



SUBMISSION LODGED BY:

**Community & Public Sector Union  
Civil Service Association of WA**

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Community Development and Justice Standing Committee

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## Inquiry into Accommodation and Intensive Family Support Funding for People with Disabilities.



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## Scope

The Parliamentary Community Development and Justice Standing Committee met on 13 November 2013 and resolved to initiate an inquiry into the provision of funding for accommodation and intensive family support services by the Disability Services Commission. The inquiry is examining:

1. The adequacy of current processes for determining funding support for people with disabilities who live with their families;
2. The level of unmet need; and
3. The nature and extent of planning required to meet increasing demand for these support services in Western Australia in the future.

The committee has invited the public to make submissions addressing the above Terms of Reference.

This paper will address the above Terms of Reference.

## Introducing the CPSU/CSA

The Community and Public Sector Union/Civil Service Association (CPSU/CSA) represents over 16,000 members in over 120 State Government Departments and Agencies and over 640 different occupational groups, in both metropolitan and regional and remote areas.

CPSU/CSA members have an intimate knowledge and understanding of all facets of the WA Public Sector, including disability services, and are committed to ensuring that it is a quality, efficient, sustainable public sector that meets the needs of the Western Australian community.

## The Disability Sector

The Disability Sector is undergoing major changes in how services will be funded. The National Disability Insurance Scheme (NDIS), if adopted in Western Australia, or the My Way program will eventually supersede the current processes. Despite this fact, it is still important that we look at the current processes so we can ascertain current unmet need. This will give us an indication of future demand and whether there will be sufficient funding and service capacity to meet this demand under the new system.

## *Term of Reference 1*

### **The adequacy of current processes for determining funding support for people with disabilities who live with their families**

#### **Available Funding Mechanisms**

Outside of the NDIS and My Way trials there are three initiatives whereby funding may be sought for those people with a disability. These are the Family Living Initiative, the Community Living Program and the Combined Application Process (CAP). For the purposes of this submission we will concentrate on CAP.

The reason that CAP has been chosen is because out of the three CAP has the capacity to provide a higher level of support. The Family Living Initiative is currently capped at \$15,000 and Community Living Program at \$20,000 per person per year. CAP can provide much more significant amounts where required for an eligible applicant.

Historically, CAP has provided assistance to individuals through three streams:

- **Intensive Family Support** - to enable their family to continue living together, by providing assistance (usually to pay for a support worker) so that the main carer has help and a break from their caring role.
- **Alternatives to Employment** - to engage in personal or community activities. This provides support for adults, who have not received support through Post School Options at the time of leaving school, and who require an alternative to paid employment. This may include participation in clubs, skills development programs, voluntary work and recreation.
- **Accommodation Support** - to enable people to be supported in accommodation out of their family home, or to remain living alone or with others with support.

#### **The Application**

To apply for CAP the applicant is required to complete a 27 page application. This application can be completed with the assistance of a Local Area Coordinator (LAC) or

service provider. The application form requires an extensive amount of personal information and the applicant to divulge their most private and intimate concerns.

The written application itself is an emotionally draining process; the applicant must visit their deepest fears and articulate these onto paper. This painful process is required because this application process is for critical and urgent applications only so only those who can sell their need in this context have a chance of receiving funding.

“CAP is an intimate and intrusive funding plan, you tell your most private and intimate concerns and then you may not be successful.” –Local Area Coordinator

### The Assessment

To be eligible for funding the first thing you must be able to prove is that you have a disability as defined by the Disability Services Act (1993), be legally entitled to permanently reside in Australia, permanently reside in Western Australia and be under the age of 65 years when diagnosed with your disability.

The LAC will advise whether you are eligible at the first stage and then your completed application is forwarded to an assessment panel. This panel has five members and an independent chairperson who meet three times a year to appraise the merits of each application.

### The Competition for funding

Each year there are three rounds of funding. Funding is allocated from a set amount to those deemed most in need. If an application fails it remains in the pool for the next round.

An unsuccessful application does not “move up the list”, it must compete against existing and new applicants in each subsequent round. Unless an application is withdrawn or is successful the process will be repeated indefinitely.

This is not so much an application for assistance as it is a grants application. There are no minimum requirements that will ensure a successful applicant; it is as one LAC described it “a cruel lottery”.

### **Case study <sup>i</sup>**

Esme is eighty years of age and is the full time carer of her 57 year old daughter Lisa. Esme's health is in decline, she has suffered two strokes and is concerned what would happen to Lisa should she pass away or is incapacitated.

Esme has approached her Local Area Coordinator to request funding for accommodation support so that Lisa can be transitioned into alternative accommodation. This will allow Esme to support Lisa in her move and Lisa will not have to contend with the trauma of moving out of home on top of losing her mum.

Strictly speaking the case is not critical or urgent as the daughter still has a roof over her head, the mum is there as a primary carer and until such time Lisa is out on the street or her mum is dead the application is unlikely to succeed.

### ***Term of Reference 2***

#### **The level of unmet need**

The level of unmet need is not easily calculated. The CAP is flawed in its recording of unmet need as the nature of the process discourages people from applying. LACs are encouraged to tell clients that it is unlikely they will be successful if their case is not deemed critical and urgent.

"CAPS exist for the critical and urgent stream, but you have to be dying, threatening suicide or are homeless and destitute before you will be approved". –Local Area Coordinator

Anecdotally, applicants already in the system are often disheartened and will withdraw their submissions. As previously stated, they automatically remain in the pool but with each round of assessments they are sent a letter explaining why they were unsuccessful. Out of pure frustration and heartbreak some choose to withdraw from the process.

The percentage of unsuccessful applications can be used to give an indication of unmet need but this dramatically under-reports the extent of the problem. Despite this, we will use this methodology as no other is readily available.

### Reported Unmet Need

It is assumed that every applicant who is unsuccessful is in genuine need. This assumption is made on the basis that the LAC is expected to discourage those who do not have a genuine chance of succeeding in their application.

Reported unmet need has been calculated using the CAP annual funding bulletins for the period 2008/09 through to 2011/12. This data has been collated and is presented in Table 1.

Using the above stated data the overall percentage of unsuccessful applicants from 2008/09 to 2011/12 is 67%. There is a downward trend in rejected applicants as a result of an 11% drop in unsuccessful applications for 2010/11.

The drop in rejected applications coincides with an almost doubling of accommodation support funding from \$13,637,678 to \$26,384,533 and an overall funding increase of 57%.

Using the data from the funding bulletins there are around 800 people in the CAP system with unmet needs at any given point. These people are unsuccessful in their application because of a lack of available funds. Their need is genuine, only the degree of need differs between applicants.

The small improvement in the number of successful applicants in 2010/11 as a result of a 57% funding increase highlights the inadequacy of current funding levels. Keeping in mind the under reporting of unmet need within the CAP system and that CAP is but one of three funding processes then issue of unmet need is a significant one.

Table 1.

Year	Program	People applying	People recommended	Available Funding	% of non successful
2011/12	Accommodation Support (A)	596	198	\$28,012,144	67%
	Accommodation Support (B)	234	77		67%
	Intensive Family Support	158	128	\$5,129,590	19%
	Alternatives to Employment	388	119	\$3,029,549	69%
		1376	522		62%
2010/11	Accommodation Support (A)	571	227	\$26,384,533	60%
	Accommodation Support (B) [Intensive Family Support applicants with high supports living with their families]	162	62		62%
	Intensive Family Support	251	119	\$3,985,041	53%
	Alternatives to Employment	323	95	\$1,862,611	71%
		1307	503		62%
2009/10	Accommodation Support	564	146	\$13,637,678	74%
	Alternatives to Employment	297	70	\$1,473,363	76%
	Intensive Family Support	415	126	\$5,425,221	70%
		1276	342		73%
2008/09	Accommodation Support	571	173	\$13,631,080	70%
	Alternatives to Employment	255	51	\$913,286	80%
	Intensive Family Support	399	129	\$5,436,061	68%
		1225	353		71%
Total		5184	1720		67%



### **Term of Reference 3**

**The nature and extent of planning required to meet increasing demand for these support services in Western Australia in the future.**

#### **Growing Demand**

We have already identified that the level of unmet demand is significant within the Disability Sector. How much of this unmet demand will be absorbed through the eventual roll out of the NDIS or other initiatives is not known. What is known is that demand for services will increase with Western Australia's increasing and aging population<sup>ii</sup>. As the population ages so will the families and carers of those with disabilities and this will put further pressure on support networks.

Should those who currently miss out on CAP and other funding mechanisms be successful in accessing the NDIS then there will be a significant increase in demand for services. The difficulty of forecasting future demand is has been evidenced in the already higher than expected demand for NDIS<sup>iii</sup>.

#### **Meeting Future Demand**

Any increase in demand will place further pressure on the Disability Services Sector in Western Australia both in the government and not for profit (NFP) sector.

In a report by PriceWaterhouseCoopers (PWC) and the Centre for Social Impact it was evidenced that NFP providers are already stretched and struggling to satisfy demand. The report also found that the issues confronting NFPs were not just funding matters but issues relating to underlying demand and the ability to attract staff<sup>iv</sup>.

If the NFP sector is already struggling to satisfy demand then it is unlikely to have the capacity to absorb future short to medium term increases in demand. The ability to increase capacity within the sector is not solely dependent upon funding therefore cutting government services for the purpose of redirecting funds to not for profits will not address the demand situation.

The CPSU/CSA would argue that the cutting of government direct service delivery has the potential to decrease the capacity of the disability sector overall. The Government tends to fund training at greater levels than not for profits<sup>v</sup> leading to a more qualified and higher

paid workforce. Many DSC employees have reported to the union that they will leave the disability sector if they are obliged to change employer.

The reduction in the workforce pool as a result of government employees leaving the sector will exacerbate the challenges faced by NFPs in attracting and retaining adequate staffing numbers.<sup>vi</sup> This will further hinder the NFPs capacity to meet increased demand.

## Summary

### Government and Direct Service Delivery

With high levels of unmet demand, increasing demand for services and uncertainty about the NFP sector's capacity to meet demand, it would be foolhardy to cut direct service delivery by government. Most concerning is the lack of capacity by the NFP sector to attract and retain staff to provide disability services. The issue of capacity is more complex than simply increasing funding.

The argument that NFPs are more efficient because, as former Treasurer Christian Porter stated, "These are very administratively lean organisations.... They have literally worked on the smell of an oily rag"<sup>vii</sup> ignores the fact that the very characteristics which make them more efficient contribute to their problems in attracting and retaining staff.

A robust public service providing direct service delivery can work closely with NFPs to address the demand for services and provide a strong and stable workforce in those areas that NFPs have difficulty. A service delivery model with complementary Government and NFP sectors will provide better outcomes than a heavily burdened NFP sector operating in isolation.

#### Recommendation 1

The CPSU/CSA recommends that direct service delivery currently provided by the Disability Services Commission (DSC) should be maintained and extended until it is evident that the NFP sector has the capacity to fully meet the demand for services.

### **Recommendation 2**

The CPSU/CSA recommends that direct service delivery provided by the Disability Services Commission (DSC) should be maintained once the NFP sector has developed capacity to meet demand services. This will provide stability and safe guard against possible volatility under a market based system such as the NDIS.

### **Substantive Equality**

To apply for CAP the applicant is required to complete a 27 page written application. A significant part of this application involves articulating your needs and arguing why you above others should receive this funding.

As previously stated there is no minimum requirement to guarantee funding. To be a successful applicant you must convince the assessing panel that your need is greater than other applicants.

This process provides an advantage to those who can articulate their case powerfully through writing. Those with lesser writing ability or who whose first language is not English are unfairly disadvantaged.

### **Recommendation 3**

All current and future application process models should undertake a substantive equality needs and impact assessment.

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<sup>i</sup> The names in the case study have been changed to protect the identity of the individuals. The case study is a real scenario provided by a LAC.

<sup>ii</sup> Australian Institute of Health and Welfare 2010. Australia's health 2010. Australia's health series no. 12. Cat. no. AUS 122. Canberra: AIHW

<sup>iii</sup> Media Release: NDIS – A MARATHON NOT A SPRINT, Nov 21, 2013

<sup>iv</sup> <http://www.abc.net.au/news/2013-06-13/new-report-shows-not-for-profits-under-pressure/4750634>

<sup>v</sup> NDS Submission to CS&HISC, 2013 Environmental Scan, accessed 18/12/2013  
[www.nds.org.au/asset/view\\_document/979321168](http://www.nds.org.au/asset/view_document/979321168)

<sup>vi</sup> Productivity Commission 2010, Contribution of the Not-for-Profit Sector, Research Report, Canberra

<sup>vii</sup> Extract from Hansard [ASSEMBLY — Thursday, 26 May 2011] p4152c-4168a