



Children and Young People  
with Disability Australia

# **Submission to the Joint Standing Committee on the National Disability Insurance Scheme's inquiry into the NDIS Workforce**

**Children and Young People with Disability Australia  
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## Background

Children and Young People with Disability Australia (CYDA) is the national representative organisation for children and young people with disability aged 0-25 years. CYDA has an extensive national membership of over 5,000 young people with disability, families and caregivers of children with disability, with the majority of our members being families.

CYDA's purpose is to advocate systemically at the national level for the rights and interests of all children and young people with disability living in Australia. To do this, we focus on the following:

- Listening and responding to the voices and experiences of children and young people with disability
- Advocating for children and young people with disability for equal opportunities, participation and inclusion in the Australian community
- Educating national public policy-makers and the broader community about the experiences of children and young people with disability
- Informing children and young people with disability, their families and caregivers about their citizenship rights and entitlements
- Celebrating the successes and achievements of children and young people with disability.

CYDA appreciates the opportunity to provide this submission on the National Disability Insurance Scheme (NDIS) Workforce to the Joint Standing Committee on the NDIS. In our submission, we discuss the impacts that different elements of workforce planning have for children and young people with disability and their families, and the importance of promoting and maintaining the delivery of safe and high quality services.

## Executive summary

As at December 2019, more than half (56.2 per cent) of all NDIS participants are aged between 0 and 24 years.<sup>1</sup> Therefore the unique developmental needs of children and young people with disability must be central to planning the NDIS workforce.

The rapid growth of the NDIS workforce brings challenges for all participants, service providers, community partners and the National Disability Insurance Agency (NDIA), as well as for workers themselves. From CYDA's perspective, along with our members and other key advocacy organisations, maintaining the high quality of the workforce for children and young people with disability is a key challenge and priority during this period of growth.

Young people with disability, and families and caregivers of children with disability, consistently report challenges in their interactions with various parts of the workforce – including staff at the NDIA and with Local Area Coordinators (LACs) and Early Childhood Early Intervention (ECEI) partners. The limited understanding of disability, child developmental delay and a family-centred approach held by staff is a particular concern, and can have a serious impact on the types and appropriateness of services that are made available to support children and young people.

The recruitment and retention of disability workers is another key challenge for people with disability and for the sector. A key factor in this is a lack of job security and high levels of casualisation in the workforce.<sup>2</sup> Recruitment challenges tend to be even greater in regional, rural and remote areas.<sup>3</sup> Workforce shortages can have a particular impact on children and young people, with allied health professional vacancies among the hardest to fill.<sup>4</sup>

There is also serious concern about the lack of appropriately qualified workers supporting children and young people beyond the early childhood intervention pathway. The early childhood intervention NDIS pathway is only for children under seven years, and there is currently no recognition within the Scheme for the importance and uniqueness of the middle childhood and adolescent periods in young people's lives, which are also important for their growth and development.

Maintaining workforce quality and safeguarding mechanisms across the country is a key element in promoting and protecting the safety of children and young people. Encouraging greater connection between the workforce and the education sector, and developing clearer roles and responsibilities across government – particularly for unregistered providers – are discussed in this submission. CYDA would also like to highlight the inclusion of young people with disability within the NDIS workforce as they face serious barriers to obtain qualifications and employment due to low expectations by the education sector, community and employers.

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<sup>1</sup> NDIS Quarterly Report: 2019-20 Q2 COAG Disability Reform Council appendices

<sup>2</sup> Cortis, N. (2017). *Working under the NDIS: Insights from a survey of employees in disability services*. Prepared for the Health Services Union, Australian Services Union, and United Voice. UNSW Sydney.

<sup>3</sup> The Regional Australia Institute (2019). *Building the NDIS in Regional Australia: A Review of Key Policy Approaches*. Canberra, The Regional Australia Institute.

<sup>4</sup> National Disability Services (2019). *State of the Disability Sector Report 2019*.

## Our recommendations

### **Build workforce capacity to support children and young people with disability**

- Strengthen the NDIS workforce's understanding of disability and child developmental delay to improve the delivery of support for children and young people with disability
- Guarantee NDIS staff and Early Childhood Early Intervention (ECEI) and Local Area Coordinators (LAC) community partners take a family-centred approach to their practice
- Standardise the qualifications beyond early childhood pathway to all children as well as young people with disability

### **Ensure the NDIS market is working for children and young people with disability**

- Develop a Thin Market Strategy for regional, rural and remote areas taking into account specific market issues related to children and young people with disability
- Establish a Child and Young People Advisory Group reporting to the NDIA executive and board.
- Improve current employment conditions of NDIS workforce to improve recruitment, retention and quality, targeting areas of critical workforce shortages.

### **Promote service quality for all NDIS providers**

- Clearly define the responsibilities of the states and territories for unregistered providers
- Develop cross-government initiatives to retain qualified support workers and monitor regularly
- Promote partnerships between the education system and NDIS to build skills and improve quality
- Create employment opportunities for young people with disability within the NDIS workforce.

## Build workforce capacity to support children and young people with disability

### Recommendations

- Strengthen the NDIS workforce's understanding of disability and child developmental delay to improve the delivery of support for children and young people with disability
- Guarantee NDIS staff and Early Childhood Early Intervention (ECEI) and Local Area Coordinator (LAC) community partners take a family-centred approach to their practice
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One of the key workforce issues raised by families of children and young people with disability is the level of knowledge and understanding held by the NDIS workforce, including staff employed by the NDIA and community partners, as well as support workers delivering services to participants.

Over 70 per cent of respondents to a 2019 CYDA national survey reported having problems with the NDIS planning process.<sup>5</sup> Families consistently reported that ECEI, LAC staff and NDIS planners did not have a sufficient understanding of disability, child developmental and community participation and as a result, participants received less support and services than they needed.

Another significant issue for families is the lack of a family-centred practice during the planning process through both the ECEI and standard NDIS pathways.

*"Family-centred practice is a way of thinking and acting that ensures that professionals and families work in partnership and that family life, and family priorities and choices, drive what happens in planning and intervention. Family-centred practice builds on family strengths and assists families to develop their own networks of resources – both informal and formal"*<sup>6</sup>

Families report that NDIS staff and community partners don't recognise the extra work of families and the services they need to support their children. This was noted as an issue by the 2019-20 review of the NDIS Act,<sup>7</sup> with the final report recommending the NDIS Rules be amended so the determination of reasonable and necessary supports for children with disability recognises the additional informal support provided by families. However at the time of writing this submission, there has not yet been a formal response to this report from the federal government.

Comments CYDA has received from families of children and young people illustrate the lack of a family centred-approach<sup>8</sup>:

"Denied support worker hours, denied riding for the disabled, denied help with support workers for after school hour care. Planner didn't know what after school care was! All occurred at the planning meeting."

- Family of a child aged 4-6 years, regional Queensland

<sup>5</sup> We received responses from 189 young people with disability and families and caregivers of children with disability.

<sup>6</sup> Early Childhood Intervention Australia ECIA (2016) *National Guidelines. Best practice in early childhood intervention*, p 7.

<sup>7</sup> Tune, D. (2020). *Review of the National Disability Act 2013*, Recommendation 12.

<sup>8</sup> See [CYDA's submission](#) to the NDIS Thin Markets Project, July 2019.

“The ECEI planners do not provide a family model considering simply the child and do not consider the importance of prompt early intervention.”

- Family of a child aged 4-6 years, metropolitan Queensland

“Respite was difficult to get as “parental responsibility” kept getting quoted, even though the single parent was not able to do this parental responsibility due to physical & mental health issues.”

- Family of a child aged 10-12-years, metropolitan NSW

“I would still like more services around inclusion and getting my son out in the broader community. There is a lot of camps and programs for people with disabilities but not a lot of stuff that intersects into mainstream groups.”

- Family of a child aged 10-12 years, metropolitan Victoria

The significance of issues with the NDIS workforce is also demonstrated by official complaints. The Commonwealth Ombudsman’s 2018-2019 annual report indicates the office received 1,711 complaints about the NDIA, with the most common complaint about handling of reviews of plans and decisions.<sup>9</sup> Between July and December 2019 the NDIS Quality and Safeguards Commission received a total of 2,022 complaints, with 51 per cent about provider practice, 20 per cent about provider policies and procedures, and 17 per cent about worker conduct or capability.<sup>10</sup>

Additionally, while ECEI partners working with participants under 7 years are required to be qualified in Early Childhood Education or an Allied Health discipline, LAC or Planners – who work with children aged 7 and upwards – are not required to hold a minimum qualification. There is currently no recognition within the Scheme for the importance and uniqueness of the middle childhood and adolescent periods in young people’s lives, which are also important for their growth and development. During these periods, young people’s cognitive, social, emotional and other needs vary significantly from the needs of an adult.

CYDA is concerned that many staff working with young people between 7 and 25 years are not appropriately trained to meet their needs and support the development of their potential. CYDA recommends the standardisation of qualifications and increased training in disability, development and youth empowerment for people working with NDIS participants up to the age of 25 years, as they are key periods of growth and development.

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<sup>9</sup> Commonwealth Ombudsman (2019). *Commonwealth Ombudsman Annual Report 2018-19*. Canberra.

<sup>10</sup> NDIS Quality and Safeguards Commission (2019). *Activity Report 1 July 2019 to 31 December 2019*.

## Ensure the NDIS market is working for children and young people with disability

### Recommendations

- Develop a Thin Market Strategy for regional, rural and remote areas taking into account specific market issues related to children and young people with disability
- Establish a Child and Young People Advisory Group reporting to the NDIA executive and board.
- Improve current employment conditions of NDIS workforce to improve recruitment, retention and quality, targeting areas of critical workforce shortages.

Issues around supply of providers and choice and control for participants in rural and regional areas are well documented.<sup>11</sup> For example, the most recent NDIS quarterly report showed there are nine regions in regional and remote areas where 85 per cent or more of payments go to the largest ten providers.<sup>12</sup> Participants across the country report a range of issues in finding high quality service providers but this is also more pronounced in regional, rural and remote areas.

Findings from CYDA's 2019 survey highlight these issues. Almost one in nine respondents living in rural or remote areas report barriers to accessing the right services and support (see Tables 1 and 2 below).

**Table 1. Survey respondents reporting barriers to accessing the rights services and supports (n=189)**

Location	Number	Percentage
Metropolitan	121	63
Regional	52	71
Rural and remote	16	87

Not having the right services available in the area, participants' plans not allowing for the services needed, and long waiting lists were reported as the top three issues for children and young people with disability (Table 2).

<sup>11</sup> Joint Standing Committee on the National Disability Insurance Scheme (2018). *Market readiness for the provision of services under the NDIS*, September 2018.

<sup>12</sup> NDIA (2019). *Quarterly Report 31 December 2019*. Report to the COAG Disability Reform Council.



**Table 2. Types of barriers to accessing services and supports reported by respondents (n=172)**

Barriers to accessing supports and services	Number	Percentage
Not enough services available in the area	37	21.5
Plan doesn't allow for services needed	25	14.5
Waiting lists	23	13.3
Support coordination challenges including difficulty in navigating services, time and self-management	16	9.3
Workforce capability	15	8.7
Equipment and assistive technology	11	6.3
Accessibility of the service including flexibility and location	8	4.6
Cost of services and funding shortfall between NDIS plan and services and supports needed	8	4.6
Respite and family support not being available/funded	8	4.6
Interface issues with other systems	4	2.3
Other/unspecified	17	9.8

To develop a sustainable and equitable NDIS market framework, understanding the issues impacting service availability and quality for participants at different life stages is essential, as this can vary significantly. For example, in most cases children rely more on allied health services than adult participants, with an average 76 per cent of their NDIS goals focused on the daily life domain,<sup>13</sup> with these roles experiencing some of the highest shortages. Disability service providers report that allied health roles are the most difficult to fill and retain – specifically, psychologists, occupational therapists, speech therapists and physiotherapists.<sup>14</sup>

More active work is needed from key stakeholders – including the NDIA, the Commonwealth Government, and state and territory governments – to improve market functioning, equity and sustainability.<sup>15</sup> The experiences and challenges experienced by children and young people living in regional, rural and remote areas should be considered in the development and implementation of any future work to address NDIS thin markets. Maintaining participants' choice and control, and access to safe, high quality services, is critical. The establishment of a high-level NDIS Advisory Group including young people with disability,

<sup>13</sup> NDIA (2019). *People with disability and their NDIS goals*. Available: <https://data.ndis.gov.au/reports-and-analyses/people-disability-and-their-ndis-goals>.

<sup>14</sup> National Disability Services (2019). *State of the Disability Sector Report 2019*.

<sup>15</sup> Reeders, D., Carey, G., Malbon, E., Dickinson, H, Gilchrist, D., Duff G., Chand., S., Kavanagh, A. & Alexander, D. (2019). *Market Capacity Framework*. Centre for Social Impact: Sydney.

and families of children with disability, as well as peak bodies and other stakeholders would be a formal mechanism to ensure young people's voices are captured systematically.

## Promote service quality for all NDIS providers

### Recommendations

- Clearly define the responsibilities of the states and territories for unregistered providers
- Develop cross-government initiatives to retain qualified support workers and monitor regularly.
- Promote partnerships between the education system and NDIS to build the skills and improve quality.
- Create employment opportunities for young people with disability within the NDIS workforce.

As at 30 June 2019 there were 21,510 registered NDIS providers across Australia.<sup>16</sup> Registered providers are regulated through the NDIS Quality and Safeguards Commission, while there is less oversight of unregistered providers. Additional challenges exist as states and territories also have different regulatory systems for disability workers; for example from mid-2020 in Victoria both registered and unregistered providers will be covered by the Disability Worker Regulation Scheme.<sup>17</sup> CYDA is concerned that the inconsistency across jurisdictions – and lack of enforceable quality assurance for unregistered providers – could prevent accountability and create risks for children and young people with disability, who are more likely to have self-managed plans.<sup>18</sup> Supporting and maintaining a high quality workforce and promoting safety, while supporting participants' choice and control, are key priorities for CYDA's work in this area.

Although the NDIS Quality and Safeguards Commission is currently developing the NDIS Workforce Capability Framework to standardise behaviours of service providers when supporting people with disability, this does not address the issue of reduced safeguards for participants using NDIS unregistered providers as complaints about them are not investigated by the Commission. Greater oversight from states and territories in monitoring unregistered providers, and national harmonisation around this, could provide greater security to participants. Considerations should also be given to reviewing the cost for registered NDIS providers.

The Health Care and Social Assistance industry is projected to make the largest contribution to employment growth, increasing by 252,600 (or 15 per cent) in the next five years due to continued demand generated by the NDIS and Australia's ageing population.<sup>19</sup> However, with families of children and young people continuing to report difficulty finding the right support workers, as well as significant challenges with NDIS processes and staff,<sup>20</sup> there is scope to develop and build the future workforce in terms of both numbers and skills/qualifications. There is currently little direct connection between the NDIS and the

<sup>16</sup> NDIA (2019). *Annual Report 2018-2019*.

<sup>17</sup> Victorian Disability Worker Commission (2020). *About the Victorian Disability Worker Regulation Scheme*. Available: <https://www.vdwc.vic.gov.au/about>.

<sup>18</sup> NDIA (2019). *Quarterly Report 31 December 2019*. Report to the COAG Disability Reform Council.

<sup>19</sup> Australian Government, Department of Employment, Skills, Small and Family Business. 2019 Employment Projections - for the five years to May 2024. <http://lmip.gov.au/default.aspx?LMIP/GainInsights/EmploymentProjections>

<sup>20</sup> See [CYDA's submission](#) to the NDIS Planning inquiry (September 2019).

education sector, to promote future careers and build skills/qualifications in the disability sector to meet the required demand. Partnerships between the education sector and the NDIS need to be explored to improve quality and develop a stronger disability sector into the future.

Additionally, investment from states and territories to promote and grow the NDIS workforce are essential for its long-term sustainability. Currently states offer different incentives to disability workers,<sup>21</sup> and workers report challenging conditions in the sector. Research in Victoria about NDIS workforce shows that two-thirds of the workers were concerned about the impact of the NDIS on job security, due to fragmented working hours and attracting less qualified workers.<sup>22</sup>

Initiatives like the Victorian portable long service leave scheme for community services can bring benefits for the NDIS workforce and may help to attract and retain qualified workers in this sector. CYDA recommends a national harmonisation of initiatives as well as practice, service delivery and workforce models to guarantee better outcomes for children and young people with disability. In supporting nationally consistent approaches it will be important to ensure a 'lowest common denominator' approach is not taken, and that good practice approaches in leading states and territories are not lost.

Finally, and importantly, in considering the NDIS workforce it is critical to consider the employment of people with disability – and particularly young people with disability, who face substantial barriers during their post-school transition and when seeking further education and/or employment.<sup>23</sup> The youth unemployment rate in Australia remains stubbornly high at 11.2 per cent for people in the labour force aged 15 to 24 years – more than twice Australia's overall unemployment rate of five per cent.<sup>24</sup> According to the NDIS Employment Outcomes Report 2018, only 41 per cent of 15 to 24 year-olds have a paid job in open employment at full award wages, with a further 14 per cent in open employment at less than full award wages, and 35 per cent working in an Australia Disability Enterprise<sup>25</sup>.

Despite the NDIS' efforts to increase employment participation for people with disability – including the creation of the Participant Employment Taskforce in early 2019<sup>26</sup> – there has not been a big change for young participants, with employment participation only increasing from 15 per cent to 18 per cent since the NDIS started. Given the continued employment growth of the NDIS workforce, there are significant opportunities for the NDIA and other key stakeholders to explore opportunities to leverage this growth and support the employment of young people with disability.

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<sup>21</sup> For example, in 2019 the Victorian government implemented a [portable long service leave scheme](#) for community workers and several other industries.

<sup>22</sup> State of Victoria and Ipsos Public Affairs (2018). *Understanding the workforce experience of the NDIS. Longitudinal Research Project: Year One*. Available: <https://www.vic.gov.au/ndis-longitudinal-workforce-research-report-2018#what-did-we-find>

<sup>23</sup> See CYDA's [submission](#) into the Review of Senior Secondary Pathways into Work, further Education and Training 2019.

<sup>24</sup> Brotherhood of St Laurence (2019), *Youth Unemployment Monitor*, March 2019 [http://library.bsl.org.au/jspui/bitstream/1/11134/2/BSL\\_Smashing\\_the\\_avocado\\_debate\\_youth\\_unemployment\\_hotspots\\_Mar2019.pdf](http://library.bsl.org.au/jspui/bitstream/1/11134/2/BSL_Smashing_the_avocado_debate_youth_unemployment_hotspots_Mar2019.pdf)

<sup>25</sup> NDIA. (2018). *NDIS Employment Outcomes 30 June 2018*. Available: <https://www.ndis.gov.au/about-us/data-and-insights/reports-and-analyses/employment-outcomes-participants-their-families-and-carers>.

<sup>26</sup> Federal Department of Social Services. (2019). *NDIS Participant Employment Taskforce Terms of Reference*.