



## Minister for Mental Health; Disability Services; Child Protection



Our ref 43-13720

Hon Simon O'Brien MLC  
Chairman, Standing Committee on Environment and Public Affairs

Dear Mr O'Brien,

### **Petition No 46 – Disability Services Commission Accommodation Services**

Thank you for your letter of 14 August 2014 regarding the petition presented to the Legislative Council on 26 June about the transition of accommodation services from the Disability Services Commission to the non-government sector.

I welcome the opportunity to provide factual, accurate information regarding the issues raised and hope that this will help to address concerns held by some of the petitioners

By way of background, the transition of accommodation services from the Disability Services Commission to the non-government sector was announced in October 2013. The transition recognises the unprecedented changes that are taking place within the disability services environment and the ongoing reforms in this sector.

### **Background**

Since the Disability Services Commission (the Commission) was established in 1993 via an Act of Parliament<sup>1</sup>, the Commission has been both a direct provider of services and a purchaser of services from non-government organisations.

During the past twenty years the proportion of services provided directly by government via the Commission has steadily decreased as the not-for-profit sector has expanded, matured and diversified. The expansion of the not-for-profit sector has been a deliberate policy of successive governments designed to offer a wider range of service options to people with disability and their families/carers.

The Disability Services Commission's accommodation service was established in the latter part of the twentieth century in response to a lack of other options being available for people with disability in Western Australia. From its zenith of 900 residents in the 1980s, the Commission's accommodation service has steadily reduced in size to 480

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<sup>1</sup> Disability Services Act 1993

residents in correlation with the increasing capacity of the non-government disability sector

It has taken literally decades of work, by successive governments, to establish, develop and foster the highly capable cohort of service providers we have now.

Today, Western Australia's disability sector offers a range of flexible support options for people with disability that provide real choice as to the supports and lifestyle individuals are seeking. This non-government sector currently provides 85 per cent of accommodation support for people with disability in Western Australia, and does so to a very high standard of service delivery.

The sector has been supported to be sustainable into the future, providing long-term service continuity for West Australians, through the implementation of *Delivering Community Services in Partnership Policy* and the application of Economic Audit Committee Component I and Component II funding

In parallel to the most recent developments in Western Australia's disability sector, the National Disability Insurance Scheme (NDIS) has commenced trials across the country. A central and unchanging premise of the NDIS is that individuals should have individual packages of funding that can be applied to meet their support needs. The NDIS has also made clear that large scale government-delivered disability services are not envisaged into the future.

So as a result of all these factors, the decision was made to transition around 60 percent of the Disability Services Commission's accommodation service to the non-government sector. I believe this transition will give people with disability far greater choice of support models and greater control over how their funding is utilised. It will allow people with disability to access high quality services in the non-government sector, and it will prepare Western Australia for the expanded roll-out of the NDIS under the WA NDIS My Way model.

It is important to note that in 2013 the New South Wales State Government, in preparation for the transition to the NDIS, legislated for all government run disability services to be transitioned to the non-government sector within five years. In the following pages, I address the specific issues raised in the submission to the Legislative Council.

### **Choice**

As I have outlined above, Western Australia's disability sector offers a great range of support models. These extend far beyond the group home model offered by the Disability Services Commission and extend to smaller shared living situations, co-resident arrangements, and supported individualised living. It is simply beyond the capacity of government to extend its service model (which, as I have outlined above, the NDIS encourages reducing) to include this type of flexibility. In moving to a non-government organisation, individuals will also have the opportunity to take control of their individualised funding, and establish and review personalised support plans to articulate their goals and how they want to live. This places far greater control, far

greater choice and more power in the hands of people with disability to determine how they want to live their lives

### ***Consultation***

As outlined in the submission put to the Legislative Council, significant consultation was undertaken with peak bodies in the disability sector along with non-government organisations in making the decision to commence this transition process. The assertion, however, that no community engagement occurred in this process is not correct. Included in the peak bodies consulted were consumer representative groups, which actively participated in the process.

Following the initial decision to commence the process, further consultation was undertaken to determine how individuals would be prioritised to participate in this process. An independent panel was formed to undertake this role and again included consumer representatives. In addition to representatives from consumer organisations and the Office of the Public Advocate, the parents of people with disability living both within the Disability Services Commission's accommodation service and with non-government organisations were included. These people had a strong and positive influence on the prioritisation process.

I also wish to address the assertion that people not included in the first transition groups have not been engaged in the process. The Government specifically funded an Independent Information Officer position, the contact details for which were broadly distributed (including via the CPSU/CSA). This was a non-government officer whose sole role was to independently discuss the process with affected people. The Disability Services Commission has sent, via post and email, regular updates to the families of all its accommodation service residents.

The Disability Services Commission has also held monthly information sessions at a variety of locations across the metropolitan area where concerned people can make a time to have a one-on-one discussion with a Commission staff member on this very issue. And finally, the Commission has a dedicated Transition Team, the contact details of which have been distributed regularly, who any concerned people can contact.

### ***Impact on Individuals***

I have great respect for the care, concern and love that the family members and advocates have consistently demonstrated for the people in the Disability Services Commission's services. It is a credit to them that they represent their loved ones so forthrightly, and with such commitment. So I can understand the apprehension they may feel when change is foreshadowed.

It is with this in mind that the transition of individuals is being carefully planned. There is no set rule for how transition will occur. There has been unfortunate propagation of a "two week handover" myth by some groups opposed to the transition, which is

categorically not true I can assure families and advocates that it will not be a case of en masse staffing change-overs

Families and advocates will be closely involved in how the change-over of supports happens, and the planning of the broader transition process. Staged, slow changes of staff with hand-over periods and the potential for secondments of Government staff to non-government organisations are all available. The care and support of people with disability is, like any concerned family member, our top priority.

***Inability to return to Commission Services***

This issue goes to the core of the transition process, that being that the Disability Services Commission accommodation service is being reduced. As a result, the Commission will not be 'taking back' people who have been transitioned. The raising of this issue is premised on the assumption that a non-government service provider will not be able to provide the service an individual needs. As I have discussed above, this is no longer the case.

One of the guidelines used in prioritising people for transition is that their needs must be able to be met by the non-government sector. If this were not the case, the process would not be commenced. Where an individual decides they are not happy with their chosen provider following transition they can, like any West Australian with individual funding, choose to change their service to another provider. All individual funding in the State is portable: another way in which this process gives individuals greater control over their supports and services. No individual will be locked into supports that they are not happy with.

While not the subject of the petition, I note that individuals regularly choose to leave the Commission's accommodation services to take up supports in the non-government sector. This is a practice that is carried out routinely, so to suggest there is no process for it is a misrepresentation. Rather, operational, working level processes are not open to external consultation.

***Reasoning Behind Transition and Impact on the Disability Sector***

The raising of this issue appears to be based on the contention that the transition process is aimed at increasing non-government sector capacity. This is incorrect. The transition process is possible because of the capacity in Western Australia's non-government sector. As I have previously noted, decades of partnership and investment have resulted in a strong and capable sector which means we can confidently purchase high quality services for West Australians.

***Maintaining DSC Accommodation Service Standards***

I wish to be very clear on this point: there will be no reduction of service standards within the Disability Services Commission's accommodation service. There will be no reduction of staff ratios, there will be no reduction of funding for houses remaining in the service and there will be no change to the level of training, support and guidance staff receive. The care and support of people with disability is of the highest priority for the Disability Services Commission and for me as the Minister for Disability Services, and this will not be compromised.

**Overall Sentiment**

I trust, from the content of this letter, the Committee is able to understand why the transition process is being pursued and by extension, why individuals are not being afforded the option to continue receiving Disability Services Commission services

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This transition process is part of a broader reform of the Disability Services Commission's service delivery capacity. The reforms will prepare the State to participate in the NDIS environment and provide the best possible supports to people with disability.

I thank you again for the opportunity to provide responses to the questions raised with the Committee and reiterate that there are many avenues open to people concerned about this process to discuss those concerns and have real conversations about these issues. The Disability Services Commission would welcome contact, and is very happy to respond to any issues individuals with disability, family members, friends, advocates or other affected people wish to raise.



Helen Morton MLC  
**MINISTER FOR DISABILITY SERVICES**

08 SEP 2014