



Campaign Mythbusting FACT Sheet

Below are a series of statements released by the Minister for Disability Services or FACS which have been identified as inaccurate. Following each statement is the accurate interpretation

The NSW Government has provided \$10.6 million over 3 years for advocacy providers until 30 June 2018 and \$1.5 million in additional funding specifically to assist advocacy organisations transition to the NDIS.

\$10.6 million has been provided to a range of organisations in order to conduct capacity building activities to assist people with disability living in NSW to transition to the NDIS. These funds have been to provide activities additional to “business as usual” of the ADHC advocacy, information and peaks program. This funding and associated activities conclude on 30th June 2018.

\$1.5 million was provided through NCOSS to facilitate a sector development program called “Skilled to Thrive” with goals of supporting organisations look at business opportunities in the NDIS through the IFP and the CICD program (ie registering as Providers to conduct Support Coordination and/or grant opportunities under the ILC pillar of the NDIS.) This funding also ceases in June 2018.

Further, the NSW Government provided an additional \$1.7 million to existing disability advocacy services to meet extra demand during the NDIS transition.

These funds were paid up front for use over a two year period finishing on 30 June 2018.

Next year (July 2018) the Federal Government will take full responsibility for the provision of services on behalf of people with disability who have entered the NDIS.

From 1 July 2018 for people with disability living in NSW will access care and support needs through the NDIS.

There are two components to the Scheme – Neither of these programs will fund the activities of individual advocacy or representation.

1 Individual funded packages (IFP)

Importantly, people with disability who transition to the NDIS will also have the choice to utilize any specific advocacy supports they may require within their NDIA plan.

Support Coordination –
is a fundable item in a participant’s IFP



Taken from: NDIS March 2017 | Support Coordination: Information for providers

'Support co-ordination is a capacity building support to implement all supports in a participant's plan.' It is to allow 'people to get assistance to understand and implement their plans and find relevant services and supports to achieve their goals'

What activities doesn't a support coordinator provide?

'Support coordinators optimise the flexibility in the core supports to implement the plan and do not make a judgement about the adequacy of the plan and do not make requests for an unscheduled plan review on behalf participants.

For most participants, the need for support coordination is expected to decrease as capacity is increased.

For this reason, support coordinators are **not funded to provide:**

- participant transport
- plan administration
- plan management
- support rostering
- **advocacy**
- disability supports'

In addition, only **38% of plans currently include support coordination (COAG NSW NDIS report Sept 2018.)**

2 Information Linkages and Capacity Building (ILC) will provide capacity building activities to support individuals to access mainstream services and supports.

At full scheme, the Federal Government will provide around \$120 million each year for Information, Linkages and Capacity building (ILC), which will include advocacy support for people with disability.

The ILC funds will predominantly cover the cost of the Local Area Coordinators, and some selected capacity building projects. **Grant Opportunity Guidelines for ILC grants Oct 17 (section 4.2, pg 13)**

clearly state that 'there are some activities we won't give grants for... such as policy advice, **advocacy** or operational costs, or that **provide individual, legal representation or systemic advocacy.**' These grants are time limited, one or two years and are project based grants.

NDIA ILC Commissioning Framework Page 20/21 also states:

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“Policy advice - We will not fund organisations to provide policy advice – that does not fit into the Activity Areas described in the ILC Policy.”

“Advocacy - Some activities that advocacy organisations currently do, including providing information, or education and capacity building, or support for decision making, fit into the Activity Areas described in the ILC Policy. Advocacy organisations will be welcome to apply for ILC funding to deliver activities that fit into these areas – just like any other organisation. Because of our focus on user-led organisations, we will particularly prioritise applications from self-advocacy or peer advocacy organisations.

We will not fund individual or systemic advocacy in ILC.”

It has been agreed by all Governments that systemic advocacy and legal review and representation will be funded outside of the NDIS. This will continue to be available to people with disability through Commonwealth funded programs such as the National Disability Advocacy Program (NDAP). In August 2017 the Commonwealth Government announced \$60 million in funding for the NDAP and other disability advocacy services.

Federal Department of Social Services administers three programs relevant to this statement and totals \$60 million over a two and a half year period to June 2020. These funds (other than the NDIS Appeals fund) are not growth funds at all, but a continuation of current funding streams.

1. The DRO (Disability Representative organisations) which is funding a small program of \$1.7 million for National peak organisations. A competitive tender was released in September 2017.
2. NDIS Appeals program which is funded separately through direct funded organisations (a small selection of NDAP providers) to provide support to people with disability if they decide to appeal their NDIS plan.
3. The NDAP program (National Disability Advocacy Program). Organisations currently funded under this program have had their funding extended until June 2020. There is no opportunity for non funded organisations to apply to this program, and no additional funding has been added to take account of the loss of state based advocacy services

The NDAP Program is not equitable across the NSW. There are a number of geographic regions where people with disability will not be able to access individual advocacy support as the NDAP program doesn't fund any organisation to cover these areas:

- Yass Valley Shire
- Upper Lachlan Shire

Others to be added



Further to this, the NSW Government continues to provide funding to a number of advocacy organisations including the NSW Council of Social Service, which people with disability can access. These are all groups that have a role in both individual and policy advocacy for services the NSW Government will continue to have responsibility for in the future.

NCOSS has called for the NSW Government to continue the funding of the advocacy, information and peaks program in its 2017 Pre Budget Submission as they strongly support the need for the program to continue as it will support the work they do in the systemic advocacy space. NCOSS does not provide individual advocacy services.

Support for maintaining independent advocacy services:

Productivity Commission report on Disability Care and Support 2011

- a. "Individual and systemic advocacy should continue to play an important role in the disability sector under the NDIS, and should be sufficiently funded to do so. In order to ensure its independence (from the NDIA) and effective provision, advocacy should be funded by FaHCSIA and from state and territory governments." Page 471.
- b. "Thus, the NDIA should not directly fund advocacy." Page 525
- c. RECOMMENDATION 10.4 "The Australian Government, through the Department of Families, Housing, Community Services and Indigenous Affairs should continue to provide funding for general advocacy by non-government organisations, with no involvement by the National Disability Insurance Agency in this funding role. **State and territory funding of disability advocacy groups should continue.**" Page 525

National Disability Insurance Scheme Act 2013

Section 4

(13) The role of advocacy in representing the interests of people with disability is to be acknowledged and respected, recognising that advocacy supports people with disability by:

- (a) promoting their independence and social and economic participation; and
- (b) promoting choice and control in the pursuit of their goals and the planning and delivery of their supports; and
- (c) maximising independent lifestyles of people with disability and their full inclusion in the community.

Disability Reform Council (DRC) agreed in April 2015 that "the NDIS will fund decision support, safeguard supports and capacity building for participants, including support to approach and interact with disability supports and access mainstream services". Note - This is not equal to independent advocacy and there is no agreement between jurisdictions that NDIS-funded supports are equivalent to independent advocacy or that the Commonwealth would remain the only funder of independent advocacy.

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NDIS National Quality and Safeguarding Framework

“The funding of advocacy is clearly identified as a separate component in the Framework to building capacity, decision-making support and safeguard supports. They are not seen as equivalent activities or functions.”

Productivity Commission Report 2017

“Disability advocates also play an important role and help participants in a way that NDIS supports cannot. They can help participants get better plans, find supports, navigate the new scheme with its new jargon and complexities, and provide systemic advocacy about difficulties faced by people with disability. However, many State and Territory Governments have reduced or ceased funding for disability advocacy — rolling it into NDIS funding of supports instead. As advocacy remains important over the transition period, the Commission recommends that funding be restored by jurisdictions that have ceased or reduced funding, and data collection and evaluation of disability advocacy be increased.” Pp39-40