

Office for Disability
50 Lonsdale Street
Melbourne VIC 3000

Submitted to: <https://www.statedisabilityplan.vic.gov.au/victorian-state-disability-plan-2021-2024-consultation-submissions-page>

To whom it may concern

State disability plan 2021-2025 - consultation

The Centre for Excellence in Child and Family Welfare (the Centre) welcomes the opportunity to provide a submission to the state disability plan 2021-2025 consultation. We also welcome the Victorian Government's commitment to valuing the contributions of people with disability and strengthening the economic and social inclusion of people with disability in the Victorian community.

The Centre is the peak body for child and family services in Victoria. For over 100 years we have advocated for the rights of children and young people to be heard, to be safe, to access education and to remain connected to family, community and culture. We represent over 150 community service organisations, students and individuals throughout Victoria working across the continuum of child and family services, from prevention and early intervention to the provision of out-of-home care. Many of our members work closely with families where there is a child, parent or caregiver with disability.

Our submission focuses on *Topic 5: Strengthening the NDIS and mainstream interface* and will specifically discuss the interface of the National Disability Insurance Scheme (NDIS) with child and family services. We also touch on our members' experiences of COVID-19 on clients with a disability.

The COVID-19 pandemic has been a particularly difficult time for many children and families with disability, with many experiencing increased expenses and financial stress, difficulty securing essential supplies, changes or limits to support and healthcare, lack of targeted information about COVID-19, a decline in mental health and experiences of isolation.¹ Our own research found that during a period of extended COVID-19 lockdown:

- Vulnerable clients living with a cognitive disability struggled without face-to-face contact and to understand the implications of COVID-19
- For many clients with a disability there was reduced access to in-home care and respite services, and a slowing down of the NDIS application process with families limited to digital appointments

¹ Dickinson, H & Yates, S 2020, *More than isolated: The experience of children and young people with disability and their families during the COVID-19 pandemic*, UNSW Canberra, Canberra; People with Disability Australia 2020, *People with disability and COVID-19*, People with Disability Australia, Sydney.

- Some families struggled to access NDIS support payments to an extent where for some families there was a risk that a child might need to be placed in a care.²

Experiences during COVID-19 have highlighted the critical importance of the NDIS and child and family services sectors working together to provide complementary disability and family strengthening supports to keep families safe, well and together.

One particularly vulnerable cohort are those children with disability who have been placed in out-of-home care. The latest data from the Australian Institute of Health and Welfare indicates that at 30 June 2019, 4,982 Australian children with a disability were in out-of-home care (12.1 per cent). For 15,155 children in out-of-home care (36.9 per cent), their disability status was not stated.³

Although data collection is improving, we still do not know exactly how many children with disability are living in care, or how many live in each care type (foster care, kinship care, residential care or permanent care), but we do know that children and parents with disability are overrepresented in the out-of-home care system.⁴ This means that child and family services, including out-of-home care services, have significant levels of contact with families in need of support from the NDIS.

Given this context for many families with disability, we strongly support the intent to include an outcome area that covers the exercise of rights around family planning and parenting. Article 23 of the *Convention on the Rights of Persons with Disabilities* states that 'In no case shall a child be separated from parents on the basis of a disability of either the child or one or both of the parents' and 'States Parties shall render appropriate assistance to persons with disabilities in the performance of their child-rearing responsibilities',⁵ however families with disability frequently fall through the gaps in service systems and are not sufficiently supported in their parenting role. Adequate disability supports and family services supports can play a critical role in supporting families to stay together, and in reunifying families when children have been removed from the care of their parents. Strengthening the interface between these service types must be a key priority under the new state disability plan.

Strengthening the NDIS and the child and family services interface

The transition of the disability support system to the NDIS has meant that a range of sectors, including child and family services, have been expected to engage in new forms of work with families with disability, including supporting families to access and navigate the NDIS. These changes to the disability support system, and the assumption that people with disability have the capacity to exercise choice, have required our sector's workforce to develop new forms of capability, despite

² Centre for Excellence in Child and Family Welfare (CFECFW) 2020, *COVID-19: responding to the needs of children and families impact report*, CFECFW, Melbourne.

³ Australian Institute of Health and Welfare (AIHW) 2020, *Data tables: Child protection Australia 2018–19*, Child Welfare series no. 72, Cat no. CWS 74, AIHW, Canberra.

⁴ Lamon, A & Bromfield, L 2009, *Parental intellectual disability and child protection: key issues*, NCPIC Issues No. 31, Australian Institute of Family Studies, Melbourne; Office of the Public Advocate (OPA) 2015, *Rebuilding the village: supporting families where a parent has a disability – report 2: child protection*, Office of the Public Advocate, Melbourne.

⁵ United Nations 2006, *Convention on the rights of persons with disabilities and optional protocol*, viewed 29 April 2021, <<https://www.un.org/disabilities/documents/convention/convoptprot-e.pdf>>.

already being under immense demand pressure. While some positive investments have begun supporting our sector to take on this work, system changes are still needed to make sure our sector has adequate capacity to support families with disability.

Over the past two years, the Centre has worked with the Association for Children with Disability to train more than 2,000 child and family services practitioners in how to support families to access and navigate support from the NDIS. This has resulted in children and families who are experiencing vulnerability and complex challenges having access to higher levels of support than they would otherwise have received. The government needs to continue to invest in this training and enable the Centre to expand it to other workforces that intersect with children and caregivers with disability.

Recommendation

That the Victorian Government continues to invest in the delivery of training to professionals who work with children and families to secure better NDIS outcomes for families with disability.

Although training for the workforce has resulted in improved outcomes for families, this has not addressed the substantial and rising demand on our services. More must be done to make sure that families with disability can secure the support they need. Current wait lists indicate many families are missing out on access to child and family services. In recognition of this, the Victorian Government has recently invested in new roles to build the capacity of the child and family services system to support families with disability including the *Children with complex disability support needs program* and *Family Services Specialist Disability Practitioners*. These roles are very welcome and an evaluation of their impact would support future planning and decision making.

It is well known that NDIS outcomes are greatly influenced by education, access to resources, and capacity to navigate bureaucracies, and families in contact with family services are less likely to have been supported to build these capabilities. The latest NDIS quarterly report shows that NDIS payments for children with a disability are 23 per cent higher in affluent families compared with the least advantaged.⁶ Without support to build their capacity, parents and carers in less advantaged families are likely to receive worse outcomes from the NDIS.

The Centre recommends that the Victorian Government maintain its funding for advocates for children with disability and their families in contact with child protection to access, navigate and maintain support from the NDIS.

Recommendation

That the Victorian Government continues to fund advocates for children with disability and their families in contact with child protection and/or child and family services to access, navigate and maintain support from the NDIS.

The Centre is currently undertaking a survey of the child and family services workforce to gather information about the prevalence of disability and NDIS access within caseloads, the barriers to the

⁶ National Disability Insurance Scheme (NDIS) 2021, Stay informed with the CEO, 16 February, viewed 11 March 2021, <<https://www.ndis.gov.au/news/ceo/stay-informed-ceo>>.

NDIS experienced by families, challenges families face when accessing disability supports, the influence of disability-related factors on child protection intervention and what additional training or supports practitioners need to support families with disability. We will prepare a report on the data and would welcome an opportunity to share this with you at a later date and discuss the findings.

Please do not hesitate to contact me if you require any further information.

Sincerely,



Deb Tsorbaris
CEO, Centre for Excellence in Child and Family Welfare