFR on a six monthly basis. This is a condition of a service provider's funding agreement with ADHC.

To reduce the administrative burden on providers, ADHC offers an online form for QFR to assist providers in planning and tracking their progress in achieving milestones.

### **How many disability funded service providers are reporting on their quality requirements? How many have achieved Third Party Verification?**

The new 2015-2018 Funding Agreement requires all providers of disability services, including CCSP providers to comply with the NSW Quality Framework. This includes all providers undertaking third party verification of their performance against the NSW Disability Service Standards (NSW DSS), once during the term of the Funding Agreement. All providers will be required to report on their progress in achieving third party verification through the QFR.

One hundred per cent of disability funded service providers have achieved third party verification to confirm their performance against the Standards under the 2012-2015 Funding Agreement.

### **How is quality of practice being maintained, managed and monitored for the National Disability Insurance Scheme (NDIS) Hunter Trial?**

The existing NSW quality assurance and safeguards continue to apply in the NDIS Hunter trial site, subject to the further development of, and transition to, a nationally consistent risk-based Quality and Safeguarding Framework in the longer term.

ADHC, in conjunction with the National Disability Insurance Agency (NDIA), has developed Quality Assurance and Safeguards Working Arrangements for the NDIS Hunter trial to ensure appropriate management and monitoring against the existing system. This means that NDIS trial participants have access to the full range of quality assurance and safeguard mechanisms currently in place in NSW which will continue to support people during the transition to the NDIS.

Importantly, this also includes access to strengthened safeguard provisions such as Serious Incident Reporting and Employment Screening introduced under the new Disability Inclusion Act 2014 and the Disability Inclusion Regulation 2014.

### **What is happening in Nepean Blue Mountains?**

These Working Arrangements have been extended to Nepean Blue Mountains to ensure that NSW's quality assurance and safeguards apply to children and young people.

**What arrangements are being implemented for the transition to a full scheme NDIS in NSW?**

Schedule F of the NSW Bilateral Agreement for transition stipulates that during the transition to a full NDIS in NSW, the NSW and Commonwealth governments will continue to operate existing quality systems for providers seeking to register with the NDIA and existing safeguarding arrangements for participants, pending implementation of the national Quality and safeguarding.

Transitional quality assurance and safeguards working arrangements are being developed to support implementation of this aspect of the agreement.

Transitional arrangements set out in the Bilateral Agreement will be reviewed in June 2016 to reflect the outcomes of decisions by the Disability Reform Council about implementation of the national system.

## **Disability Inclusion Act**

### **What is the Disability Inclusion Act?**

The Disability Inclusion Act 2014 (the Act) commenced on 3 December 2014, on International Day of Disability, and a launch was celebrated at Parliament House with over 80 guests.

The Act is the new legal framework for the way the Department of Family and Community Services (FACS) provides disability funding, supports and services as we move to the National Disability Insurance Scheme (NDIS). The Act also includes measures to improve people with disabilities' access to mainstream services, ensuring their inclusion in the community. These measures will continue beyond the full implementation of the NDIS.

There is a strong emphasis in the Act for people with disability taking control and making their own decisions regarding their supports and services.

The new law improves safeguards for people accessing disability supports and services provided and funded by the FACS, including new employment screening requirements for people working directly with people with disability. Disability accommodation and centre based respite providers are also required to report the abuse or neglect of people with disability to the NSW Ombudsman.

The Act also requires that the NSW Government has a State Disability Inclusion Plan, providing for a co-ordinated whole-of-government approach to creating a more inclusive community for people with disability. The State Plan was launched on 26 February 2015.

There are also provisions in the Act requiring NSW Government departments, certain other public authorities and local councils to engage in disability inclusion action planning.

Disability inclusion action planning will benefit not only people with disability, but the community at large by breaking down barriers, creating a more inclusive society for all.

### **How did a review of NSW disability law take place?**

In December 2012, the NSW Premier gave approval for the Department of Family and Community Services (FACS) to undertake a review of the Disability Services Act 1993 (NSW). The aim of the review was to develop new legislation which facilitates person-centred reforms, reflects contemporary thinking about the rights of people with disability, and supports the transition to the NDIS.

In January 2013, FACS released an Issues and Discussion Paper about reforming NSW disability laws and a series of community consultations were held across NSW during February to March 2013. Nearly 600 people attended consultation sessions and 64 written submissions were received. The feedback received clearly indicated public support for a law that supports flexible, person-centred approaches to funding, supports and services for people with disability, as well as choice in how they use their funding.

### **Disability Inclusion Bill**

An Exposure Draft Disability Inclusion Bill (the Bill) was released for public comment and over 90 submissions were received from people with disability, their carers and families, service providers and other organisations.

The Bill was amended in light of the feedback and introduced into Parliament in May 2014 and passed on 14 August 2014. The Bill received assent on 26 August 2014.

### **Disability Inclusion Act 2014**

The Act includes provisions that:

- i. updates and strengthens the scope and intent of the legislative foundation provided by the Disability Services Act.
- ii. requires the Minister for Disability Services to prepare a State Disability Inclusion Plan, and each NSW Government department and local council to prepare a Disability Inclusion Action Plan. The plans will set out targets for accessibility and participation, in consultation with people with disability during its development.
- iii. contains transitional funding mechanisms which will enable people with disability to purchase services and supports, and for providers to continue to deliver services and supports.
- iv. introduces transitional safeguards to minimise risk where appropriate including: a requirement for repeat criminal record checks for employees and volunteers working directly with people with disability; and the compulsory reporting of serious incidents involving the abuse or neglect of people with disability in supported accommodation and centre-based respite services.

### **Disability Inclusion Regulation 2014**

A draft Disability Inclusion Regulation 2014 was released in September 2014 for public consultation which closed at the end of October 2014. Nineteen submissions were received. There was no requirement to develop a Regulatory Impact Statement as the Regulation contained machinery provisions that are not likely to impose an appreciable burden, cost or disadvantage on any sector of the public and also matters of a transitional nature. Minor amendments were made and the amended Regulation commenced, with the Act on 3 December 2014.

## **NSW Disability Inclusion Plan**

### **What is the NSW Disability Inclusion Plan?**

The NSW Disability Inclusion Plan 2015-2018 was launched by the Minister for Disability Services in February 2015. This Plan continues the NSW Government's commitment under the National Disability Strategy, and provides a future direction and framework for how the NSW government will support the inclusion of people with disability in the community and their access to mainstream services.

It is a unique plan, one which aims to map out a path to a fully inclusive society for all people in NSW. The plan recognises that NSW Government cannot do this alone and will continue to work with community partners to achieve this aim.

### **What is the aim of the NSW Disability Inclusion Plan?**

The plan sets out a collaborative approach to planning more accessible services and building more inclusive communities for people living with disability in NSW.

### **What are the focus areas of the plan?**

The plan sets four focus areas:

- Developing positive community attitudes and behaviours;
- Creating liveable communities;
- Supporting access to meaningful employment; and
- Improving access to mainstream services through better systems and processes.

### **What are the ten initial actions to begin breaking down the barriers that prevent full inclusion of people with disability?**

The plan also details ten initial actions to begin breaking down the barriers that prevent the full inclusion of people with disability in the community. The actions address negative community attitudes as the main barriers identified by people with disability. Some of the actions in the plan are already underway and a number are due to commence in the coming months. More actions will be developed and implemented collaboratively to ensure it is responsive to the changing role of government and the roll out of the NDIS.

### **How was the Disability Inclusion Plan developed?**

Consultation data from 2012 and 2013 was used to inform the plan, as well as the consultation period in 2014 in which 138 participants attended face to face consultation sessions; and a further 414 stakeholders provided input through phone interviews, online, and in written submissions. These consultations were instrumental in identifying the focus areas that could have the greatest impact for people with disability.

### **What actions from the plan are underway?**

The majority of actions in the Plan have commenced with some well underway such as –the announcement of the liveable communities competition (Action 2.1) and a Local Government forum which took place in November 2015 (Action 2.2).

FACS will support the development of positive community attitudes through Action 1.1 - raising community awareness and improve inclusive practices through the continuation of the Don't DIS my ABILITY campaign and an expanded public information and awareness campaign.

Consultation will continue to be central to implementation of the Disability Inclusion Plan and an implementation plan will be developed in 2015. Regular updates will be provided on the FACS website.

**What is the governance, reporting and evaluation framework?**

A governance, reporting and evaluation framework to support and guide implementation of the plan will be developed in consultation with the Disability Plan Implementation Committee and published in 2015.

**What is the responsibility of other government departments?**

NSW government departments, in accordance with the *NSW Disability Inclusion Act 2014*, are also required to develop their own Disability Inclusion Action Plans in consultation with people with disability. Agency plans will be submitted to the Disability Council NSW and published on the agency web site as soon as practicable after December 1 2015.

**How does it relate to the *Disability Inclusion Act 2014*?**

The Plan is central to the *Disability Inclusion Act 2014*, the Government's landmark legislation which enshrines the rights of people with disability into NSW law, supports the implementation of the National Disability Insurance Scheme (NDIS), as well as the development of accessible mainstream services for everyone in NSW.

In drafting the plan, people with disability were involved at all stages of development, and this document combines research and review of the extensive consultation. This keeps with the intent of the *Disability Inclusion Act 2014* to involve people with disability in policies that affect them.

## **National Disability Agreement**

### **What is the National Disability Agreement (NDA)?**

The National Disability Agreement (NDA) is an Intergovernmental Agreement between the Commonwealth and State/Territory Governments. It was first negotiated in 2009 under the Intergovernmental Agreement on Federal Financial Relations, which set the national framework to fund, monitor and support quality services for people with disability.

### **When did the NDA come into effect?**

A revised NDA came into effect in July 2012 and took into account new roles and responsibilities arising from the National Health Reform Agreement, the National Disability Strategy and the National Carer Strategy. It also foreshadowed the National Disability Insurance Scheme (NDIS).

### **What is the NDA relationship to the NDIS?**

The NDA also supports and complements the reforms for the full roll out of a National Disability Insurance Scheme (NDIS).

### **Is the NDA a funding agreement?**

No, a separate funding package from the Commonwealth is provided under the Intergovernmental Agreement on Federal Financial Relations in the form of a Special Purpose Payment.

### **What is the Commonwealths funding for NDA?**

In 2014-15, the Commonwealth Government is providing \$443 million to NSW through the Disability Services Specific Purpose Payment under the Intergovernmental Agreement on Federal Financial Relations. At the same time, the NSW Government is providing a total of over \$2.151 billion for disability services.

The Commonwealth committed to providing approximately \$1.7 billion nationally over five years (2009 to 2014) to support the aims and objectives of the NDA.

The funding included support for the former bilateral agreements for the Disability Assistance Package, Respite for Older Carers and the Younger People in Residential Aged Care Program, which were encompassed in the NDA.

### **When and why was the NDA revised?**

The revised NDA was signed by COAG on 25 July 2012. No changes were made to the funding arrangements.

In December 2010, Disability Services Ministers agreed that a review of the NDA was required due to a number of reforms in the health and disability arenas, as well as the COAG Reform Council's Baseline Performance Report on the NDA for 2008/09.

COAG's commitment to develop a National Disability Insurance Scheme (NDIS), and the findings of the Heads of Treasuries review of the NDA performance framework, also led to the need for amendments.

## **How has the responsibilities of ageing and disability been split between the Commonwealth and States?**

Under the National Health Reform Agreement (NHRA) there has been a split of responsibilities for aged care and disability programs at age 65 (age 50 for Aboriginal people).

The Commonwealth Government assumed:

- full responsibility for aged care services from 1 July 2012, including funding and contracting of service providers.
- financial responsibility from 1 July 2011 for basic community care services for people 65 years and over (50 years and over for Aboriginal people), in line with its responsibility for the rest of the national aged care system (packaged community care, respite care, and residential care); and
- funding responsibility from 1 July 2011 for specialist disability services delivered under the NDA for people aged 65 years and over (50 years and over for Indigenous Australians).

NSW assumed:

- funding and program responsibility from 1 July 2011 for basic community care services for people under the age of 65 years (under the age of 50 for Aboriginal people), in line with its principal responsibility for delivery of other disability services under the NDA; and
- financial responsibility from 1 July 2011 for packaged community care and residential care delivered through the Commonwealth Government aged care program to people under the age of 65 years (under the age of 50 for Aboriginal people).

## Working Together

### **What is working together and what does it aim to do?**

Working Together is a comprehensive strategy to support staff through the aged care and disability sector reforms.

The Working Together strategy aims to:

- provide practical tools and resources to inform and support staff in times of significant change, and
- engage with staff and empower them to explore opportunities for their future careers through the aged care and disability sector reforms.

These reforms mean frontline staff who currently deliver disability and aged care supports will move into roles in the non-government sector or choose other career options, while other disability staff will be considered for alternative employment in another Government agency.

Staff directly affected by the reforms are being supported by Working Together to enhance their confidence in their own futures so they can continue to focus on supporting vulnerable people.

### **What are the key strategies for working together?**

To deliver outcomes, Working Together is focussing on six key strategies:

- support leaders' ability to engage and support staff
- build staff engagement with an understanding of the sector reforms
- provide staff and managers with practical and useful tools, resources and information
- enable staff to continue to improve the lives of people with disability and who are ageing
- regularly and proactively engage with staff through a two-way dialogue, and
- assist and empower staff to seek and access information and support

### **When was working together launched?**

The Working Together strategy was launched by the Minister in June 2014 with the aim of supporting staff, facilitating a smooth workforce transition and maximising continuity of client care during the aged care and disability sector reforms.

The Working Together website was launched in December 2014 as one of the primary channels of communication with staff affected by the aged care and disability sector reforms.

### **How does working together relate to OneFACS?**

Working Together is aligned with and complements the OneFACS transformation process through the FACS Disability Reform Portfolio.

### **What if staff don't have access to the internet?**

For staff without regular access, messages are being communicated through their existing line managers, for example in team meetings and face-to-face supervisions.

### **What has working together delivered?**

This strategy has so far delivered:

- two webinars with staff in 2015 (available on the Working Together Site)
- extensive consultation across the Department of Family and Community Services, particularly with District leaders, about how Working Together continues to evolve to better support staff
- Managers tool kit
- Metro Aboriginal staff gathering and
- up-to-date information about the future of Home Care, NDIS Bilateral Agreement and transfer of services.

### **What will working together deliver in the future?**

Future planning for Working Together involves a suite of options including:

- more staff engagement and information activities including videos and personal development sessions
- regular updating of question and answers
- ongoing development of practical tools and resources, and
- targeted resources for Aboriginal staff.

## Carers under NDIS

### What does the NDIS mean for carers?

The NDIS will not replace carers. Carers will continue to play a significant role in supporting people with disability, including NDIS participants. The supports provided by carers are critically important to a person's wellbeing and the NDIA will take steps to support the sustainability of the carer's role.

### How is carer input being captured in the NDIS planning phase?

The Carer Statement is a conversation with the Planner (rather than being a template or formal mechanism) which captures the input of the carer, their role and support needs.

The NDIS aims to actively involve family members and carers, strengthening their ability to support the person with disability to identify life goals, and participate in their community.

Carers can have a role in planning and assessment, and will often be pivotal to supporting the participant's choice and control. Involvement of the carer will depend on the circumstances of each participant, especially their age, wishes and support needs.

The needs and role of carers are taken into account in the NDIS. Planners ask carers to make a Carer Statement, either in a separate conversation or with the participant. The Carer Statement sets out:

- support currently provided by the carer(s)
- the impact of that support on the carer(s) and other family members
- the wishes of the carer(s) for their future caring roles
- the carer(s)' other responsibilities and own life plans.

The carer's role is then considered when developing plans with participants.

### How many carers are there in NSW?

The NSW Government is committed to supporting all carers in NSW. In NSW alone, there are more than 857,000 carers.

### What role do families and carers play?

Families and carers are often ordinary people who provide ongoing, unpaid help to people because of disability, mental illness, chronic illness, dementia or frail age. Families and carers provide vital help and support for people with disability that formal services or organisations cannot provide.

### Who supports carers through the NDIS?

The NDIA will play an important part in the NSW Government honouring its commitment to support carers to participate fully in their own social and economic lives.

Carers will be supported in their caring role through the participant having access to the supports they need. Support plans tailored to the participant's individual needs and wants, in the context of their family and community, will increase opportunities for improved health and wellbeing, and social, community and workforce participation opportunities for the carers.

Carers will also be supported by the Information, Linkages and Capacity Building component of the NDIS which can, either directly or through referrals, provide carer specific supports, including: referral, information, capacity building, education, support groups and counselling.

**What consultation will be done for carers?**

Carers will continue to be informed about, and engaged with, the rollout of the NDIS. One way this will occur is through advice provided by the NSW Carers Advisory Council, which provides advice direct to government about issues affecting carers.