

**UnitingCare Australia Submission to the
Joint Standing Committee Inquiry into Market Readiness
of the National Disability Insurance Scheme (NDIS)**

March 2018

Introduction

UnitingCare Australia welcomes the opportunity to submit to the Joint Standing Committee on the National Disability Insurance Scheme's Inquiry into Market Readiness.

Our submission draws on, and supports, the issues raised by National Disability Services in their submission to the Market Readiness Inquiry.

The feedback we provide below focusses on the Inquiry's Terms of Reference most relevant to the Uniting Church's network of disability services providers, namely:

- The role of the National Disability Insurance Agency (NDIA) as a market steward
- (In)consistency of packages and pricing and the subsequent impact on development of the market
- Preparing and supporting participants to navigate the NDIS
- Workforce readiness and employment issues, and
- Impact of the Quality and Safeguarding Framework on the development of the market.

Further to these issues, we also highlight the need for a more structured approach to communication around NDIS design and implementation issues that are identified and escalated to the attention of the NDIA and Department of Social Services (DSS) for action. Feedback from UnitingCare service providers has highlighted a gap that presently exists in the way that issues are acknowledged, responded to and communicated. We advocate the need for improved transparency and timeliness in communication processes.

UnitingCare organisations regard the delivery of services under the NDIS as an opportunity for innovative reform. We support the need for shared responsibility in addressing current issues faced with implementation towards the Scheme's efficient and effective future roll-out.

UnitingCare Australia has been a long-term supporter of the NDIS and its focus on consumer directed care. We recognise that the NDIS is a world first initiative and therefore it does not come without challenges when implementing something so new and ground breaking. As a result, our submission seeks to focus on the structural issues currently identified with the NDIS, as opposed to the technical issues that are currently presenting.

We acknowledge that the scope and scale of the NDIS will necessarily result in implementation challenges, and wish to separate those that are immediate and point-in-time issues from those that we believe are likely to have an adverse impact on the Scheme's implementation over the long term. These issues are explored below.

Role of the NDIA as a market steward

UnitingCare Australia recommends the need for further clarification of the NDIA's role in relation to market stewardship. This entails further clarity around how the envisaged market should operate and be regulated by the NDIA (if at all), and the role of service providers in self-regulating as they operate within the market.

We seek further clarity around the extent to which the diversity of services required to deliver quality supports through the NDIS is recognised with regard to regulation considerations. We specifically refer here to service providers' capability to deliver support in complex cases and the NDIA's role in influencing the market to ensure that adequate resourcing is available to enable this. Presently, the market largely assumes a 'level playing field' for providers operating within it, and coupled with set pricing, it does not make provision for variation in the capacity of providers to deliver quality supports, particularly for the most complex of cases. As one UnitingCare provider has recognised, "there is no market driven response to be innovative or creative as the pricing does not cover real costs"¹.

We also highlight that the capacity of service providers that are more established varies significantly in comparison to those who have newly entered the NDIS market. Regulation of providers is particularly relevant in this regard, with more established organisations having developed their services in line with previous regulation standards, and newer providers not having operated in such a heavily regulated environment, thus delivering varying levels of support. We advocate the need for greater consistency in this area, taking into account the developmental experiences of service providers who are both long-established and new market entrants.

UnitingCare organisations employ a large proportion of their workforces on Enterprise Bargaining Agreements that have been previously negotiated to ensure highest-quality conditions for their workers. It is our strong view that EBAs should continue to be honoured to ensure that organisations are able to retain a committed, qualified and experienced workforce that is supported and valued. We subsequently note the difficulties in enabling this as disability service organisations face increasing financial pressure, without support for workforce development and retention, in the NDIS environment.

We also highlight the disparity that exists between established service providers operating in the market who seek to honour their existing EBAs, and new entrants to the market who are not required to do so, and the potential for perverse outcomes to emerge in this context. We specifically raise concerns regarding the potential for employers to negotiate leaner contracts with their staff in the new environment, or rely substantively on a casualised workforce that cannot deliver the benefits to both NDIS participants and employees of a

¹ See NDIS Market Readiness Inquiry Submission from the Ella Centre, available at: <https://www.apf.gov.au/DocumentStore.ashx?id=cc099a55-764b-4392-9075-758bba281e&subId=563822>

more stable, permanent workforce. Broadly, UnitingCare Australia strongly cautions against destabilising the disability workforce to the extent that a 'working poor' emerges.

Inconsistency of packages and pricing

Many UnitingCare providers have noted the significant cost imposition of delivering quality services and supports without being adequately funded through the Scheme to do so. This is particularly the case for supports not directly incorporated in participant plans, but nonetheless critical to achieving positive outcomes for participants. Examples include pastoral care and wellbeing initiatives that form part of a holistic approach to support for individuals². As noted by one provider, "the unit price for direct care is less than what we were operating on pre-NDIS. At this point in time, it is costing us money to deliver some supports"³.

Numerous UnitingCare providers have also noted inadequate pricing of the NDIS to incorporate other vital supports and services to deliver on participant needs, and particularly those that interface with other service areas. For example, as one provider has observed, "funding for transport in country regions is a good example of [inadequate pricing] as there is usually no public transport or taxis and no services near where clients reside"⁴. As they go on to note, currently, many organisations are propping-up the Scheme through delivering a high number of unbillable hours to clients to meet their needs that have not been factored into plans. While this can be supported in the short-term while the Scheme has been in its infancy, concern is being expressed that this trend is continuing even though the Scheme is now almost five years into implementation. It is not sustainable for services to continue to absorb unbillable hours in a fully implemented Scheme.

Preparing and supporting participants to navigate the NDIS

UnitingCare Australia acknowledges the NDIA's work currently underway to streamline participants' experiences in navigating the NDIS. We recognise the trial of the new participant pathway that is being tested, and welcome the initial feedback from this which indicates a positive response amongst participants and families. This is particularly in relation to face-to-face planning and increased support from Local Area Coordinators (LACs) that the pathway is enabling to assist plan implementation.

Further to this however, we note that many UnitingCare organisations have reported that participants have sought their assistance in gathering and understanding information to

² See, for example: Snodgrass, 2009, 'Toward Holistic Care: Integrating Spirituality and Cognitive Behavioural Therapy for Older Australians' in *Journal of Religion, Spirituality and Ageing* 21(3): 219-236; King et al. 2009. 'A Life Needs Model of Paediatric Service Delivery' in *Physical and Occupational Therapy in Paediatrics* 22(2): 53-77; and Heyne and Anderson. 2012. 'Theories that Support Strengths-Based Practice in Therapeutic Recreation. *Therapeutic Recreation Journal* 46(2): 106-128.

³ See NDIS Market Readiness Inquiry Submission from the Ella Centre, available at: <https://www.aph.gov.au/DocumentStore.ashx?id=cc099a55-764b-4392-9075-758bba281ebe&subId=563822>

⁴ See NDIS Market Readiness Inquiry Submission from Uniting Country SA, available at: <https://www.aph.gov.au/DocumentStore.ashx?id=53dd41af-ad70-44d8-9b0e-77103d966866&subId=563864>

enable them to access the supports they require. Our service providers have willingly provided their assistance in this regard, but have subsequently been required to manage increased staff workloads, and often been required to perform the role in-kind and at very little notice. Provision must be made to improve the capacity of LACs to engage in pre-planning, or empower and resource service providers to formally undertake this role.

Workforce readiness and employment issues

A quality, well-equipped and committed workforce is integral to the effective operation of the NDIS. We note the following issues concerning workforce capacity and readiness, particularly related to the attraction and retention of workers and the need for continuous development, skilling and training to support the workforce in quality service provision.

Attracting and retaining staff

One UnitingCare service provider has noted that pricing limitations have made it more difficult to recruit staff to work with people who have complex needs and/or challenging behaviours. This is largely the result of there being no financial compensation for workers to take on participants who require a greater level of skill and knowledge in the delivery of support.

A tightened funding environment for service providers has also meant the prioritisation of front-line support workers before back-end administrative staff in their organisations, subsequently placing increased pressure on those left performing the important latter functions. Provision needs to be made for supporting workforce needs across service provider organisations, to ensure that they have capacity to deliver seamless support to Scheme participants.

Moreover, we note that while there has been sustained growth in the community sector broadly (including the disability workforce), a challenge for many service providers has been finding people with the orientation and values needed to deliver quality, person-centred support, to retain a dedicated, committed and skilled workforce.

UnitingCare Australia advocates the broader adoption of values-based employment models across the disability services workforce to attract and retain committed and skilled employees who exhibit the attitudes, values and behaviours that align with their organisations and the requirements of the role.

UnitingCare Australia has been working in partnership with the Australian government and UnitingCare service providers across the country to implement a national values-based employment model since 2015. The model is used to select, train, mentor and support people into jobs with UnitingCare organisations in the community service areas they deliver, including into disability support worker roles.

The model is implemented with an emphasis on attracting job seekers with attitudes and values that align with UnitingCare organisations to enable delivery of quality service. Workers are equipped with the requisite training and skilling, through on-the-job and formal

training (toward completion of full qualifications) to undertake employment in a care support environment and provide them with a career pathway in the sector.

In accordance with the model, service provider organisations (as employers) must be able to guarantee a job for every participant they select, ensuring workers a minimum number of hours per week. The program intake at each location is also restricted to a number that each provider can practically employ and train in a single intake. Provision of mentoring and other supports are mandatory components of the model that must be resourced and delivered to ensure adequate support for participants.

UnitingCare Australia strongly endorses the values-based recruitment model as an effective means of recruiting a quality NDIS workforce and providing the supports required by disability care workers to remain committed and passionate about their employment. As the target cohort of UnitingCare's model, values-based recruitment provides a particularly effective model in attracting the most disadvantaged and long-term unemployed jobseekers to enter meaningful and sustained employment. The model provides full opportunities for training, mentoring and support, and flexible employment opportunities in an expanding employment market.

The pilot projects undertaken to develop and test the UnitingCare model resulted in the following outcomes:

- An overall retention rate of 85% from the point of recruitment to employment after six months.
- In its three pilots, thirty-nine people completed training and supported workplace experience
- Thirty-six people signed contracts with employers as disability support workers, home care workers or aged care personal carers at the completion of training.
- Twelve additional candidates were offered access to alternative training/work experience programs as pathways to work in the community services sector (the Skilling Queenslanders for Work program and the National Work Experience Program), and an additional four were invited to participate in a direct employment process with UnitingCare organisations (via interview).
- Participants identified numerous other significant benefits from participating in the program, including: feeling more capable and having an increased sense of pride in themselves; increased social connection, increased self-worth and confidence; all leading to improvements in their overall mental health and happiness. They also felt the program supported them to be good role models for their children.

The pilot projects undertaken by UnitingCare Australia in partnership with the Commonwealth Government led to the creation of the Department of Jobs and Small Business' *Launch into Work* program⁵.

UnitingCare commends the values-based employment model as a successful approach in enabling the retention of a high-quality workforce. We advocate the need for continued government support of such initiatives as *Launch into Work*, and for models like this to be scaled and implemented more broadly.

⁵ For more information, visit: <https://www.jobs.gov.au/launch-work-program>

Professional development, support and training for the NDIS workforce

UnitingCare Australia is aware, anecdotally, that some service providers are struggling to find the resourcing and capacity to prioritise training and professional development for disability workers to the extent they could pre-NDIS. This is a critical issue, given that rapid growth of the NDIS means that providers need to continually induct, train and supervise a significant number of new workers to meet client demand⁶.

To address this challenge and others presented by the rapidly-expanding NDIS workforce, we suggest the need for consideration of workforce-specific issues beyond NDIA and DSS alone, and advocate for greater cross-agency collaboration in Government. A coordinated strategy with resourcing, developed across the Commonwealth Departments of Social Service, Jobs and Small Business, as well as the NDIA, would better enable the emergence of workable and effective employment initiatives to aid NDIS implementation in service delivery organisations. It would simultaneously provide employment pathways for jobseekers into disability support and service provision roles.

UnitingCare Australia also believes that there is significant scope for development of workforce strategies that recognise, and can alleviate, pressure experienced across different areas of the community services workforce. Consideration, for instance, of how training packages can be designed to offer the skills and qualifications necessary to deliver care across service environments should be considered, recognising the extent to which quality of care remains paramount.

Regulation considerations should also take account of the cross-cutting workforce issues impacting different parts of the community service sector. We advocate for workforce approaches that can facilitate job pathways and movement of workers across the community services and health sectors, to increase the skills and experience of workers. Towards enabling this, we recommend the following strategies for consideration:

- Reducing training/career pathway limitations, for example, through clearer identification of common capabilities, improved opportunities for inter-professional and inter-sectoral training and professional development;
- Promoting consistency of remuneration and conditions across industries;
- Aligning funding and regulatory models to avoid perverse outcomes.

Further, we note that various sectors are currently competing for the same workers as demand across services (health, disability, aged care) continues to grow. An effective strategic approach to workforce development of the NDIS and other community service areas will promote productive labour mobility, rather than competition that builds one sector's workforce at the expense of another's.

We strongly advocate the need for workforce strategies and initiatives to be developed in partnership with service providers employing the disability sector workforce, with a view to

⁶ National Disability Services. 2018. *Submission to the Joint Standing Committee on the NDIS: Market Readiness*. Available at: <https://www.apf.gov.au/DocumentStore.ashx?id=e6d835a5-ab2b-448b-bd36-703a0d1debf7&subId=563857>

creating effective long-term workforce solutions that will deliver genuine benefit to NDIS participants.

Impact of the Quality and Safeguarding Framework on the development of the market

UnitingCare Australia strongly supports the embedding of quality and safeguarding standards to facilitate the highest quality of service provision for NDIS participants.

We note, however, the potential for issues to arise when implementing the Framework regarding the cost and resource imposition for providers who are already stretched in delivering services under the Scheme. We seek further clarity on what provision will be made to support providers in the adoption and implementation of the Quality and Safeguarding Framework. We particularly seek further consideration of the tools, training and other resources that should be developed and made available to service providers, along with adequate resourcing, to support the development of provider's capability in undertaking outcomes measurement and continuous improvement.

It is also our view that the Framework should be implemented with a view to providing clear guidance for service providers around their roles and responsibilities in its application, particularly in the absence of other regulation mechanisms.

We also highlight that, fundamentally, quality and safeguarding mechanisms must be designed to empower and enrich the lives of participants. In this context, Scheme participants should be engaged in evaluation of the Framework's implementation.

Interface issues with other areas such as health, mental health, employment and transport

UnitingCare Australia advocates the need for further recognition and consideration of the interface between the NDIS and other areas, such as health, mental health and other community service areas.

We seek further clarity on the interface between the NDIS and aged care services, noting several emerging equity issues in relation to this. With a focus on participant/client wellbeing, we recommend the need for consideration of how services can most effectively and efficiently be provided at a high quality, without resulting in duplication or disruption to service provision for clients. This should entail consideration of consistent regulatory structures to apply across aged care services and the NDIS.

We also raise issues regarding the interface of the NDIS with psychosocial and mental health services. We recognise that this is currently an area under consideration, particularly regarding permanency of impairment. We note our concern, however, around what access to services will be available to those not deemed eligible for psychosocial support through the NDIS. This is a particular issue given that support is currently being delivered by service providers through remaining block funding arrangements, due to cease imminently. The impact of this funding's cessation will likely be significant for many individuals, who will face

disruption in the delivery of supports and subsequently be forced to seek services elsewhere, placing pressure on other areas of the health system. Careful consideration is required of the implications of eligibility rules for people seeking mental health supports and services, with provision made for those beyond the Scheme to ensure that adequate support is delivered.

Improved communication and information sharing

UnitingCare organisations consistently highlight issues regarding communication with the NDIA and DSS around implementation matters escalated for attention and action. It is often the case that advice is not proactive or forthcoming to service providers on the status of issues and the approach being undertaken to address them. Dissemination of direct information to participants to empower and inform them about access to, and use of, the NDIS is often also lacking. The need for early and proactive communication from both the NDIA and the Department of Social Services has consistently been raised by UnitingCare service providers and is integral in identifying and addressing issues in a timely and constructive manner.

We strongly recommend the need for clearer communication protocols to be established that enable families, carers, service providers and other NDIS stakeholders to engage with each other and work together effectively in implementing the NDIS. This encompasses the need for clear communication from the NDIA and DSS to service providers and participants around issues that have been raised and the corresponding responses and processes initiated to address them. Such communication is integral in building confidence in the Scheme and enable more prompt resolution of issues as they arise.

Scheme development and continuous improvement

In addition to the need for clearer channels of communication and transparency around communication processes, UnitingCare Australia also advocates the need for a clear continuous improvement model to be applied to the ongoing implementation and evaluation of the NDIS. Particularly based on our service providers' experiences with complex cases, we strongly promote the need for adoption of 'lessons learned' into the Scheme's design and continuous improvement going forward to proactively mitigate challenges.

We recommend the establishment of a complex case committee that has capacity to work through issues that are identified and escalated, and contribute to the ongoing improvement of the Scheme. The Committee should have scope to consider all relative issues, including funding and resources and interactions between stakeholders operating at different levels of the Scheme's implementation (that is, federal and state government, as well as local administrators). We forward that the committee should consist of participant, carer, service provider and other NDIS stakeholder representatives, to ensure a genuine co-design approach in the way it operates.

Conclusion

UnitingCare Australia's submission has highlighted the key issues that our network of disability service providers have identified in relation to NDIS market readiness, including:

- The role of the National Disability Insurance Agency (NDIA) as a market steward
- Inconsistency of packages and pricing and the subsequent impact on development of the market
- Preparing and supporting participants to navigate the NDIS
- Workforce readiness and employment issues, and
- Impact of the Quality and Safeguarding Framework on the development of the market.

Our submission recommends the need communication and information sharing mechanisms of the NDIS to be further enhanced, as well as the embedding of continuous improvement processes.

We reiterate our desire to work closely in partnership with DSS, the NDIA and other NDIS stakeholders to ensure the effective operation of the NDIS, and allow it to achieve its full and ground-breaking potential.

We thank the Taskforce for its consideration of the feedback provided in this submission and invite the opportunity to comment further on any of the issues it raises.



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UnitingCare Australia is the national body for the UnitingCare Network, one of the largest providers of community services in Australia. With over 1,600 sites, the network employs 40,000 staff and is supported by the work of over 30,000 volunteers. We provide services to children, young people and families, Indigenous Australians, people with disabilities, the poor and disadvantaged, people from culturally diverse backgrounds and older Australians in urban, rural and remote communities.

UnitingCare Australia works with and on behalf of the UnitingCare Network to advocate for policies and programs that will improve people's quality of life. UnitingCare Australia is committed to speaking with and on behalf of those who are the most vulnerable and disadvantaged.