



ESTIMATES AND FINANCIAL OPERATIONS COMMITTEE

QUESTIONS ON NOTICE SUPPLEMENTARY INFORMATION

Wednesday, 24 June 2015

Disability Services Commission

Hon Sally Talbot MLC asked -

PAGE 407 Significant Issues Impacting the Agency - The implementation of the Western Australian National Disability insurance Scheme (NDIS)

Given that WA has not yet committed to a full roll-out of the NDIS, will a national system even be applicable in WA? Every day people are being abused, the Government cannot afford to delay action on this issue.

Question 1

In the media recently Minister Morton has been quoted as saying she “had not yet received evidence of systemic abuse in the State’s disability services sector” is the Minister aware of the clear evidence of systemic abuse that has been reported through the current Senate Inquiry into violence, abuse and neglect against people with disability?

Answer:

It is deeply concerning to hear of individual allegations of abuse and neglect of people with disability. As the Senate inquiry on violence, abuse and neglect against people with disability in institutional and residential settings is due to report in September 2015, it is premature to make comment on the outcomes of the senate inquiry.

Question 2

How does the Minister respond to the figures reported by Women With Disabilities Australia, that state up to 90 per cent of women with intellectual disabilities have been sexually abused?

Answer:

Violence against women is unacceptable. Governments, community sector organisations and the community share responsibility for preventing and reducing its occurrence. Governments have long recognised the need to take coordinated action to reduce violence against women and their children, including women with disability. The *National Plan to Reduce Violence against Women and their Children 2010-2022* provides the framework for action by the Commonwealth,

State and Territory Governments. Western Australia has demonstrated its commitment to the National Plan through development of the *Western Australia's Family and Domestic Violence Prevention Strategy to 2022*. The Disability Services Commission is represented on the Senior Officers' Group overseeing the cross government response and advocates for consideration of the needs of women with disability who are known to be at higher risk of experiencing abuse.

Question 3

Can the Minister confirm what investments the Government has made to increase access to and awareness of independent advocacy in the disability sector?

Answer:

In May 2015 the Disability Services Commission released a tender valued at \$2,000,000 per annum for individual advocacy services. It is seeking advocacy services to deliver independent advocacy services across four identified target groups. These are for general independent state-wide advocacy for people with disability, disability advocacy for Aboriginal people, for people from culturally and linguistically diverse backgrounds and people in rural and remote areas.

Over the past year, advocacy grants have been awarded to the following organisations for advocacy related to the establishment of the NDIS.

- Richmond Fellowship WA (\$274,000).
- Developmental Disability WA (\$160,000).
- Kalparrin (\$200,000).
- Ethnic Disability Advocacy Centre (\$100,000)

These grants were jointly funded by the State and Australian governments and focused on people with disability and psychosocial disability.

Developmental Disability (WA) was awarded a further \$400,000 to fund a range of initiatives to increase the capacity of people with disability, families and carers to participate in individualised planning processes – a key component of the NDIS My Way reform.

Carers WA was awarded a grant (\$95,000) to support people with psychosocial disability to participate in the WA NDIS My Way trial.

A further grant to \$95,600 was awarded to the WA Association for Mental Health. to develop a Community of Practice (CoP) for psychosocial disability in the WA NDIS My Way trial sites.

These initiatives provide information and support to increase individuals' ability to independently advocate and exercise choice and control over their lives. These initiatives augment the role of My Way and Local Area Coordinators, specialist and mainstream advocacy organisations and other stakeholders who promote and advocate for people with disability.



Question 4

Can the Minister confirm what investments the Government has made to strengthen individual and systemic advocacy in the disability sector in the past 12 months?

Answer:

Refer to the answer to question 3.

Question 5

How does the government plan to address the serious access to justice issues that people with disability face in their interactions with the police and the criminal justice system?

Answer:

The Commission already has an operating Disability Justice Service. It includes an established In-reach service which provides support to individuals who are currently in prison or who have been in contact with the justice system. The service works closely with the Department of Corrective Services, which makes contact when an intellectual, cognitive disability or Autism Spectrum Disorder is suspected. The Disability Justice Service provides Disability Awareness Training to Prison Officers as well as to Police. This Service also works with the Commission's Local Area Coordination Service, Supported Community Living as well as non-government organisations to support people with disability who are in or at risk of contact with the justice system via consultancy and training.

A dedicated Justice Prevention and Diversion Officer is being recruited with a focus on working with Courts for both children and adults to identify issues people with disability may encounter when interfacing with the justice system.

Finally the Commission will be opening the State's first Disability Justice Centre this year, providing specialist supports to Mentally Impaired Accused with a primary diagnosis of intellectual or cognitive disability or autism.



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Disability Services Commission

Hon Sally Talbot MLC asked -

PAGE 407 - QUADRIPLLEGIC CENTRE

Question 6

How many patients resident in the Quadriplegic Centre have been successful in getting CAP applications [funding]?

Answer:

Eleven people have submitted CAP applications for the current round. The applications are being analysed by the Independent Panel and prioritised relative to all the applications received for the round. Outcomes will be known mid-August 2015.

Question 7

What mental health services can residents of the Quadriplegic Centre access?

Answer:

Patients at the Quadriplegic Centre have various avenues available to enable them to access mental health services, all of which are dependent on the nature and severity of their mental health issue.

They include a variety of programmes facilitated by the Quadriplegic Centre's resident psychologist, such as support groups, family therapy, Cognitive Based Therapy, psychotherapy, marital counselling, sexual health counselling and rehabilitation counselling.

Access to psychiatry services is initiated through a number of channels, including carers, family members, allied health and nursing staff, and the patient's General Practitioner who can make a referral to the Avro Community Health Centre, which is managed by the Department of Health. The Avro Community Health Centre offers treatment for all psychological issues associated with the management of spinal injury.



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Wednesday, 24 June 2015

Disability Services Commission

Hon Sally Talbot MLC asked -

PAGE 407 Significant Issues Impacting the Agency – NDIS, I refer to dot points 1,2 and 4 and ask the Minister:

Question 8

Given the State Government's commitment to NDIS and the My Way trial, where is the funding consideration/allocation for the additional Local Area Coordinators that will be needed to ensure NDIS/My Way is adequately resourced and to give the trial every chance of success?

Answer:

The National Partnership Agreement between the Commonwealth and State governments for the WA NDIS My Way trial includes a Commonwealth allocation of \$14.98 million over two years (2015/16) for the administration of the trial. This includes the cost of the additional Local Area Coordinators (My Way Coordinators) required to implement the NDIS My Way trial.



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Wednesday, 24 June 2015

Disability Services Commission

Hon Stephen Dawson MLC asked -

PAGE 409 – Outsourcing costs of Accommodation Support

In response to Questions on notice No. 50:

Question 9

I ask of the Minister, of the 2014/15 year figure provided of \$467,451, how much was provided as independent advocacy support for staff and families.

Answer:

\$60,000.

Question 10

Of the funding provided as independent advocacy, please list the providers used?

Answer:

People With Disabilities WA.

Question 11

Given the acceleration of the transition to privatisation of Accommodation Support, why is the 2015/16 Budget reduced to \$60,000 (including independent advocacy support)?

Answer:

Because the rate of transition to the NFP sector is dependent on individual and family decisions, it is not possible to accurately forecast how many houses will transition in the 2015/16 financial year. For this reason, salaries and property/vehicle transfer costs cannot be defined and are not included. Similarly workforce support costs (beyond advocacy support) will be incurred as required and cannot be accurately forecast.



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Wednesday, 24 June 2015

Disability Services Commission

Supplementary Information No. XX: Hon Sally Talbot MLC asked -

PAGE 407 Significant Issues Impacting the Agency – Transition of 60% of the Commission’s accommodation services to non-government disability sector organisations.

Recently former Federal disability discrimination commissioner Graeme Innes stated that “Western Australia has the weakest safeguards to protect people with disabilities” and I ask:

Question 12

Why has Western Australia been allowed to fall so far behind the other States, the majority of which have legislative pre-employment screening systems in place for people who work in the disability sector.

Answer:

The Director General of the Disability Services Commission responded to that claim, which is strongly refuted, at the time it was made. The Hon Member may wish to listen to the radio interview in which Dr Chalmers discussed those claims with Mr Innes directly. The Western Australian disability services system promotes high quality services and the safeguarding of people with disability. It recognises that building effective networks of support around individuals is as important as regulatory systems in safeguarding people with disability who are vulnerable.

Service providers funded by the Disability Services Commission are required to obtain police clearances for any staff involved in the provision of services under their Service Agreement and staff working with children must meet the requirements of the Working with Children (Criminal Record Checking) Act 2004.

A national approach to quality and safeguarding, including employee screening, is currently being considered by States and Territories. The national framework will determine whether any changes are required to strengthen the local system.



Question 13

Given the details that have emerged from the recent Senate Inquiry hearings will the Government support the introduction of legislation for a comprehensive pre-employment screening process for Western Australia?

Answer:

Employee screening processes are part of the current quality and safeguarding system in place in Western Australia.

Question 14

Can the Minister confirm what investments the Government has made to increase access to and awareness of independent advocacy in the disability sector?

Answer:

In May 2015 the Disability Services Commission released a tender valued at \$2,000,000 per annum for individual advocacy services. It is seeking advocacy services to deliver independent advocacy services across four identified target groups. These are for general independent state-wide advocacy for people with disability, disability advocacy for Aboriginal people, for people from culturally and linguistically diverse backgrounds and people in rural and remote areas.

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These grants were jointly funded by the State and Australian governments and focused on people with disability and psychosocial disability.

Developmental Disability (WA) was awarded a further \$400,000 to fund a range of initiatives to increase the capacity of people with disability, families and carers to participate in individualised planning processes – a key component of the NDIS My Way reform.

Carers WA was awarded a grant (\$95,000) to support people with psychosocial disability to participate in the WA NDIS My Way trial.

A further grant to \$95,600 was awarded to the WA Association for Mental Health. to develop a Community of Practice (CoP) for psychosocial disability in the WA NDIS My Way trial sites.

These initiatives provide information and support to increase individuals' ability to independently advocate and exercise choice and control over their lives. These initiatives augment the role of My Way and Local Area Coordinators, specialist and mainstream advocacy organisations and other stakeholders who promote and advocate for people with disability.



Question 15

Can the Minister confirm what investments the Government has made to strengthen individual and systemic advocacy in the disability sector in the past 12 months?

Answer:

Refer to the answer to question 3.

Question 16

How does the government plan to address the serious access to justice issues that people with disability face in their interactions with the police and the criminal justice system?

Answer:

The Commission already has an established In-reach service which provides support to individuals who are currently in prison or who have been in contact with the justice system. The Disability Justice Service (the Service) works closely with the Department of Corrective Services who will make contact with the Service where an intellectual, cognitive disability or Autism Spectrum Disorder is suspected. The Service will then ascertain if the individual is eligible for Commission services or may facilitate assessments where appropriate.

The Service provides Disability Awareness Training to Prison Officers as well as to Police. This Service also works with the Commission's Local Area Coordination Service, Supported Community Living as well as non-government agencies to support people with disability who are in or at risk of contact with the justice system via consultancy and training.

A dedicated Justice Prevention and Diversion Officer is being recruited with a focus on working with Courts for both children and adults to identify issues people with disability may encounter when interfacing with the justice system.



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Wednesday, 24 June 2015

Disability Services Commission

Hon Sally Talbot MLC asked -

PAGE 406 – Spending Changes

I refer to Spending Changes Table on page 406, and I ask the Parliamentary Secretary, with regard to the cuts made in the 2016/16 Budget Estimate:

Question 17

The effect of the 1% Efficiency Dividend, 15% Procurement Savings and Workforce Renewal Policy are expected to cut \$12.million (or 1.2%) for the Minister's 2015-16 Total Cost of Services, can the Minister explain the required strategy for the department to meet these \$12.0 million savings measures, and advise what progress the Department has made to date?

Answer:

The 1% Efficiency Dividend and 15% Procurement Savings will be achieved through a combination of strategies, which include:

- reduction in office accommodation costs through more efficient use of office space
- one-off savings realised as a result of delays by new clients in the uptake of services.
- supplemented by returns of pre-paid funding from clients now accessing compensation funding.

In line with the Government's advice, the following strategies will be implemented to operationalise the required savings for the Workforce Renewal Policy:

- employing replacement staff at lower classification levels
- replacing full-time employees with part-time employees, and
- not replacing an employee at all where possible.

The Commission has commenced implementing the above saving strategies, including staffing reductions in administration (non-frontline staff).



Question 18

Can the Minister confirm that there will be no further staffing cuts as a result of the department being unable to meet the \$12.0 million of cost savings, and confirm the Minister intends for the department to remain within the 2015-16 Budgeted Surplus for 2015-16 of \$0.2 million?

Answer:

The Commission will meet the \$12 million in cost savings through the strategies identified in 1 above.

The Commission intends to achieve the budgeted surplus of \$214,000 for 2015-16.

Question 19

Following the \$24.6 million on Pay Equity for Non-Government Human Services Sector Indexation Policy and \$8.1 million Commonwealth Growth and Indexation funding, does the Minister think it fair to approve pay increases to the private sector and make the public sector fight to reduce \$12 million of 1% Efficiency Dividend, 15% Procurement Savings and Workforce Renewal Policy Savings in order to achieve their 2.25% indexation pay rise?

Answer:

Neither the State Government nor the Disability Services Commission approves pay increases to non-government disability sector organisations. These organisations provide services to people with disability on the basis of pricing and funding levels agreed under contract from the Commission. Each organisation determines the pay rates of its employees.

During the past 15 years successive State Governments have supported the growth and development of the non-government disability services sector. During this period, the vast majority of growth funding provided for disability services has been directed to building the capacity of the non-government sector. As a consequence, the proportion of services directly provided by the Disability Services Commission has been steadily reducing. The current Government has accelerated the transfer of Commission services to the non-government sector. The application of the Efficiency Dividend, Procurement Savings and Workforce Renewal Policy Savings is occurring at a time when the Commission will be reducing its internal capacity. The Commission will be able to achieve these savings without any impact on direct services.

Question 20

What parameters, measures or criteria are set regarding the non-government sector workers pay equity and indexation rises?

Answer:

Under the Government's Delivering Community Services and Partnership policy all contracting arrangements are to be indexed in line with Government policy. The Disability Services Commission's Service Agreements specify how indexation will apply and complies



with the Western Australian Government Indexation Policy for non-government Human Services Sector.

On 18 March 2015 the State government signed the National Partnership on Payment Pay Equity for the Social and Community services Sector (NPA SACS), which committed the Australian government to funding a share of wage increases stemming from the above decisions. For Western Australia disability services providers, the Australian government calculated this as an additional \$26,987,670 for pay increases from 2012/13 to 2015/16. The Disability Services Commission made payments on 19 June 2015 to disability sector organisations under Service Agreements in 2012/13 where the organisation has identified they have employees employed under or related to the Social and Community Services modern award and are bound by the 1 February 2012 Fair Work Australia pay decision and the related decision 29 August 2013 by the Western Australian Industrial Relations Commission.

Question 21

Does the Minister accept any responsibility for non-government sector performance, and what measures are considered when assessing value for money with regard to non-government performance.

Answer:

Under section 12 of the Disability Services Act 1993, the Disability Services Commission is required to ensure that the National Standards for Disability Services are met by service providers. The National Standards are central to the Service Agreement with the Commission and assessing of service provider performance and value for money considerations.

A handwritten signature in black ink, appearing to read 'M. Muntz', is located at the bottom right of the page.