

# **Southwest Advocacy Association**

## **Submission to Victorian Auditor General's Office**

### **Audit of DHS Management of Individual and Self-Directed Disability Support Funding**

**March 2011**

#### **Introduction**

Southwest Advocacy Association ("SWAA") is an independent, not-for-profit, community-based organisation that has been funded by the Department of Families, Housing, Community Services and Indigenous Affairs to provide advocacy and information for people with all types of disabilities and all ages throughout southwest Victoria since 1993.

SWAA provides advocacy casework for up to 150 individuals each year and engages in systemic advocacy on regional, statewide and national issues relevant to people with disabilities. SWAA is commonly asked by people with disabilities to try to assist them to access funding or services to support their needs in a wide variety of areas.

Due to the competing demands and resource constraints that SWAA faces, we are unable to attend consultation meetings in Melbourne or devote the time to develop a comprehensive submission. SWAA would, however, like to submit the following comments and recommendations, based on our experience as an advocacy organisation for people with disabilities in south west Victoria, for the consideration of the Victorian Auditor General's Office.

Over the past 12 months, SWAA has experienced a significantly increased demand for advocacy assistance from people with disabilities with unmet needs and their carers seeking funding or services under the Disability Act.

In practice, the main problems with individual and self-directed disability support funding may be broadly categorised as follows.

- i. The Government does not provide adequate funding into the budget of DHS to enable the system to meet the needs of people with disabilities. Individual Support Package's (ISP's) are supposed to enable people get the supports they need, but actual funding allocations are commonly insufficient to enable them to do so.
- ii. Consumers and carers generally find the ISP system overly bureaucratic, cumbersome and confusing.

- iii. There is a lack of transparency about the ISP system and there is often a poor level of accountability to clients displayed by DHS and disability service providers.
- iv. Important information is often not provided to consumers and carers in a timely or accessible manner or may not be provided at all and communication processes and response times on the part of DHS and funded service providers can be very poor in some cases. From the point of view of consumers and carers, there is often an absence of clear timelines and “signposts” at each stage in the system.

Some more specific observations and recommendations follow.

1. While DHS has documented ISP Guidelines, these Guidelines do not always seem to be strictly followed by DHS and disability service providers in practice. The Guidelines are supposed to be reflected in a DHS Handbook that is required to be provided to recipients of ISP’s, but the ISP system is still not well understood by consumers and carers in many cases.

*SWAA Recommendation*

**In order to promote a better understanding of the ISP system and more accountability to consumers, DHS should make a plain English summary of the ISP Guidelines widely available and should put stringent processes in place to ensure that people and carers who apply for or may be eligible for an ISP are provided with key information as early as possible.**

2. In cases where evidence of eligibility is required, it can take a considerable period of time for people with disabilities to obtain a relevant professional assessment - e.g. neuro-psychological assessment, Child and Adolescent Mental Health Service assessment for Autism Spectrum Disorder, psychological assessment for I.Q., etc. Moreover, how to go about getting a relevant professional assessment is often unclear to people with disabilities and their carers. In SWAA’s experience, DHS does not take a proactive role in assisting people to obtain assessment.

*SWAA Recommendation*

**DHS should take some responsibility for helping people to obtain relevant assessments to determine their eligibility for funding and services under the Disability Act.**

3. Once professional assessment is completed, documented and submitted to DHS, it can be a considerable period of time before a letter confirming whether a person is eligible for services under the Disability Act or not is provided by DHS. Moreover, in some cases people with disabilities or their carers report that they have never been provided with documented confirmation of eligibility for services under the Disability Act.

*SWAA Recommendation*

**When a request for a decision as to whether a person is or is not eligible for services under the Disability Act is made, DHS should provide a decision in writing within a specified and reasonable time frame.**

4. After a person is declared eligible for services under the Disability Act, DHS often conducts what it refers to as a “Target Group Assessment” (TGA) of a person’s needs. In SWAA’s experience, people with disabilities and their carers are often unclear as to the purpose of this assessment and what is supposed to happen after the assessment is completed. This lack of clarity about the TGA can cause uncertainty, confusion and anxiety.

*SWAA Recommendation*

**DHS should be required to provide documented information to people with disabilities and/or their carers about TGA’s and the steps that follow a TGA.**

5. When a person with a disability or their carer contacts DHS Intake and Response or around the time that a Target Group Assessment is conducted, the client or carer will usually be given certain information and may or may not be referred to other Government departments or community service organisations. The fact that this seems almost invariably to be done verbally and is never confirmed with the client in writing by DHS is unhelpful, can create confusion and does not promote accountability.

*SWAA Recommendation*

**DHS should be required to provide summary documentation to people with disabilities and/or their carers, confirming information and referral provided by both DHS Intake and Response staff and by DHS staff during the TGA process.**

6. If a person with a disability is deemed to need individualised funding after the TGA process is completed, they may then be interviewed about their needs by a DHS staff member and an application may then be made to the Disability Support Register for ISP funding. The client and/or their carer usually don’t get to see a draft of such an application before it is submitted for consideration to DHS’s regional “panel of financial delegates”. This often means that clients and their carers may not have any opportunity to correct errors in the application or to suggest changes or additions.

*SWAA Recommendation*

**A draft of every proposed application to the DSR should be provided to the client or carer for review prior to being finalised and submitted to the DSR Panel.**

7. Once a decision in relation to a DSR application is made by DHS’s regional panel of financial delegates, the client and/or carer is verbally notified of the outcome by the DHS staff member who submitted the application, but if an

application is rejected there is scant and only very general information provided as to the reasons for the rejection.

*SWAA Recommendation*

**DHS should be required to inform people with disabilities and/or their carers in writing as to whether an application for an ISP is accepted or rejected and, where an application is rejected, reasons should be provided.**

8. Currently there is no formal process available to appeal or seek a review of a DSR Panel decision in relation an application for ISP funding. The ISP Guidelines includes a section on complaints, but making a complaint about something is different to getting a decision reviewed. Moreover, the complaints process is not clear, does not seem to be well understood by consumers and is seldom acted upon and the key independent complaints body, the Disability Services Commissioner does not have determinative powers.

*SWAA Recommendation*

**DHS should be required to develop a quick and simple appeal or review process in relation to the ISP system and such a process should include the opportunity for consumers to seek a final review by an independent person or body with the authority to make a binding decision on DHS.**

9. Even if an application to the DSR Panel for funding is successful, people with disabilities still have to wait for funding to become available unless their need is deemed urgent. How the DSR funding Panel makes decisions around prioritisation is unclear and how long an eligible person may have to wait to receive funding is indeterminate. The lack of transparency, inadequate communication and indefinite waiting periods involved in the DSR process is very frustrating for people with disabilities and carers with unmet needs.

*SWAA Recommendation*

**DHS should be required to make the whole DSR application and funding process much more clearly transparent. Approximate timelines for funding and regular updates on progress should be provided to people whose ISP applications have been approved and who are waiting for funding to be allocated.**

10. When an ISP is allocated people in more remote regional areas often have limited choices or no choice as to their service provider simply because there may only be one organisation providing the service they need in the area that they live. This, in turn, means that people are often less likely to raise issues or complain about their service provider and are more likely to accept poor quality services.

*SWAA Recommendation*

**DHS should take steps to ensure that high quality services can be provided by a number of service providers throughout regional areas in order to facilitate consumer choice and promote the accountability and quality of services.**

11. In some cases ISP's do not seem very flexible and the funding cannot be used in ways that are responsive to a person's changing needs.

*SWAA Recommendation*

**DHS should investigate ways of making ISP's more flexible so that people are able to make changes to the support they receive quickly and easily.**

12. How ISP funding is actually spent is often not clearly reported to people who have ISP funding and people who have ISP's are often very unclear about what happens to any unspent funding attached to their package and whether it can be carried over into the following year or not.

*SWAA Recommendation*

**Printed information in accessible formats in relation to expenditure and unspent funds should be provided to people who have ISP funding at regular intervals.**

13. Reviews of people's individual plans can be slow and cumbersome. In some cases it takes 2 or 3 meetings with the planner or case manager over a number of weeks before a review is finalised.

*SWAA Recommendation*

**DHS should be required to make the ISP review processes quicker and more efficient.**

14. A properly funded ISP can address unmet need and make a huge difference to the quality of life of a person with a disability and their family. Unfortunately, however, the system is so inadequately funded that three broad categories of people are created:

- i) those who have got ISP funding, but do not get sufficient funding for the level or range of supports they need;
- ii) those have been granted ISP funding, but are frustrated by very long and indefinite waiting lists; and
- iii) those who apply for ISP funding and are denied by the panel of financial delegates for reasons that are often unclear.

*SWAA Recommendation*

**The Victorian government should provide a more realistic level of funding to enable the ISP system to address the unmet needs of people with disabilities.**

15. In addition to the inherent problems created by inadequate funding, the ISP system is cumbersome, characterised by poor communication and information provision and an inadequate level of practical assistance from DHS and disability service providers and generally lacks transparency.

*SWAA Recommendation*

**DHS should be required to review the whole ISP system in consultation with consumers and carers and address the inherent problems that currently exist.**