

Joint Standing Committee on the NDIS
PO Box 6100
Parliament House
Canberra ACT 2600

Via email: ndis.sen@aph.gov.au

Dear Secretary,

The Northern Territory Office of the Public Guardian contributed to the Joint Standing Committee on the National Disability Insurance Scheme (NDIS) Workforce Inquiry in April 2020. We welcome the opportunity to now comment on the NDIS National Workforce Plan 2021-2025 (the NDIS Workforce Plan) to further inform the Committee's Workforce Inquiry.

As detailed in our submission of April 2020, with the rollout of the NDIS the Northern Territory human services industry has faced significant challenges associated with moving to individualised funding models underpinned by user choice and control. As a result, the current NDIS workforce in the Northern Territory is not adequate in both size and skill set to meet the needs of Territorians receiving NDIS supports. While these challenges have been experienced in many parts of Australia, the Northern Territory's context of a small and geographically dispersed population, together with the high prevalence of disability among Aboriginal Territorians means these challenges are exacerbated and demand different strategies to those that may be implemented elsewhere.

The Office of the Public Guardians welcomes the creation and implementation of the NDIS Workforce Plan and supports its three key priorities:

1. Improve community understanding of the benefits of working in the care and support sector and strengthen entry pathways for suitable workers to enter the sector.
2. Train and support the NDIS workforce to support retention and meet the needs of NDIS participants.
3. Support efficiency and innovation through reduced red tape, new service models and innovation, and improved market information.

The implementation of the sixteen initiatives to achieve the three key priorities are also supported, with the qualifier that continuous consultation must occur with people with disability and their representative organisations and the service sector regarding the finer details of the initiatives and their implementation.



With consideration to the Committee's Workforce Inquiry Interim Report, including its recommendations and the contributions of people with disability and their representative organisations, the Office of the Public Guardian notes the following key concerns with the NDIS Workforce Plan:

- it does not sufficiently address pricing structures and disability support worker pay rates
- its commitment to Aboriginal people with disability is minimal
- it includes minimal initiatives to promote and develop employment opportunities for people with disability in the NDIS workforce.

Pricing structures and disability support worker pay rates

In the Workforce Inquiry Interim Report the Committee reported that the evidence presented to them is that current prices, implemented in the context of a consumer-directed care scheme, are driving many of the poor workforce conditions in the NDIS (including unpaid work, insufficient training and lack of supervision and peer support) and thereby creating barriers to attracting and retaining an appropriate skilled workforce.¹ Despite this evidence the NDIS Workforce Plan does not sufficiently address pricing structures and disability support worker pay rates.

Priority 3, initiative 11 of the NDIS Workforce Plan is to continue to improve NDIS pricing approaches to ensure effective operation of the market, including in thin markets. It will include a pricing project to consider approaches to improve pricing practices and governance, building market confidence and consumer choice and supporting workforce development. Improved pricing approaches to reflect the cost of non-client facing activities including training and supervision, report writing and handover and case discussion is fundamental to the implementation of many of the other training related initiatives within the NDIS Workforce Plan. Without sufficient recognition of the cost of these initiatives with appropriate associated funding, they are likely to negatively impact the financial viability of providers and thereby impact the growth of the workforce and the provision of appropriate supports to participants.

Additionally, there is no commitment to consider the award rates of disability support workers and whether they are reflective of the complex, sensitive nature of disability support work or sufficient to attract an appropriately skilled workforce.

Aboriginal people with disability

Priority 3, initiative 16 of the NDIS Workforce Plan is to help build the Aboriginal and Torres Strait Islander community-controlled sector to enhance culturally safe NDIS services by:

- Government supporting Aboriginal Community Controlled Health Organisations to become registered to deliver NDIS services through the NDIS Ready Project and
- Governments continuing to explore options to attract Aboriginal and Torres Strait Islander workers, including leveraging connections with other government programs.

¹ Joint Standing Committee on the NDIS, *NDIS Workforce Interim Report*, 2020, page 50.

Engagement of Aboriginal people as participants and as employees demands more than supporting Aboriginal Community Controlled Health Organisations to become registered to deliver NDIS services. It demands:-

- A targeted strategy to grow the Aboriginal and Torres Strait Islander workforce, co-designed by Aboriginal and Torres Strait Islander peoples and Community Controlled organisations - as recommended in the Workforce Inquiry Interim Report.²
- Consideration of different funding models to reflect the real cost of delivery of services on country to small numbers of people spread across vast distances.
- Recognition of the cost of travel to remote and very remote locations to deliver supports and services that cannot be provided from within the community (at least in the short term), even with the support and growth of Aboriginal Community Controlled Health Organisations.
- Consideration of different registration provisions in relation to service providers providing services and supports where the risk of harm or neglect to a person with disability is minimal due to the other supports that accompany the person, for example this may apply to a small, community run arts centre that is providing art services to NDIS participants but where the NDIS participant is supported by NDIS support workers or other supports.
- Infrastructure investment by governments and private investors to attract and enable NDIS service providers to deliver supports and services in remote and very remote communities.
- Consideration of the intersection between the delivery of NDIS supports and services in remote and very remote communities with other health and disability determinants such as poverty and housing.

The Office of the Public Guardian notes priority 2, initiative 6 of the NDIS Workforce Plan includes options to support the development of micro-credentials to enhance culturally safe practices for Aboriginal and Torres Strait Islander and culturally and linguistically diverse care recipients to be explored. The development of these micro-credentials must be done in consultation with Aboriginal people and their representative organisations and likewise with people from culturally and linguistically diverse backgrounds and their representative organisations.

Employment opportunities for people with disability in the NDIS Workforce

The NDIS Workforce Plan includes minimal initiatives to promote and develop employment opportunities for people with disability in the NDIS workforce. The only initiative which refers to people with disability in the workforce is priority 1, initiative 5 which provides that boosting the Local Care Workforce coordinators will support job seekers (including those with disability) to find NDIS care and support sector employment opportunities.

Employment opportunities for people with disability in the NDIS workforce should be a targeted priority for the NDIS Workforce Plan. Four of the fourteen recommendations in the Workforce

² Joint Standing Committee on the NDIS, *NDIS Workforce Interim Report*, 2020, page 137.

Inquiry Interim Report relate to strategies to address employment and education outcomes for people with disability. The National NDIS Workforce Plan does not reflect these recommendations.

Concluding submissions

The Office of the Public Guardians welcomes the creation and implementation of the NDIS Workforce Plan and supports its three key priorities and associated initiatives. However, it is recommended that the NDIS Workforce Plan undergo further development to consider the key issues raised in this submission including:

- to sufficiently address and commit to improved pricing structures and disability support worker pay rates
- to commit to a targeted strategy to grow the Aboriginal workforce
- to promote and develop education and employment opportunities for people with disability in the NDIS workforce.

Further development of the NDIS Workforce Plan and implementation of its priorities and initiatives must be done with continuous consultation with people with disability and their representative organisations and the service sector.

The Office of the Public Guardian welcomes the opportunity to contribute to further discussions regarding the growth and development of the NDIS Workforce.

Yours sincerely



Beth Walker
Public Guardian

10 August 2021