

Inquiry into the implementation, performance and governance of the National Disability Insurance Scheme in the ACT

LEAD – Case Studies

As mentioned in LEAD's formal submission by our president Glenn Cocking, this submission will provide three quick case studies that highlight some issues we have had with the implementation of the NDIS

Social procurement success – issues recruiting new employees

LEAD, with the assistance of the ACT government through Michelle Frost, worked together for over 5 years promoting the advantages of social procurement for ACT government agencies. This work has been incredibly successful, much to the credit of the ACT public service and their staff, leading to a dramatic increase in the amount of contracts and work offered to disability and social enterprises in the ACT. This is great news for people with disabilities looking for work as we have over 30 positions currently vacant ready to be filled. The NDIS is now the biggest and only roadblock stopping people working in our ADE.

- Out of approx. 6000 NDIS participants in the ACT there are 200 with ADE funding in their plans – 80 with Koomarri, 120 with LEAD – this is not enough people! NDIS is meant to be leading people to employment. Why aren't planners (and non existent LACS) contacting LEAD and Koomarri with potential workers when both organisations have plenty of positions available - uncapped!
- Planners are actually steering people away from work – for example: a worker who has been part of our ADE for 20 years was initially given zero ADE funding for the first two months of the year – and his plan now includes community support funding to go to the movies and walk around the lake with a one to one support worker – frustratingly he told us he had to leave work early to go to the movies with his NDIS funded community support worker!!! He's always gone to the movies on his own or with friends now a support worker was taking him one on one to a movie. This is a 40 year old man who has always done everything independently and worked independently with us for over 20 years being treated like a child. An example of bad planning and no consultation with his workplace from LAC or planner
- Plan errors are out of our control but how frustrating to have a long term ADE worker NOT get ADE funding in their plans - forcing families to go back and get a plan review and leaving LEAD in a precarious funding position
- We have long term ADE workers who have had plan errors in relation to their ADE funding. Distressingly we have had to cease their employment in some instances where the error has not been rectified. This leaves us open to industrial relations issues as terminating someone's work is very different to ceasing someone's funding. We have obligations and workers have rights that are clear under IR law. There is a formal process required to

terminate an employer and an error in an NDIS plan that sees someone's funding cut off is not grounds to terminate. It would be within a person's rights to say we can't terminate their employment 'because the planner forgot to put ADE funding in their plan and they now have to wait for a review' – not good enough

- There have been some very productive developments in social procurement opportunities in the ACT (as mentioned the work of Michelle Frost etc) LEAD is currently experiencing unprecedented requests from government agencies (and construction companies thanks to building boom) to take on new contracts. Patrick Nolan from TCCS already has three teams from LEAD providing horticulture services in Gungahlin. Thanks to our quality work and positive response from the community, Patrick has asked can we provide 4 more crews – that equates to jobs for 30 people. The NDIA is effectively acting as our most problematic barrier to attracting and commencing new workers. We can't wait until someone's plan or plan review is complete when Patrick wants us to start work asap! We need to be careful not to build a demand market without sorting the supply issues at the same time. This needs to occur concurrently.
- The NDIA variable service funding is not a good way of ensuring services will be open to placing people with higher support requirements. As an average amount is allocated (in LEAD's case about \$9000) why would we take on someone with higher support needs who traditionally would have been funded at \$15,000 – there's no incentive for us to work with people who need the extra support
- The NDIA variable service funding means that people need to have identified their employment service prior to attending their planning meeting as the rate for each service is different. Funding should be available in case the person finds a suitable ADE placement. ADE's need to have access to a pool of workers when opportunities arise. Employment funding could be in all plans so when a need arises we don't have to wait for plan reviews. In the ACT the current wait for a plan review is upwards of three months. By then opportunities would have passed us by.
- Not everyone can do, or wants to do horticulture (for example) – people are different so it's no good sending us someone with ADE funding if they don't 'fit' the work we have on offer – this means planners need to know more about LEAD and Koomarri and the jobs we have going

Individual case study

Mary has worked for LEAD for 15 years. In the wording of her plan it stated that ongoing employment was a goal but there was no funding allocated in the plan for employment. Mary's mother rang the NDIS every day, then resorted to going into the office every day, finally contacting her local member before finally getting a plan review which took 8 weeks to complete

Individual case study

John lives at home alone and has limited communication with his mother. He is socially isolated and at risk of homelessness. He has worked for LEAD for many years but he had not had a plan done – LEAD asked John if he had been contacted by the agency and he said he hadn't. By now LEAD was providing employment support to John with no funding. We took John to the NDIS and he was promised someone would call him – I explained John was very socially isolated and was reluctant to answer the phone – they said the best they could do was have someone call him – they couldn't give a date or time. We couldn't make the meeting in person it had to be done over the phone. John then gave LEAD a pile of letters from the NDIS saying "They keep sending me these" – We took him back to the NDIS office and they once again said they'd call him. This issue has still not been resolved and John still has not had a plan done.