

Family and Community Development Inquiry into Abuse in Disability Services

Stage 2

Submission to the Inquiry into abuse in disability services

- (A)** The Committee should consider any further systemic issues that impact on why abuse of people accessing services provide by disability service providers within the meaning of the Disability Act 2006 are not reported or acted upon and this should include:
- (I) Any interim measures to strengthen the disability services system prior to transition to the NDIS:
 - (II) Any measures to strengthen the capacity of providers to prevent, report and act upon abuse to enhance the capability of service providers to transition to the NDIS; and
 - (III) Any measures to support people with a disability, their families and informal supports to identify, report and respond to abuse;

Staffing

The role of Direct Care Service workers in Accommodation for People with a Disability, particularly in supporting people with a cognitive disability, are complex and require skilled and intelligent people who are adequately and extensively trained in Human Rights. A strong workforce development focus will ensure a relevant and robust sector.

Tertiary Training

As a matter of urgency, the Degree courses as provided by Deakin University, Burwood Campus, and La Trobe University i.e. Bachelor of Applied Science (Intellectual Disability) should be funded and reinstated. These provided training within the following Unit Titles:

1. Human Development and Intellectual Disability
2. Communication Skills
3. Analytical skills and problem solving
4. Service Delivery 1, 2
5. Developmental Programming 1, 2, and 3 (with a strong emphasis on Behavioural Support).
6. The Healthy Human 1, 2.
7. Psychological and Clinical Aspects
8. Health Promotion with Individuals 1, 2,
9. Research and Evaluation II
10. Group and Family Work
11. Service Policy, Planning and Evaluation
12. Consumer Empowerment
13. Multiple Handicap
14. Early Intervention
15. Human Relations
16. Quality of Life

These courses strongly emphasised and taught, (within the realities of Social Role Valorisation principles), strong values and skilled knowledge, with respectful and dignified attitudes towards people with a disability. The outcome was highly skilled and competent staff.

The course also included three major Practicum Placements in accommodation services. From these experiences, students were successfully employed by services on a part-time and/or casual basis from their first year of studying due to their high competencies, thereby entering the workforce in the early stages of their study and gaining valuable experience.

People with the potential to abuse/neglect people with disability would likely self-select out of this opportunity of career, before or during such professional training being undertaken.

Certificate IV

This certificate should require a minimum of 18 months full-time study to become relevant in providing the required professionalization of staff in accommodation services, thereby assisting in eliminating those people likely to abuse/neglect people with a disability.

Recent information is that the Certificate IV in Disability Studies is being considered to become less than its current 10 months (February to November) in TAFE Colleges, and that some discussion has occurred of reducing the length of the present course structure by removal of some Units e.g. Legislation. This is abhorrent to the whole basis of service required for people with disability, and will likely to lead to further abuse/neglect of these people.

Additionally, recent information is that some individuals with the Certificate IV in Disability Studies qualification from a private Training Agency, were unable to answer questions at employment interviews about the Disability Act (2006), or Person Centred Planning. This severely undermines the level of competency of staff with the Certificate IV qualification and adds further risk to inadequate competencies of staff increasingly gaining work in the sector.

Therefore the Parliamentary Inquiry may need to examine;

- 1) what is required to provide adequately trained and competent staff persons to work with people with a disability in accommodation services,
- 2) how committed is the sector to provide adequate training of staff to ensure they have knowledge, values and human rights training,
- 3) what are private Training Organisations teaching within these Certificate levels, and who is overseeing these funded Organisations for the quality of training they are providing? How do they become accredited to be providers of Certificate IV in Disability Studies and who monitors this ongoing accreditation?

There is an immediate need to promote consistency of training throughout the disability sector.

Untrained staff

The limited interest in careers in Disability Services, is in part due to a general lack of awareness or understanding of the role of disability support work, its value and potential benefits.

Thereby it is suggested that:

- 1) The recruitment of staff via Centrelink should cease. The role of a direct care worker is complex and requires appropriate skills, knowledge of and values towards people with disability.
- 2) The doubling of the workforce with people with disability due to the introduction of the NDIS requires **immediate public acknowledgement**. The required workforce supply in one, three and five years should ideally be calculated, and required training courses funded immediately. Adequate opportunities of professional and tertiary courses should be established and funded for pre-employment training.
- 3) The promotion of career pathways to 16 – 19 year olds throughout Victorian Secondary Schools of working with people with a disability as a valued work choice should be actively implemented via Career Counsellors, career fairs and other forums.
- 4) Student placements in the disability field should be actively promoted and implemented, and include adequately funded supervision of the students whilst on placement.

(B) The Committee should undertake research to determine best practice approaches to how abuse of people accessing services provided by disability service providers within the meaning of the Disability Act 2006 can be prevented and this should include:

- (i) **Identifying early indications of abuse;**
- (ii) **Strategies to prevent abuse occurring;**
- (iii) **Consideration of needs specific to particular cohorts.**

New Legislation

South Australia has new laws from 30 March 2015 to better protect people with a cognitive impairment from sexual exploitation by service providers.

Victoria needs to research these new regulations and identify similar changes that could be required within Victorian legislation. Such legislation should assist in reducing incidences of abuse/neglect.

- (C) The Committee should examine the powers and processes of Victorian investigation and oversight bodies with jurisdiction over abuse of people with a disability, with particular focus on the ongoing role of these bodies in the context of the National Disability Insurance Scheme;**

The Community Visitors Program

Stage 1 of the Inquiry into abuse in disability services misrepresented the role of Community Visitors as per the Disability Act 2006. The legislated role does not include an **investigative** responsibility. The Community Visitor role is to visit and inquire, and provide a report to the Service Provider of the facility visited, for that Service Provider to address any issues raised. **Investigations** have been conducted by the Service Provider and/or an external consultant in most instances.

Common causes of abuse are unsuitable or unskilled staff, and/or client incompatibility. Community Visitors regularly report issues of concern in relation to the often abusive outcomes for residents in shared supported accommodation.

These concerns, with statistics of numbers of times reported, have repeatedly been highlighted in the Annual Report tabled each year in the Victorian Parliament. Recommendations to address these major programmatic concerns have not been redressed sufficiently, or in a timely manner by the Victorian Government, to address/eliminate/lessen the risk to people with a disability who live in shared supported accommodation in Victoria. Consequently the Community Visitors Program, within its recommendations in the 2013/14 Annual Report called for an investigation into Incident Reporting by the Attorney General, and an inquiry into abuse and neglect by the Victorian Parliament.

Examining processes to determine jurisdiction of **investigations into abuse** may identify a more positive way of achieving resolution to the reported abuse issues identified every year by the Community Visitors Program.