



2023-2024 NDS Victoria Pre-Budget Submission



22 December 2022

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About National Disability Services

National Disability Services (NDS) is the peak body in Victoria and Australia for non-government disability service providers, with over 270 members in Victoria and more than 1000 members nationally. We provide information and networking opportunities to our members and policy advice to State, Territory and Commonwealth governments. Our members collectively offer the full range of disability services; from supported independent living and specialist disability accommodation services to respite, therapy, community access and employment.

NDS is committed to improving the disability service system to ensure it better supports people with disability, their families and carers, and to building a more inclusive community. NDS has a deep commitment to supporting the implementation of a successful National Disability Insurance Scheme (NDIS) and is supporting service providers across Victoria as they work to thrive within this contemporary landscape.

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Introduction

Disability service providers in Victoria continue to operate in a highly complex environment. There is a sense that deteriorating economic conditions are having a significant impact on the sector; our recent [State of the Sector Report 2022](#) found that sixty-seven per cent of respondents from the Victorian disability sector believe that conditions have worsened, and 36 per cent expect to make a loss in the coming year. Award changes, inflation, tight NDIS pricing and rising costs of compliance are having a significant impact on the economic viability of many organisations, with anecdotal reports indicating that some are considering mergers and acquisitions.

The [State of the Sector Report 2022](#) also found that few organisations plan to deliver new types of services in the year to come, even though approximately 80% were unable to meet the demand for services over the course of the last 12 months. In many cases, the incapacity of organisations to meet this demand has been related to workforce shortages. The sector has been long plagued by skills shortages, though these issues have been severely exacerbated by a low unemployment rate, low levels of migration, and struggles with retention. As the sector emerges from a period of extreme stress throughout the COVID-19 pandemic period, organisations are grappling with retaining their fatigued workforce, who they rely upon to ensure continuity of supports for Victorians with disabilities, while also trying to attract skilled workers in a highly competitive market. Shortages of allied health professionals and individuals with specialized skills in providing supports to participants with complex needs are particularly acute and are having significant impacts on the availability and quality of supports for Victorians with disabilities.

The complexity of the regulatory environment is also a significant pain point for Victorian disability service providers. Intersecting and often duplicative regulatory oversight from both the national and state levels contribute to a system which is extremely difficult to navigate. Significant upcoming changes to the regulatory landscape in Victoria, including the impending reforms to the Social Services Regulations and Disability Act, will add to these challenges.

The 2023-24 financial year is also poised to bring significant change to the disability landscape at the national level, with the once-in-a-decade review of the NDIS, the final recommendations of the Royal Commission into Violence, Abuse, Neglect and Exploitation of people with disability and a renegotiation of the Bilateral Agreement between the Commonwealth and Victoria on the NDIS. It will be essential that Victorian disability service providers, as experts in the provision of services to people with disability, are able to input into these important reviews and reforms and respond effectively to any changes that result.

The Victorian Government has been working hard to boost inclusion of people with disability within Victorian society. Recently, this has played out in critical work on a new Disability Inclusion Bill, the development of accessible infrastructure, and updates to tenancy arrangements to boost choice and control for people residing in supported disability housing. We still have some way to go, however, with the need for further investment in housing, transport, health, education, employment, justice and civic rights,

and changing societal attitudes required in order to ensure that Victorians with disabilities are empowered to live fulfilling lives with others in their community.

Within this context, NDS is calling for the Victorian Government to fund a number of supports to ensure that Victorians with disabilities and the organisations who support them are able to thrive in the face of an array of challenges during this budget period and beyond.

In summary, we recommend that funding be made available for the following:

Priority 1: Support a resilient and skilled disability sector delivering high quality services

- 1.1 Provide targeted funding to address critical disability workforce supply and skills shortages
- 1.2 Invest in Zero Tolerance initiatives to prevent violence, abuse and neglect toward people with disability
- 1.3 Fund work to reduce occupational violence in the disability sector
- 1.4 Support high quality services and a strong NDIS
- 1.5 Step up funding for NDS

Priority 2: Reduce the complexity of the regulatory environment

- 2.1 Review Victorian safeguarding arrangements
- 2.3 Resource relevant Victorian authorities to improve the NDIS Worker Screening process

Priority 3: Continue to build an inclusive Victorian community

Priority 1: Support a resilient and skilled disability sector delivering high quality services

1.1 Provide targeted funding to address critical disability workforce supply and skills shortages

Workforce shortages in the disability sector are reaching crisis levels as tight labor market conditions coincide with growing demand for services. Victorians with disabilities are missing out on services they need, with 80% of Victorian respondents in our [State of the Sector Report 2022](#) survey indicating that they had received requests for services that they were unable to provide, in most cases as a result of a lack of workforce supply.

Labor supply issues are also accompanied by significant skills shortages, with particularly acute challenges in the areas of allied health, behaviour support and supporting clients with complex needs.

NDS has welcomed the establishment of the Centre for Workforce Excellence within the Department of Families, Fairness and Housing, and is eager to see the Centre's initiatives included targeted supports for the disability sector. Particular support is needed to strengthen the connection between training and industry, fill skill shortages in supporting participants with complex health, therapy or behaviour support needs, and build the capacity of leaders to manage the current risks and challenges in the operating environment. Targeted training for boards and senior leaders to grapple with operational and compliance risks and navigate the changing regulatory environment should form part of this support.

Further investment in attracting and maintaining disability workers to the sector is also required. The low unemployment and skilled migration rates have altered the typical jobseeker profile in the disability sector, with organisations seeing larger numbers of applicants from culturally and linguistically diverse, low socio-economic or long-term unemployed backgrounds. Funding will be essential to assisting many applicants from these cohorts to overcome particular barriers to entry to the sector.

1.2 Invest in Zero Tolerance initiatives to prevent violence, abuse, neglect and exploitation of people with disability

Victoria has a strong track record in its response to the abuse of people with disability, and commitment to quality and safeguarding. Notably, the government has previously funded the [NDS Zero Tolerance initiative](#), which continues to offer a suite of resources to build capacity within the sector to provide high quality disability services that are free from violence, abuse and neglect. The Zero Tolerance Framework outlines practical actions and provides a suite of functional and portable resources that service providers can use to address abuse, neglect and violence toward people with disability.

Zero Tolerance resources, with their focus on embedding good practice, require periodic review and development. This is particularly critical now in the context of the Royal

Commission into Violence, Abuse, Neglect and Exploitation of People with disability, which will hand down its final recommendations in 2023. The resources also need to continue to be actively promoted across all disability services, including to the many new and inexperienced organisations entering the market in recent years. NDS is seeking a \$300,000 investment to upgrade the resources and run a series of workshops led by people with disability across the state to build sector capacity to implement zero tolerance policies within their organisation.

1.3 Fund work to address occupational violence in the disability sector

Violence against workers is a very real challenge in the disability sector, with over 50% of disability worker respondents in a 2021 HACSU survey indicating that they had experienced occupational violence in the preceding 12 months. Yet effective mechanisms for prevention and management of occupational violence in the sector are severely underdeveloped, with a notable lack of coordinated systems, practical advice, tools and resources to support employers in the disability sector to protect the safety of workers while upholding the human rights of the people with disability. NDS has begun preliminary work to address challenges associated with occupational violence in the disability sector and is eager to continue this vital work with further funding from the Victorian Government.

1.4 Support high quality services and a strong NDIS

The Victorian government contributes substantial funds to the NDIS and holds significant power to shape the scheme in the context of the NDIS review and renegotiation of the Bilateral Agreement between the Commonwealth and Victoria on the NDIS. NDS urges the government to use this leverage to push for Scheme settings which drive high quality services provided by skilled, supported workers. The market-based model and investment in NDIS has brought significant benefits to many people with disability, and in particular provided greater choice and control. However, there are people who are faring relatively less well, including those with very complex needs, those in the lower socio-economic deciles and those less able to navigate the complexity of the system.

NDS is also calling on the Victorian Government to demonstrate flexibility and openness to invest in ‘tier two’ supports at the interface between the NDIS and mainstream services. This will include investment to ensure that Victorian Government run systems, including the health, mental health, education, palliative care and justice systems, are accessible and fit for purpose for Victorians with disabilities. Effective interfaces between NDIS and mainstream funded services not only ensure appropriate services for individuals, but reduce risk to the Victorian Government of service gaps and reliance on tertiary and acute responses. While one in five Victorians has a disability, only a fraction are eligible for the NDIS. There are many people who are ineligible for NDIS funding who also require appropriate disability supports, and a continuing care system. The Victorian Government has a significant role to play in ensuring that all Victorians with disability are empowered and supported where needed to live meaningful lives.

1.5 Step up funding for NDS

In recent years, NDS has received a modest allocation of funding from the Victorian Government to promote high quality service provision for Victorians with disabilities, input into critical reforms in the disability landscape, and ensure that the Victorian Government is kept abreast of essential intelligence relating to the wellbeing of Victorians with disabilities and the workforce and organisations who support them.

With this funding, NDS has built an extensive suite of networks in the sector (attracting close to 8,000 individuals to our meetings across the 2022 calendar year), contributed to key policy developments in Victoria, assisted the Victorian Government's emergency response in relation to health crises and natural disasters, delivered critical information to promote compliance with Victorian regulation and shared vital intelligence with the Victorian Government.

We are calling for this investment to be continued and stepped up in light of critical developments in the broader environment which will require a strong voice for Victorian disability service providers, continued support on the ground for the sector, and continued information flow between the sector and the State Government, including impending changes to Victorian regulation of the social services sector, the NDIS Review and Disability Royal Commission.

Priority 2: Reduce the complexity of the regulatory environment

2.1 Review Victorian safeguarding arrangements

In recent years we have seen a number of new state initiatives relating to safeguards for people with disability and others. These are well intentioned but have resulted in an environment which is contributing to continued confusion about respective responsibilities, complaints, reporting and jurisdiction. It is also contributing to a significant under resourcing of other drivers of quality and prevention of abuse, including training and advocacy services.

With the NDIS Review and renegotiation of the Bilateral Agreement on the NDIS to occur in 2023, NDS is eager to see the Victorian Government use this opportunity to rebalance the quality and safeguarding system so that Victorian quality and safety initiatives complement rather than duplicate national initiatives. This would include more investment in prevention initiatives such as the NDS Zero Tolerance initiative (see priority 1.2), and in individual and systemic disability advocacy services, which are a key safeguard against abuse, neglect and violence against people with disability.

2.2 Resource relevant Victorian authorities to improve the NDIS Worker Screening process for Victorian workers and volunteers

NDIS Worker Screening Checks continue to be a significant barrier to recruitment for disability service organisations. The ‘no check, no start’ policy in Victoria (which is not in place in other jurisdictions including NSW, WA, the ACT, the NT and Tasmania) and up to 12-week delays in application processing are creating recruitment bottlenecks and influencing many successful candidates to abandon their positions.

The inaccessibility of the application process is also contributing to recruitment challenges. With larger numbers of applicants from culturally and linguistically diverse, refugee, Aboriginal or Torres Strait Islander, low socio-economic or long-term unemployed backgrounds attaining employment in the sector, investment in the accessibility of the system is urgently needed. At current, there are significant barriers to the application system, including restrictions around accepted documents, the need for significant digital literacy, and a real lack of customer support.

Additional resources for Services Victoria and the Victorian NDIS Worker Screening Unit are urgently required to better support those applying for NDIS checks in Victoria and minimise delays in attaining checks. NDS also requests that the Victorian Government review the ‘no check, no start’ policy to stem the loss of workers in our sector.

Priority 3: Continue to build an inclusive Victorian community

The Victorian government has a good track record in working to make this state more inclusive for people with disability. This has been demonstrated by significant work throughout 2022 to develop a Disability Inclusion Bill, create an ambitious State Disability Plan, invest in accessible infrastructure, and broaden housing options for people with disability.

However, there is a long way still to go. NDS urges the 2023-24 budget to invest in an array of activities to drive greater inclusion, including:

- **Increase the supply of social and affordable housing that is accessible for people with disability**

While NDS acknowledges housing initiatives undertaken by the Victorian Government, there continues to be significant shortages of affordable and accessible housing for people with disability in Victoria. Only 6% of NDIS participants are eligible for NDIS-funded Specialist Disability Accommodation, leaving a significant number of Victorians without adequate housing supports. NDS is eager to see the Victorian Government continue to promote the development of accessible and affordable housing in Victoria.

- **Create more employment opportunities for people with disability**

People with disability continue to experience disproportionately low levels of employment compared to the rest of the Victorian community. With unemployment

at its lowest in decades, we are presented with an opportunity to empower many people with disability to enter the workforce. Targeted supports to assist people with disability who are long-term unemployed to enter open employment will be essential to this process. NDS also calls on the Victorian Government to continue and extend its Social Procurement Framework and its support for social enterprises which employ Victorians with disabilities.

- **Make transport more accessible for all Victorians**

Transport services are central to community participation and access to education, health care and social activities for many Victorians with disabilities. Yet many localities across the state remain poorly connected, and current infrastructure continues to be inaccessible for many people with disability or low mobility. NDS calls for a five-year Accessible Transport Infrastructure Blitz to advance priority projects which make public transport more accessible.

- **Improve access to justice**

Victorians with disabilities continue to be significantly overrepresented at all stages of the criminal justice system. NDS is concerned that real disconnects exist between the State Government administered criminal justice system and the Commonwealth-run NDIS. Strong pathways between the criminal justice system and mainstream disability services are vital for the wellbeing of Victorians with disabilities who become involved, as offenders and detainees, with the criminal justice system. NDS would like to see targeted and funded initiatives in this space to improve outcomes for people with disability who come into contact with the criminal justice system.

- **Continue to fund work to improve accessibility to mental health services for Victorians with disabilities**

NDS has welcomed recent efforts to improve the accessibility of the Victorian mental health system for people with disability. NDS has identified significant gaps and needs in the system within its Diverse Communities work funded by the Department of Health, and is eager to see the Victorian Government work with other key systems including the NDIS to improve access to mental health supports for Victorians with disabilities.

Conclusion

NDS calls on the Victorian government to recognise people with disability and the disability services sector in its upcoming state budget. The sector plays a vibrant and important role within Victorian community services, and its voice needs to be heard, its workforce expanded and supported, and issues of sustainability and quality addressed. The Victorian State Government's support for the disability sector throughout 2023-24 will be particularly important as the sector navigates significant change in light of the NDIS Review, the Disability Royal Commission, and various noteworthy developments in the Victorian regulatory landscape. The Victorian Government also needs to keep working to make this state truly inclusive for all people with disability and fund the frameworks and initiatives which will achieve this.

For further information about the contents of this submission, please contact clare.hambly@nds.org.au