

# VOLUNTEERING *and* CONTACT ACT

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## Volunteering and Contact ACT

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

March 2018

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Volunteering and Contact ACT acknowledges the Ngunnawal people as the traditional custodians of the Canberra Region. Volunteering and Contact ACT pays respect to Aboriginal and Torres Strait Islander peoples, and their vital ongoing contribution to the Canberra Region.

Volunteering and Contact ACT acknowledges the contribution of the volunteers and volunteer involving organisations that contribute to the health and happiness of our city. Volunteers include people with all abilities and from all cultures. Their skills, expertise, and time are critical to delivering services and programs, and in making Australia a better place to live.

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## Overview

Volunteering and Contact ACT (VCA) welcomes the opportunity to provide input to The Standing Committee on Health, Ageing and Social Services' inquiry into the implementation, performance and governance of the National Disability Insurance Scheme (NDIS) in the ACT. This submission will focus on two aspects of the Terms of Reference: supports for people with psycho-social disabilities, and the unique factors relating to the provision of disability services affected by the implementation of the NDIS in the ACT.

VCA is the peak body for volunteering and community information in the Canberra Region. VCA has a vision of an engaged community, enriched by volunteering, participation and knowledge. Through our services and programs, we foster community networks and undertake research, advocacy, projects, training, and events.

VCA is a people-driven, service-focused organisation that represents the interests of 185 members. VCA writes this submission as a peak body for members who are delivering services under the NDIS, and as a service-provider through our own Information, Linkages and Capacity Building Program *Connections*.

## Background Information

Volunteering spans every aspect of Australian life, with an estimated 43.7 per cent of adult Australians volunteering each year.<sup>i</sup> These volunteers gave a total of 932 million hours in 2015-16, at an economic worth of over \$31 billion.<sup>ii</sup> In the ACT nearly four in ten people volunteers, contributing an estimated \$1.5 billion to the ACT economy annually.<sup>iii</sup>

For every \$1 invested in volunteering there is a \$4.50 return to the community.<sup>iv</sup> Economically, the return on investment in volunteering is exponential over time, and delivers tangible outcomes that government and private sector services would not be able to achieve in isolation.

In addition to the economic benefits generated through volunteering, it also delivers significant social and cultural benefits. Volunteers play a pivotal role in creating connected, diverse, and inclusive communities. With the highest rate of volunteering in the country, the ACT benefits

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tremendously from the work of volunteers who contribute to the health and happiness of the Canberra community.

The Australian population amounts to just over 23 million people and over 4 million, or 18%, present as having a disability.<sup>v</sup> Of these 4 million people, 1.3 million report as having a profound or severe disability.<sup>vi</sup> In 2010-11, 82% of disability service providers were in the non-government sector.<sup>vii</sup> Nationally, almost 50% of people with a disability in Australia live in or near poverty, which is more than 2.5 times the poverty rate experienced by the rest of the population. Further, Australians with a severe disability have sub-standard outcomes on every indicator of community participation and wellbeing.<sup>viii</sup>

Data from the Australian Bureau of Statistics (ABS), and other complementary reports such as the *How Australia is Faring report*, note that participation and wellbeing indicators for people with a disability have not seen significant progress in decades. For example, employment of people with a disability remained at the same rate over three successive ABS General Social Surveys.

Since the introduction of the NDIS there has been great uncertainty about the involvement of volunteers in disability support services. In 2006 there were approximately 155,000 voluntary workers who provided 15.7 million hours of assistance in the disability sector across Australia.<sup>ix</sup> Based on estimates of the economic value of volunteers, these figures equate to between 3000 – 8000 full time employees.

This submission will explore the role that volunteers play in delivering disability support services, and the participation of people with psycho-social disabilities in volunteering. The submission serves to highlight the experiences of VCA's members who are delivering services under the NDIS, and who work with volunteers and clients with disabilities.

## Supports for people with psycho-social disabilities

One of the challenges presented by the implementation of the NDIS was the availability of support for people with psycho-social disabilities (PSD) who were not participants of the Scheme. By nature, people with PSD have fluctuating support needs; however, the NDIS was not designed to cater for people who need to transition in and out of the Scheme at different points in time. As a result, people with PSD have experienced difficulties accessing services in a timely manner. This

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has been exacerbated by the transition of previously block-funded services such as Partners in Recovery and Personal Helpers and Mentors to the Scheme.

Feedback from members providing services under the NDIS has been that conflating information has added significant confusion for participants, their families, and carers. Participants are often told different things by different people, and there is not always consistency between plans. Seemingly arbitrary decisions have been reported to have been made during the review process for many people who have seen a reduction in the value of their plans. Members have reported that their clients have expressed heightened anxiety over managing their plans. This includes participants who have outsourced the management of their plan to a third party.

Due to the services gaps created in the transition to the Scheme, the ACT Government continued to fund some mental health services until Information, Linkages and Capacity Building (ILC) funding recipients were announced in late 2017. The NDIA instituted new service requirements such as new data collection and reporting requirements. Some participants of VCA's ILC funded Connections Program reported feeling uncomfortable with the new ILC reporting requirements, as many do not currently have an NDIS package. Irrespective of whether people are receiving an NDIS package they are still required to disclose personal information to be eligible for assistance through the Connections Program. Explaining the new requirements was resource-intensive, and diverted attention from the purpose of the Program: to facilitate 'buddy' relationships to provide one-on-one social support for mental health consumers experiencing isolation. VCA members delivering similar services also reported that the new, more stringent, reporting requirements placed a strain on their programs.

It is our experience, and the experience of our members, that the Scheme did not adequately consider the specific and unique needs of people with PSD. As a result, the Scheme has inadvertently created service gaps that have disproportionately affected people with PSD.

## Unique factors relating to the provision of disability services affected by the implementation of the NDIS in the ACT

Volunteering and Contact ACT holds regular Volunteering and Mental Health roundtable meetings for volunteer involving organisations that provide services for people with PSD. Many of these organisations provide volunteering opportunities for people with lived experience, as well as providing service delivery. When asked what challenges and opportunities the implementation of the NDIS had delivered, the feedback from the members of the roundtable was as follows:

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- Organisations noted that their Commonwealth Government funding agreements required them to undertake National Police Checks. Under ACT legislation, organisations delivering 'regulated activities' are required to have their volunteers and employees undergo a Working with Vulnerable People check. VCA made investigations with the federal government about background checking requirements for staff working with mental health consumers, but was unable to get a firm answer. This ambiguity is problematic for organisations because there is no model of practice for what constitutes adequate background checking. This results in costly and unnecessary duplication for organisations, and is a deterrent for prospective volunteers.
- The Working with Vulnerable People Scheme has been oversubscribed in the ACT, resulting in lengthy delays for people obtaining a card. This has affected mental health consumers who are sometimes required to disclose personal information about prior offenses that may be a trigger for them. Our members have reported that some of their volunteers and clients with PSD have opted not to participate in programs or volunteering due to fear of the process of obtaining a WWVP card.
- One member noted that it took almost 12 months to receive clarification from the ACT Government about a potential breach of the WWVP Act by one of their volunteers. The organisation reported that they were not provided adequate advice on what risk management procedures to implement during the investigation process and were forced to stand the volunteer down pending the result of the investigation.
- Volunteering and Contact ACT has received numerous requests for volunteers to assist where a participant's package has been exhausted but they are still in need of care and assistance. These requests have increased following the first review of packages, where the total value has been reduced compared with the previous year. This is of particular concern for people with PSD, because they may not need their entire package one year, but may need additional supports in subsequent years. Members have also raised this issue, noting that their clients with PSD are worried that if they do not use the entire value of their package, the value will be reduced on review. The nature of PSD means that consumers will invariably need different levels and intensities of support throughout their lifetime.
- There are continuing issues with access to psychologists and psychiatrists in the ACT. Members report that their clients are travelling to Sydney to see health professionals as the wait times in the ACT are unfeasible. These wait times are not

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exclusive to mental health professionals, with members reporting that other specialist health services are experiencing 12-24 month wait times.

- Advocacy is a continuing service gap. Despite acknowledgement that community services and volunteer involving organisations will likely be required to fill service gaps, there has been no increase in funding to reflect this. Of those organisations still providing consumer advocacy, they are predominantly advocating on challenges in the NDIS, including working with people whose packages have been reduced during their annual review.

One of the overarching pieces of feedback from VCA members is the intersection of the NDIS with other areas of government service such as transport and health. Whilst it was never the intention of the Scheme to duplicate or replace services delivered by different agencies, in reality the intersection of services has resulted in significant and pervasive service gaps. For example, members have noted that the transition from block-funded community transport to cost-per-kilometre has been “almost impossible to manage.” Services still providing community transport, of which there are few, have identified that the mounting costs of transport provision are unsustainable and it is likely they will cease providing transport services in the near future. The ACT’s public transport system is not capable of meeting the individual needs of NDIS participants, and whilst transport technically falls outside the Scheme, participants are being adversely impacted by availability of appropriate transport mechanisms. As more community transport services shut down, these impacts will be felt more severely by people with a disability.

Whilst VCA and other service providers acknowledge that the Scheme is not meant to encompass transport and rapid response health services, for example, our experience has been that the lack of continuity and communication between services is causing significant distress and other repercussions for those affected.

In a 2016 submission to the ILC Commissioning Framework Consultation, co-authored by VCA and Volunteering Australia (VA), attention was drawn to the risk that the NDIS could result in the exploitation of volunteers.<sup>1</sup> The submission noted that the transition to a fee-for-service model under the NDIS may lead to organisations ‘cashing out’ a volunteer’s time to paying participants. It is VCA’s continuing position that any such use of volunteers is unethical and exploitative. In our research for this submission, members of our Volunteering and Mental Health Roundtable noted

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<sup>1</sup> Volunteering and Contact ACT and Volunteering Australia (2016) *Submission to the ILC Commissioning Framework Consultation*, available online at [https://www.volunteeringaustralia.org/wp-content/files\\_mf/146189326722Apr2016VASubmissiontoNDIAILCFrameworkConsultationFINAL.pdf](https://www.volunteeringaustralia.org/wp-content/files_mf/146189326722Apr2016VASubmissiontoNDIAILCFrameworkConsultationFINAL.pdf)

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that they were aware that some providers continue to exploit volunteers in this way, charging the NDIA for the services volunteers provide for free. VCA is concerned that the replacement or supplementation of paid workers with volunteers is not only unethical, but unsustainable. Further, deploying volunteers in paid positions is in contravention of Fair Work regulations.

Finally, we continue to advocate for NDIS pricing structures and ILC funding to account for the costs involved in managing volunteers. The Productivity Commission found that the paid workforce would need to double to 160,000 workers to cater for the needs of the NDIS.<sup>x</sup> If the disability workforce is to meet the needs of people with a disability there will always be a requirement for the involvement of volunteers. Volunteer involvement should always be safe, supported, and sustainable. In the absence of adequate resourcing for the management of volunteers there is a heightened risk that volunteers or service users may be injured or otherwise affected. It would be prudent to consider how the NDIS can adequately fund volunteer management costs to ensure that volunteers are protected in the workplace.

## Conclusion

As identified above, the implementation of the NDIS in the ACT has been fraught with difficulties for people with psycho-social disabilities. Volunteer involving organisations who provide services to mental health consumers and engage volunteers with lived experience have been severely impacted by the Scheme in various ways. VCA members who have been active advocates for people with a disability have noted that the Commonwealth Government is becoming more aware of the unique challenges experienced by people with psycho-social disability. Until action is taken to address these challenges the Scheme will continue to be problematic for mental health consumers, and the organisations that support them.

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<sup>i</sup> The Australian Centre for Philanthropy and Nonprofit Studies (ACNPS), Centre for Social Impact (CSI) Swinburne and the Centre for Corporate Public Affairs (December 2016) *Giving Australia 2016*, available online at <http://www.communitybusinesspartnership.gov.au/about/research-projects/>

<sup>ii</sup> Volunteering Western Australia (May 2015) *The Economic, Social, and Cultural Value of Volunteering to Western Australia*, available online at [https://volunteeringwa.org.au/assets/downloads/vwa\\_report%20book\\_web.pdf](https://volunteeringwa.org.au/assets/downloads/vwa_report%20book_web.pdf)

<sup>iii</sup> Australian Bureau of Statistics (2015) *General Social Survey: Summary Results, Australia, 2014*, available online at <http://www.abs.gov.au/ausstats/abs@.nsf/mf/4159.0>.

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- <sup>iv</sup> Volunteering Western Australia (May 2015) *The Economic, Social, and Cultural Value of Volunteering to Western Australia*, available online at [https://volunteeringwa.org.au/assets/downloads/vwa\\_report%20book\\_web.pdf](https://volunteeringwa.org.au/assets/downloads/vwa_report%20book_web.pdf)
- <sup>v</sup> Australian Bureau of Statistics (2015) *Disability, Ageing and Carers*, available online at <http://www.abs.gov.au/ausstats/abs@.nsf/0/C258C88A7AA5A87ECA2568A9001393E8?Opendocument>
- <sup>vi</sup> Ibid.
- <sup>vii</sup> Council of Australian Governments (2012) *COAG Consultation Regulation Impact Statement: National Disability Insurance Scheme*, available online at <https://www.coag.gov.au/sites/default/files/communique/National%20Disability%20Insurance%20Scheme%20-%20Consultation%20Regulation%20Impact%20Statement.pdf>
- <sup>viii</sup> PwC (2011) 'Disability expectations: Investing in a better life, a stronger Australia', available online at <https://www.pwc.com.au/industry/government/assets/disability-in-australia.pdf>
- <sup>ix</sup> PricewaterhouseCoopers draft Final Report: Planning for a sustainable disability workforce, page 1, for the Department of Families, and Housing, Community Services and Indigenous Affairs quoted in the Council of Australian Governments (2012) 'Regulation Impact Statement: National Disability Insurance Scheme' available online at, <https://www.coag.gov.au/sites/default/files/communique/National%20Disability%20Insurance%20Scheme%20-%20Consultation%20Regulation%20Impact%20Statement.pdf>
- <sup>x</sup> Commonwealth of Australia (2011) *Disability Care and Support: Productivity Commission Inquiry Report*, available online at <http://www.pc.gov.au/inquiries/completed/disability-support/report>.