



Activating Citizenship

A Social Inclusion Approach for Disability in South Australia **Communique**

Background

In December 2009, the South Australian Social Inclusion Board (SIB) was asked by the Premier to develop a reform plan - a Disability Blueprint to set the future direction for the way people with disability, their families and carers are supported in South Australia.

In July 2010, the Social Inclusion Board released its discussion paper *Activating Citizenship – A Social Inclusion Approach for Disability in South Australia*. The Board's Discussion Paper identified three areas of focus:

- Area 1: Dignity, Rights and Protection
- Area 2: Enabling Communities
- Area 3: Shifting the Focus from Bureaucracy to Citizen.

Blueprint Community Engagement

The release of the Discussion Paper marked the start of the Social Inclusion Board community engagement process, which included six metropolitan community meetings and ten regional meetings across the state. The community engagement process also included an online and phone survey. Additional consultations took place to engage with Aboriginal South Australians and Culturally and Linguistically Diverse (CALD) communities.

The Community Engagement Process concluded on 21 September 2010. In total:

- 578 people attended Community Meetings held in metropolitan and regional South Australia;
- 1236 people participated in the Social Inclusion survey, either on-line or through the phone-in; and
- 120 formal submissions were received from organisations and individuals.

Blueprint Advice Development

During January and February 2011, the Social Inclusion Board convened and chaired four panels to support the Board to develop advice on a number of future directions to guide disability reform. These Panels were:

- Advice Development Panel 1 - Legislation and Rights Enforcement (Chair: Dr Lorna Hallahan);
- Advice Development Panel 2 - Service Delivery, Development and Design (Chair: Ms Margaret Wagstaff);
- Advice Development Panel 3 - Community Access and Inclusion (Chair: Ms Mary Patetsos); and
- Advice Development Panel 4 - Advice from Aboriginal South Australians (Chair: Audra Cooper, Social Inclusion Unit).

The Board impressed the need for each Advice Development Panel to be comprised from a broad range of key stakeholders. Careful consideration was given to ensuring the profile of each sub-group comprised government, non-government and private sector stakeholders. The panels also included people with disability and carers, several of whom participated in the Social Inclusion Community Engagement Process.

Panels 1, 2 and 3 met three times each in the months of January and February 2011 to develop their advice around some key Blueprint Directions to be presented to the Social Inclusion Board. Panel 4 met for one longer session in late February to review all the advice provided by the three panels in order to assess their appropriateness for Aboriginal South Australians. In addition, the Social Inclusion Unit consulted further with people with disability at Orana, Minda, Strathmont, Bedford and Highgate to seek their views on each Panel's finalised directions.

A Statement of Vision and a Summary of Directions developed by each Panel is provided in this Communiqué. Panel Membership is also attached.

The following Communiqué comprises the vision and the advice provided by each panel to the Social Inclusion Board. It does not comprise the final recommendations.

The Social Inclusion Board and the Social Inclusion Unit wish to express their thanks to all panel members for their time, expertise and discussion through the advice development process.

Aboriginal Advice Development Panel

Vision

Across rural, regional and metropolitan South Australia, Aboriginal people with disability, their families and carers require programs, services and resources that can assist them in achieving and aspiring through their own decision-making capabilities.

Specialist and universal services used by Aboriginal people with disability and their families must be provided through a rights-based model and accordingly developed in the spirit of the United Nations Convention on the Rights of Persons with Disability; the United Nations Declaration on the Rights of Indigenous People and the Convention to Eliminate all Forms of Racial Discrimination. They must further incorporate principles contained within relevant national legislation including:

- The *Disability Discrimination Act 1992*
- The *Racial Discrimination Act 1975*
- The *Australian Human Rights Commission Act 1986*

This involves developing a targeted, high quality and culturally appropriate service response across all systems including education, health, housing and specialist disability services. Services must build on the skills, knowledge and capacity of Aboriginal people and facilitate aspiration and achievement. They must be designed and delivered in a manner that is sensitive and responsive to an individual's family and cultural circumstances. Finally, they must be determined by Aboriginal people themselves and must enable people the freedom to be ambitious, creative and enabled to engage in community life on their own terms.

Rights and Legislation

The rights of Aboriginal people with disability must be enshrined in any piece of reformed legislation in South Australia. Legislative reform is required to support accessible, effective and relevant services for Aboriginal people with disability and their families. It needs to contain specific provisions that protect the rights of Aboriginal people specifically. A strong legislative foundation drives community change in attitudes.

Specialist service system

Meeting the needs of Aboriginal people, their families and community must be a focus of the overall Disability Blueprint Package. In responding, services across education, health, housing and specialist disability services - must be centred on the needs of the family and community while still retaining the authority and integrity of the individual. It must engage elements of service that acknowledges,

respects and is inclusive of culture and kin and supports Aboriginal people in all their achievements.

Input and direction from Aboriginal people must be sought in the development, design delivery, monitoring and evaluation of services and supports for all people with disability. A workforce must be skilled, educated and informed about the needs of Aboriginal people and communities with a strong emphasis on increasing and delivering Aboriginal workforce capability.

Community Access and Inclusion

Experiences of exclusion and isolation by many people with disability can be compounded for Aboriginal people by the barriers of racism and discrimination. Aboriginal people with disability have voice in the community and are actively identifying, challenging and pushing through these barriers to exercise their rights to full participation, access and inclusion. Aboriginal people with disability and their families have important skills and knowledge to contribute to community life and must be accorded the appropriate services, support and resources to do so. This premise must be built into the service culture of all organisations for full access and inclusion for Aboriginal people and their families impacted by disability. The mainstream community must follow Aboriginal leadership and advice on ways to increase these opportunities and enforce these rights.

Panel One - Legislation and Rights Enforcement

Overview

The Social Inclusion Board Advice Development Panel One convened three times during the months of January and February 2011 (19 January; 1 February; 14 February).

Panel One members discussed issues raised on:

- The Review and Reform of *South Australia's Disability Services Act 1993*; and
- Establishing Safeguards and Protections within Service Settings: Addressing the use of Restrictive Practices in South Australia.

Panel members used the first two meetings to discuss the general directions presented in each paper. The third meeting was used to provide final advice to the Social Inclusion Board in support of its vision to strengthen the dignity, rights and protection of people with disability and their families.

Statement of Vision: Panel 1

Legislative reform in South Australia adopts a human rights citizenship framework to:

- ensure social and economic inclusion (that is meaningful and productive) for people with disability in all spheres of the community life; and
- provide services and supports.

Legislative reform will embrace the eight guiding principles of the United Nations Convention on the Rights of Persons with Disability (2008) and its Optional Protocol (2009). It will further incorporate the values and principles embedded within key national major policy drivers that include:

- The objectives and outcomes within the National Disability Agreement (2009);
- The policy directions contained within the National Disability Strategy (2011); and
- The principles contained in Australia's Human Rights Framework (2010).

Legislative reform will promote strong safeguards for people with disability in all service settings. To ensure that such legislation is meaningful, the Disability Blueprint should generate whole of government and service system reform that educates, empowers and supports service providers to establish a culture that

promotes and protects the dignity of people with disability. Legislative reform must create safer service and community settings for all.

The Disability Blueprint must promote and monitor a whole of government and community inclusive model, establishing and enforcing protections for people with disability. This model will affirm the rights of people to be protected against exploitation, violence, abuse and neglect and include a focus on reducing the incidence of restrictive interventions, including seclusion and restraints across a range of service settings such as education, health and justice.

The Summary Advice presented to the Social Inclusion Board from Panel 1

Panel One provided the following advice to the Social Inclusion Board:

- The development and implementation of legislation must be underpinned by extensive public consultation. The voice of people with disability and their families must be central to any consultation processes. The Government must have a strong commitment to be accountable and respond to that voice.
- Legislative reform, first and foremost, must embrace the Principles of the United Nations Convention on the Rights of Persons with Disability. It must also align with other key international and national policy directions that are based on a human rights model.
- Through the reform of legislation, South Australia must mandate the accountability and responsibility of *all* State Government agencies, statutory authorities and local government to guarantee inclusion and access for people with disability across services, facilities and venues.
- Through the reform of legislation, South Australia must develop an independent model which has the specific purpose of inquiry, arbitration and resolution of complaints or issues of neglect and abuse of people with disability.
- Through the reform of legislation, as well as capacity building amongst service providers, South Australia must enforce protections and safeguards for people with disability in order to reduce and eliminate the use of restrictive practices.
- Through legislation as well as cultural change, underpinned by effective capacity building and monitoring activity, South Australia must enforce safeguarding and protection through personalisation as a key part of system and service reform, (including self directed support and

rehabilitation), strengthening citizen's capacities and the prevention of crisis.

- South Australia must promote evidence-based policy and programs as a key way in which to strengthen enhanced rights for people with disability in the community.
- The development and implementation of any reformed legislation must include an 'impact statement'. The State Government should apply a 'disability lens' to all strategic policies, such as the South Australian Strategic Plan, as is done across the health policy process.
- South Australia should nominate a Thinker in Residence in the area of Disability Reform.

Panel Two – Service Delivery, Development and Design

Overview

The Social Inclusion Board Advice Development Panel Two convened three times during the months of January and February 2011 (25 January; 16 February; 21 February).

Panel Two members discussed issues raised on:

- Building a Contemporary System of Inclusion and Support for People living with Disability;
- Promoting Regionalised Responses to People Living with Disability in Rural and Regional South Australia through a Local Area Coordination Model;
- Strengthening Personalised Models of Support through an Individualised Funding Model; and
- Building Early Intervention into our Services in order to Prevent Crisis and Promote Long-Term Planning.

Panel members used the first two meetings to discuss the high level directions presented in each paper which aligned to the areas above. The third meeting was used as an opportunity for Panel Members to discuss the overall direction and advice to be provided to the Social Inclusion Board.

Statement of Vision: Panel 2

As citizens, people with disability have voice and choice in a contemporary service system. In a contemporary service system, all people with disability are recognised as having inherent value as citizens of our community and our community is committed to ensuring that they participate as full and active citizens. A contemporary service system must uphold the rights of people with disability, their families and carers, as well as support them to fulfil their responsibilities as active citizens who aspire, achieve and contribute to all spheres of community life.

South Australia's system of support for people with disability recognises and ensures an entitlement to services, in accordance with the Government's responsibility as a signatory to the United Nations Convention on the Rights of Persons with Disability (UN CRPD) and under the obligations cited under other relevant legislation.

In the spirit of the UN CRPD and relevant legislation, all services (whether they are specialised or universal) uphold a rights-based model and aim to facilitate

supported independent living, participation and inclusion in the broader community for all people with disability, regardless of the severity or type of impairment.

In a contemporary service system, all services – whether they are delivered by government or NGOs, and whether they are specialised or universal (for example, transport, education, recreation) are accessible to people with disability on the same basis as all other citizens. They must foster and support aspiration and achievement for people with disability, as well as awareness amongst the broader community about the needs, aspirations and contribution of people with disability within the community.

Achieving these goals will require that services are designed and delivered across sectors in a seamless and timely manner that meet an individual's needs throughout all points of their life-course and that consider an individual's needs and circumstances as well as their impairment.

The Summary Advice presented to the Social Inclusion Board from Panel 2

The Social Inclusion Board Advice Development Panel Two provided the following advice to the Social Inclusion Board:

Building a Contemporary Disability System

The Government has a responsibility to ensure that the social and economic needs of people with disability are met through providing a contemporary disability system that is adequately resourced, accessible and equitable. A contemporary disability system should:

- Place people with disability and their families at the centre of the system and at the heart of our community, so that they have 'voice and choice' in determining and directing the services they receive.
- Aim to promote and protect the rights of people with disability as well as their families and carers, in line with the principles of the UN CRPD.
- Promote and support an integrated whole of government service response that links people with disability and their families into the broader service system. It must further support local communities to foster better participation outcomes for people with disability. It should promote, facilitate and support innovative partnership models to meet the needs of people with disability and their families.
- Provide recurrent and additional resources to: (a) meet the needs of people living with disability for the long term as well as during crisis periods, and do so across all points of their life span; and (b) develop models of support that are:

1. self directed and personalised in nature, and therefore responsive to a person's aspirations, individual and cultural needs and circumstances;
 2. person and family-centred in their approach;
 3. localised, timely and flexible in their responses;
 4. premised on principles of capacity building, early intervention and long-term planning; and
 5. anchored within all areas of our community.
- Attract and retain a high quality and committed workforce that is supported, resourced and enthusiastic in its work for and with people with disability, their families and carers.

Personalised Responses – Individualised Funding

- A personalised service system means that services are designed around individuals; it should be responsive to unique circumstances and individual needs and enable individuals to achieve in all areas of their lives.
- Individualised funding is one way to support services to be more personalised. South Australia should support a model of individualised funding that enables people with disability who choose this model to be able to decide how their funding allocation is spent on their behalf. Within an individualised funding paradigm, people should have a comprehensive range of options about the level of control they have around managing their own funding.
- Any model of individualised funding should contain a range of training and capacity building options for people with disability and their families to ensure they have the support, skills and knowledge to gain the benefits that such a model can deliver.
- In implementing an individualised funding model, the South Australian Government must work actively to build partnerships with NGOs that:
 - a) identify and manage any changes to risks that may be implied through this model, as well as enhance opportunities that may be generated through this model; and
 - b) build the capacity and skills of this sector to ensure that such a model generates the best service outcomes for people with disability and their families and carers.

Local Responses for Regional Areas

- South Australia should support the establishment of a Local Area Coordination (LAC) Model that focuses primarily on: (a) building capacity within the community to provide support and deliver inclusion for people with disability; and (b) assisting and supporting people with disability to

engage as active citizens with their local communities and draw from the natural supports available.

- LAC should not be understood as the retreat of government responsibility or an alternative to specialist disability services. Instead, it should be developed as a model which supplements the specialist system by providing information, support and planning tools, advocacy and navigation for individuals with disability and their families as well as stakeholders within the community that ultimately deliver authentic participation and community membership.
- A LAC model must be based on stronger partnerships between government, NGOs and other stakeholders within the community.
- LAC will require additional and recurrent funding in order to be successful for individuals with disability and their communities as well as sustainable in the long term.

Early Intervention

- A specialist Disability Service System must facilitate strong and early intervention and investment into the service system so that people are assisted to retain and build capacity in support of ordinary valued lives.
- Specialist disability services must support people with disability to access mainstream and broader community supports in a proactive and timely manner. This will be important to strengthen the culture of early intervention across specialist disability services.
- South Australia needs to develop an Early Intervention Plan in response to the COAG National Framework and Early Intervention and Prevention Work Plan that was endorsed by the Minister for Disability in June 2010. This Plan needs to reflect the entitlement to service and supports of people with disability and their families.
- Implementation of an Early Intervention Plan will require additional resources into the system, including alternative funding pathways for individuals with disability and their families and new innovative programs.
- An Early Intervention response requires that a person's needs must be understood, not in terms of the severity of the person's impairment per se, but also in terms of the degree of impact that the impairment has on their day to day activities; in this way, early intervention responses must actively recognise and draw from other resources that are available to the person.

- At an operational level, promoting early intervention responses requires new models and programs. This should include: (a) research and support, with an emphasis on economic modelling and a commitment to the long-term evaluation of early intervention responses for people with disability and their families; (b) alternative funding pathways to assist people with disability to have more choices around where and how they live within community settings in a safe and supported manner; and (c) alternative funding pathways that enable families and carers to access flexible and timely support that move beyond our current focus on respite.
- There needs to be a strong emphasis on building capacity within all services and supporting service providers to promote early intervention responses anchored upon strong person-centred and family-centred values. Supporting all services to build a strong early intervention approach requires engagement with people with disability and their families around their needs and aspirations, within the context of ordinary valued lives. Such activity should not: (a) place pressure on families and carers to provide sole care and responsibility; and (b) assume that families and carers always speak on behalf of individuals with disability. In this context, carers need to be recognised as a partner in service delivery and support, whilst preserving the integrity, independence or authority of the person with disability.

Panel Three – Community Access and Inclusion

Overview

The Social Inclusion Board Advice Development Panel Three convened three times during the months of January and February 2011 (24 January; 8 February and 18 February).

Panel Three members discussed the issues of:

- Enabling Local Communities through Disability Access and Inclusion Plans; and
- Raising Awareness, Celebrating Diversity: Shifting Community Attitudes to Promote Participation.

Panel members used the first two meetings to discuss the general directions presented in each paper. The third meeting was used to provide final advice to the Social Inclusion Board in support of its vision to strengthen the dignity, rights and protection of people with disability and their families.

Statement of Vision: Panel 3

Inclusive communities facilitate citizenship through fostering social, cultural and economic inclusion for people with disability and their families. Such communities provide friendship, mutual support and a “fair go.” All people with disability - regardless of the type or severity of their impairment - are included in community life on their own terms and are guaranteed equal opportunities and choices with regards to accessing the services and spaces that forward this objective.

Within an inclusive community, promoting access and inclusion for people with disability and their families requires a response from everybody. No longer can disability be solely understood as the responsibility of specialist disability services. Achieving inclusive communities requires whole of government and community action. Organisations within community – including business, government and not for profit groups must proactively plan to ensure that disability access and inclusion outcomes are being achieved for people with disability and their families in all spheres of life.

Developing inclusive communities requires raising awareness, promoting knowledge and encouraging attitudinal and behavioural change amongst all community stakeholders about:

- the barriers people with disability face;
- the ways we as a community can facilitate participation: and

- the benefits that will be produced through improved participation in social, economic and cultural spheres.

The Summary Advice presented to the Social Inclusion Board from Panel 3

The Social Inclusion Board Advice Development Panel Three provided the following advice to the Social Inclusion Board:

A “Participation Strategy” and “Access and Inclusion Plans,” should be developed to ensure that South Australia has mechanisms to guide and inform collective and organisational action that will promote improved participation outcomes for people with disability in all areas of community life.

Participation Strategy

- The South Australian Government should lead, facilitate and contribute resources to a “Participation Strategy” that contains an overarching vision of what an inclusive community looks like. People with disability and their families must be central to informing this vision and in designing the initiatives that sit underneath it to ensure that their lived experience is reflected.
- A “Participation Strategy” should be framed by a series of high level principles that are contained in the United Nations Convention on the Rights of Persons with Disability (UN CRPD) and that acknowledge the diversity of people with disability. These principles must also be clear, simple and reflect values that are important to people with disability and their families as well as other stakeholders within the community.
- A “Participation Strategy” must highlight the key leadership role that State and Local Government will play in resourcing, coordinating and facilitating a range of strategic partnership initiatives between different organisations - such as business, government and community - that aim to raise awareness and encourage attitudinal and behavioural change amongst all citizens that supports better participation outcomes for people with disability and their families.
- Such partnership initiatives must have a strong focus on raising awareness amongst individuals and organisations within the community about the strengths, abilities and contribution to community life that people with disability make on a daily basis. This is critical to fostering deep and broad-based social inclusion that will enable people with disability and their families to experience, enjoy, aspire and achieve within the arts, recreation, cultural activities and sport as well as education and employment.

Access and Inclusion Plans

- A second and separate mechanism to deliver improved participation outcomes for people with disability and their families is through the development of “Access and Inclusion Plans.” Such Plans should replace current reporting requirements, (such as Local Government Disability Action Plans and the State Government’s Promoting Independence Strategy), and support State and Local Government, Statutory Authorities, as well as businesses and other organisations in the community, to make their services, premises and spaces accessible, inclusive and open to people with disability and their families.
- The key purpose of an “Access and Inclusion Plan” is to ensure that organisations identify and implement activities and initiatives within their core business which are accessible to and inclusive of all members of our communities. These Plans should therefore be developed and monitored to ensure that services, venues and facilities and spaces are accessible to and inclusive of people with disability and their families.
- These plans must be guided by principles of the UN CRPD and outcomes and objectives of the National Disability Strategy. While plans need to align to these broad objectives and principles, they must allow individual organisations flexibility to identify and develop activities that reflect their core business and may have been identified through local consultation and planning.
- The development of “Access and Inclusion Plans” must be promoted through collaboration between a range of community stakeholders in partnership with people with disability and their families. Emphasis must be placed on ways to facilitate attitudinal and behavioural change amongst individuals and organisations that will ultimately lead to better participation outcomes for people with disability and their families.
- “Access and Inclusion Plans” must be enforced and promoted in different ways according to the resources and capacity of different organisations. For example, such plans must be legislated for State and Local Government and Statutory Authorities. Legislating plans will require strong and consistent compliance mechanisms that extend across all State and Local Government and statutory bodies.
- There should be a requirement for major contractors and service providers to develop “Access and Inclusion” plans as part of their government tenders or contracts.
- The State and Local Government must play a strong leadership role in promoting “Access and Inclusion Plans” across non-government organisations, including private enterprise. In addition, the State Government must work in partnership with the Local Government Association (LGA) to support capacity building amongst local governments to facilitate access and inclusion outcomes for people with disability.
- Reviewing and monitoring “Access and Inclusion Plans” is critical so they are effective in promoting improved participation outcomes in South Australia for people with disability and their families. Each plan must

contain clear and strong guidelines about how they will be monitored and reviewed. People with disability and their families must have a key role in developing these guidelines and must be compensated for their expertise. Clear and consistent information about how these plans are to be implemented is important if they are to be taken up successfully across the community.