Disability Position Paper

Introduction: The Social Work Platform
The social work profession is committed to maximising the well being of individuals and society. It considers that individual and societal wellbeing is underpinned by socially inclusive communities which emphasise principles of social justice and respect for human dignity and human rights, including the right to freedom from intimidation and terror in society. Minimum standards of human rights include also the right to adequate health care, education, housing, employment and income.

Role of Social Workers
The AASW is the only national organisation for social workers in Australia, with over 6,000 members, many of whom are involved in the delivery of disability services in a range of fields of practice including direct care and support, advocacy, case management and service coordination, operational management, policy development and strategic/executive management.

Policy Context and Role of Government
The AASW strongly endorses the Government decision to base the National Disability Strategy on the United Nations Convention on the Rights of Persons with Disabilities 2007 (hereafter referred to as the Convention). Disability can be exclusionary on multiple levels and the focus of the Convention on rights and inclusion is vital. The ratification of the Convention in July 2008 was welcomed by Disability and Human Rights organisations; however, we note that ratification of the Convention does not mean that Australia already fully complies with it in practice.

The Convention provides a clear framework for the changes that are needed to ensure that the human rights for people with disability in Australia are protected, respected and fulfilled. The Convention presents all level of Government, the non-government sector and the Australian community with the opportunity to review and monitor how the rights of people with disability are respected in Australia. There are four key values of importance to disability: dignity, autonomy, equality and solidarity (Quinn et al., 2002). Autonomy relates to the “presumption of capacity for self-directed action and behaviour” and implies a morally free person (Quinn et al., 2002, p. 14).
In terms of disability, our societies tend to view this as resulting in limited capacity for moral freedom. A human rights perspective recognises the shades of grey, it does not focus on identifying incompetence and places equal emphasis on the need for effective protection of the rights and interests of those individuals that have been determined to be legally incompetent (Quinn et al., 2002).

In addition to meet its obligations under the UN International Covenant on Civil and Political Rights, Australia must ensure that the civil and political rights of people with disability are immediately respected, protected and fulfilled. The AASW is aware that there is substantial work to be done in this area. This includes attention to the social, cultural, gender and economic rights of all people with a disability.

*The National Disability Strategy*

In December 2009 the Australian Government released the report, *The Way Forward: A new disability policy framework for Australia*, which is an important contribution to the Australian Government’s National Disability Strategy. The key recommendations of the report are a call for: better employment opportunities for people with disabilities, improved housing options for people with disabilities, a strengthening of regulations for accessible and adaptable housing regulations and creating a centre of excellence for disability research. The AASW supports all of these recommendations.

The AASW recognises that the National Disability Strategy as part of the COAG agenda provides an opportunity for a coordinated approach to Australia’s response to disability issues into the future. The AASW calls for bi partisan commitment to the National Disability Strategy to ensure a consistent and long term response. As part of the National Disability Strategy, the Australian Government commissioned an *Inquiry into a National Disability Long-term Care and Support Scheme* by the Productivity Commission 2011. The AASW submitted to this welcome Inquiry which is examining a range of approaches for providing long-term care and support. It has considered the costs, benefits and feasibility of a no-fault social insurance model *National Disability Insurance Scheme (NDIS)* and recognises that we need a new vision of disability in order to have a new vision of disability support- it should not be an afterthought or a state of exception but part of the mainstream service response. However the Productivity Commission’s Report drew on the *World Health Organisation (WHO)* definition of disability. Instead the AASW supports the Productivity Commission utilising the definitions and Articles within the UN 2007 Convention on the Rights of People with a disability. This prompts a paradigm shift so that definitions and responses to Disability is put in Human Rights terms rather than seeing a person with a disability predominantly as a welfare /health recipient.
National Disability Agreement

The National Disability Agreement between the Australian Government and State and Territory Governments is aimed at improving and increasing services for people with disability, their families and carers. There are a number of key priority areas that will be progressed to underpin the policy directions and achieve reforms in the disability service system. They are as follows:

- Better Measurement of Need
- Population Benchmarking for Disability Services
- Making Older Carers a Priority
- Quality Improvement Systems based on Disability Standards
- Service Planning and Strategies to Simplify Access
- Early Intervention and Prevention, Lifelong Planning and Increasing Independence and Social Participation Strategies
- Increased Workforce Capacity
- Access to Aids and Equipment
- Improved Access to Disability Care

The AASW recognises this as an appropriate framework for the progression of policy development and reforms of the disability service system.

Key Issues

Unmet Need

While all levels of government around Australia have increased funding for services supporting people with disabilities and their carers, there still remains a significant level of unmet need which negatively impacts upon the rights and lives of people with disabilities, their families and carers. Changing demographics and models of care means that there are many more people with a disability living in the community – the vast majority of who are primarily supported by their families and other types of informal care arrangements.

While some human services in Australia provide a universal entitlement to essential services based on need (such as health and income support), there is no equivalent entitlement to disability care and support services. The disability services system is patchy and inequitable. Whether a person receives a service is contingent less on their need, and more upon the availability of services in each area and whether they meet the eligibility criteria of various jurisdictions, programs and agencies. People in rural and remote areas face particular challenges in accessing services, as do service providers who face chronic challenges with respect to recruitment and workforce issues.
A Fragmented Service System

The increased expenditure on disability services and programs has resulted in many more services, but these services do not translate into a planned and cohesive service system. On the contrary, the expansion of services has increased the complexity of the ‘maze’ that the disability service system is often described as, for example by people giving evidence to the Productivity Commission’s *Inquiry into a National Disability Long-term Care and Support Scheme*.

Services are provided by all levels of Government and multiple non-Government organisations under multiple programs – each with their own unique eligibility and priority of access criteria. Although simplifying service access has been on the COAG agenda for some time, the service system keeps growing and becoming more complex. Instead of simplifying the service system the response from government has been to invest in increased support co-ordinators and case managers to help people navigate this system. The AASW does not support an ongoing increase in service co-ordinators and case managers purely for the purpose of helping people navigate the service maze.

People Living in Institutions

Service models for people with disabilities have come a long way and governments at all levels have played a role in developing a community – based service system for people with disabilities that aims to reflect their increasingly valued status in the community. Nevertheless there are some legacy issues from the past that need to be addressed. Many people with disabilities are still living in large, isolated institutions that reflect service models from the past. In other instances, in the absence of adequate accommodation options, young people with disabilities have been placed in aged care facilities where their needs cannot be adequately met. Although these issues have been on the national agenda for some time, hundreds of people still live in institutions – some which do not plan to close until 2018\(^1\).

A continuum of support is required for people leaving institutions and living in the community; ranging in support for independent living through to suitable forms of residential care. De-institutionalisation must be accompanied by a proportionate investment in alternative supported options otherwise for some people with a mental illness or an intellectual disability; prisons have become the replacement institution.

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\(^1\) Stronger Together: A new direction for disability services in NSW 2006 – 2016, page 25
Paradigm Shifts in Models of Care

In disability services, as in many other areas of human services there is a growing international shift in the paradigm of care and support from essentially service-focused deficit models of care to person-centred and strengths based approaches. The AASW’s position is that a whole of government, community and service users coordinated approach is critical to ensure an effective shift in the model of care. Importantly, a coordinated approach can also better focus on identifying and addressing any unintended consequences that may arise. Key theoretical concepts such as person centeredness, early intervention, strengths based approaches need to be applied incorporating different models of care.

Workforce Issues

Children and adults with a disability often have a number of agencies involved in their lives. The capacity of staff to empower, encourage and support people with disabilities is directly linked to the level of training, ongoing supervision and career development they receive.

As with other parts of the Human Services sector, there is a lack of training and ongoing support for employed staff. In addition, the sector continually struggles to recruit and retain qualified and professional staff. Furthermore, disability support workers are also amongst the lowest paid in the sector.

A disability workforce strategy urgently needs to be developed addressing issues of allied health and therapy services, respite care, the non-government workforce and support workers in group homes as well as the broader issue of recruitment and retention of staff.

The AASW Calls For:

1. For an increase in funding for disability care and support services to provide for individualised packages of funding that will ensure a more included and dignified quality of life for eligible people with disabilities.

2. The Government to increase funding and initiatives to overcome the most pressing areas of disadvantage faced by people with disabilities, namely:

   - Employment
   - Housing
   - Social isolation
   - Discrimination
   - Built environments
   - Education
   - Transport
3. **Simplifying the specialist disability service system** with single entry points, a common assessment and clearer pathways to services. The AASW does not support an ongoing increase in service co-ordinators and case managers purely for the purpose of helping people navigate the service maze. This is wasteful and could be directed at increased funds spent on services for people with disabilities.

4. The Australian Government to step up its initiatives with the States and Territories aimed at providing alternative community-based accommodation and support for **younger people with disabilities living in Residential Aged care or other inappropriate accommodation services**.

5. The Australian Government to work with the States and Territories replace large **outdated institutional care models with a comprehensive and well-resourced range of care and support options from support to independent living through to suitable smaller scale residential care** housing people with disabilities as a matter of priority.

6. The need for the development and resourcing of a workforce strategy to ensure that sufficient skilled people are available to the disabilities sector to provide adequate services to people with disabilities.

7. Substantially **increase the provision for respite for carers** of people with disabilities.

8. **A national paradigm shift regarding all care and support services** for people with disabilities to one that:

   - Is person-centred (including greater provision for individualised funding options/self-managed care as well as greater flexibility in service arrangements that can respond to individual needs and differences)
   - Takes into account that the majority of care and support is provided by families and the needs for models of care that support the whole family/informal care arrangement
   - Takes into account the culture of the person with a disability, their family and carers and introduces sufficient flexibility and education into the service system to respond sensitively and appropriately to cultural needs
   - The AASW recommends that evidence based models of care inform all services. To this end, the Government should create a Centre of Excellence in disability research as proposed by *The Way Forward* report.
Speaking Points

• The AASW acknowledges the Government’s National Disability Strategy as useful framework for developing disability care and support services.

• The AASW welcomed the Government commissioning the 2011 Inquiry into a National Disability Long-term Care and Support Scheme as well as the comprehensive consultation process that is part of the Inquiry. The AASW is supportive of the proposed National Disability Insurance Scheme and will comment on reports and recommendations put forward by the Inquiry as they become available.

• To honour its commitment to implement the Convention, the Council of Australian Governments should move immediately to introduce an audit of compliance against the Convention requirements and enhance resourcing for disability representative and legal and advocacy organisations to assist people with disability to participate in this process.

• The AASW calls on the Australian Government to step up its efforts in a number of key areas:
  o Increased funding for disability services to make sure all people with disabilities their families and carers can rely on receiving support to lead a decent quality of life
  o Increased funding in a number of key areas of social disadvantage including:
    • Employment
    • Housing
    • Social isolation
    • Discrimination
    • Built environments
    • Education
    • Transport
  o Simplify the disability service system, its entry points, assessment processes and
  o Close down all large institutions and fund alternative appropriate community based places for people exiting large institutions and Residential Aged Care facilities
  o Base service types and models on evidence. To this end, the Government should create a Centre of Excellence in disability research.
References


United Nations Convention on the Rights of Persons with Disabilities

Productivity Commission Inquiry into Disability Care and Support Draft Report February 2011


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