

# NATIONAL DISABILITY AGREEMENT

Council of  
Australian  
Governments

An agreement between

- the Commonwealth of Australia and
- the States and Territories, being:
  - ◆ The State of New South Wales
  - ◆ The State of Victoria
  - ◆ The State of Queensland
  - ◆ The State of Western Australia
  - ◆ The State of South Australia
  - ◆ The State of Tasmania
  - ◆ The Australian Capital Territory
  - ◆ The Northern Territory of Australia

The National Disability Agreement provides the national framework and key areas of reform for the provision of government support to services for people with disabilities.

# National Disability Agreement

## INTERGOVERNMENTAL AGREEMENT ON FEDERAL FINANCIAL RELATIONS

### PRELIMINARIES

*All Disability Ministers agreed to establish a new National Disability Reform Agenda that will place people with disability, their families and carers at the centre of services across Australia. The new National Disability Reform Agenda will introduce national tools to identify service benchmarks; plan for changing needs; identify people at risk; focus on life long planning, individualised funding and better connections with other service systems; and work towards program and service delivery consistency across jurisdictions.*

1. This agreement is subject to the provisions of the *Intergovernmental Agreement on Federal Financial Relations* and should be read in conjunction with that Agreement and subsidiary schedules. In particular, the schedules include direction in respect of performance reporting and payment arrangements.
2. This Agreement has been updated to reflect the roles and responsibilities of governments (except Victoria and Western Australia) in relation to basic community care services and should be read in conjunction with the *National Health Reform Agreement*. These changes in roles and responsibilities will enable the creation of a national aged care system and a national disability services system.
3. This Agreement should be read in conjunction with the *National Partnership Agreement on Transitioning Responsibilities for Aged Care and Disability Services*, which outlines the arrangements between the Commonwealth and the States/Territories (except Victoria and Western Australia) in relation to responsibilities for aged care and disability services.
4. This Agreement will be implemented consistently with the objectives and outcomes of all National Agreements and National Partnerships and any relevant intergovernmental agreements agreed by the Parties. In particular, the Parties are committed to addressing the issue of social inclusion; including responding to Indigenous disadvantage (for example, the reform commitments provided in the National Indigenous Reform Agreement) and those commitments are embodied in the objectives and outcomes of this Agreement.
5. This Agreement has been established to affirm the commitment of all governments to work in partnership, and with stakeholders including people with disability their families and carers, to improve outcomes for people with disability and to, clarify roles and responsibilities.
6. The Parties are committed to supporting the vision of the *National Disability Strategy*, as agreed by the Council of Australian Governments, for “an inclusive Australian society that enables people with disability to fulfil their potential as equal citizens”, and to the aims of the *Strategy*, which include driving “improved performance of mainstream services in delivering outcomes for people with disability”.
7. In this Agreement, “disability services” encompasses services or initiatives specifically designed from time to time to meet the needs of people with disabilities (specialist disability services) and, for all jurisdictions except Victoria and Western Australia, basic community care services transitioned under the *National Partnership Agreement on Transitioning Responsibilities for Aged Care and Disability Services*.

8. This Agreement may be amended as necessary by the consensus of all parties.

## OBJECTIVES

9. Through this Agreement, the Parties commit to the following objective as the long-term, overarching aspiration that governments should strive for in the provision of disability services. All aspects of the National Disability Agreement contribute to, or measure progress towards:

*"People with disability and their carers have an enhanced quality of life and participate as valued members of the community."*

## OUTCOMES

10. The Agreement will contribute to the following outcomes:
  - (a) people with disability achieve economic participation and social inclusion;
  - (b) people with disability enjoy choice, wellbeing and the opportunity to live as independently as possible; and
  - (c) families and carers are well supported.

## OUTPUTS

11. The Agreement will contribute to the following outputs in support of the agreed outcomes:
  - (a) services that provide skills and supports to people with disability to enable them to live as independently as possible;
  - (b) services that assist people with disability to live in stable and sustainable living arrangements;
  - (c) income support for people with disability and their carers; and
  - (d) services that assist families and carers in their caring role.

## ROLES AND RESPONSIBILITIES OF EACH PARTY

12. All Parties to this Agreement will work co-operatively together to realise the objectives and commitments made in this Agreement.
13. The Parties commit to be accountable to the community for maximising the contribution from their areas of responsibility to achieve the outcomes of this Agreement.
14. All Australian governments are committed to their responsibilities in relation to public leadership which actively promotes the rights of individuals with disability, and encourages the community to embody these values, which are the foundation of an inclusive society.
15. It is acknowledged that the disability services which are the focus of this Agreement are complemented by mainstream services. All governments recognise that achieving improved outcomes for people with disability, their families and their carers, is contingent upon the effective coordination of efforts across government services.

## Shared roles and responsibilities

16. All Australian governments are responsible for:
  - (a) developing national policy and reform directions to meet the agreed objectives and outcomes of this agreement;
  - (b) funding and pursuing research that improves the evidence base for national policy and reform directions;
  - (c) contributing to improved continuity of care across health services, aged care and disability services to ensure smooth client transitions;
  - (d) working together to develop and implement reforms to improve outcomes for Indigenous people with disability;
  - (e) the provision of data, including a commitment to providing data for the national minimum data set and a commitment to the improvement of data; and
  - (f) implementing their respective commitments agreed under the *National Partnership Agreement on Transitioning Responsibilities for Aged Care and Disability Services* (except Victoria and Western Australia).

## Role of the Commonwealth

17. The Commonwealth undertakes responsibility for:
  - (a) provision of employment services for people with disability, which includes:
    - (i) regulation, service quality and assurance;
    - (ii) assessment;
    - (iii) policy development;
    - (iv) service planning; and
    - (v) workforce and sector developmentin a manner which most effectively meets the needs of people with disability consistent with local needs and priorities;
  - (b) provision of income support targeted to the needs of people with disability, their families and carers;
  - (c) provision of funds to States and Territories to contribute to the achievement of the objective and outcomes;
  - (d) funding disability services delivered by the States in accordance with their responsibilities under this Agreement for people aged 65 years and over (50 years and over for Indigenous Australians).
  - (e) where appropriate, investing in initiatives to support nationally agreed policy priorities, in consultation with States and Territories; and
  - (f) ensuring that Commonwealth legislation is aligned with national priority, reform directions and the United Nations Convention on the Rights of Persons with Disabilities.

## States and Territories roles and responsibilities

18. All State and Territory governments are responsible for:
- (a) the provision of disability services (except disability employment services), including:
    - (i) regulation, service quality and assurance;
    - (ii) assessment;
    - (iii) policy development;
    - (iv) service planning; and
    - (v) workforce and sector developmentin a manner which most effectively meets the needs of people with disability, their families and carers, consistent with local needs and priorities.
  - (b) (except for Victoria and Western Australia) funding and regulating basic community care services for people under the age of 65 years in line with their principal responsibility for delivery of other disability services under this Agreement, except Indigenous Australians aged 50 years and over for whom the cost of care will be met by the Commonwealth;
  - (c) (except for Victoria and Western Australia) funding packaged community and residential aged care delivered under Commonwealth aged care programs for people under the age of 65 years, except Indigenous Australians aged 50 years and over.
  - (d) ensuring that State and Territory legislation and regulations are aligned with the national policy and reform directions; and
  - (e) where appropriate, investing in initiatives to support nationally agreed policy priorities, in consultation with the Commonwealth Government.

## PERFORMANCE INDICATORS<sup>1</sup>

19. To aid public accountability, data will be published annually by the COAG Reform Council on the following performance indicators which indicate progress towards the outcomes specified in this Agreement:
- (a) proportion of people with disability participating in the labour force;
  - (b) proportion of people with disability who participate in social and community activities;
  - (c) proportion of income support recipients with disability who report earnings;
  - (d) proportion of people with disability accessing disability services;
  - (e) proportion of people with disability who are satisfied with the range of services available, and with the adequacy and quality of services provided;

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<sup>1</sup> Where possible, all performance indicators will be broken down to show performance for key subgroups: Indigenous people with disability, people with disability who live in regional or remote areas and older carers. Subject to the development of the data and an agreed method of disaggregation, performance indicators will also be broken down to show performance for people with disability from culturally and linguistically diverse (CALD) backgrounds within the measure.

- (f) proportion of younger people entering, living in, and exiting, permanent residential aged care;
- (g) proportion of carers of people with disability participating in the labour force;
- (h) proportion of carers of people with disability who report their health and wellbeing as positive; and
- (i) proportion of primary carers of people with disability who are satisfied with the range of services available, and with the adequacy and quality of services provided, to the person with disability and to the carer.

## PERFORMANCE BENCHMARKS

- 20. The Parties commit to continuous improvement in the performance of their respective roles and responsibilities.
- 21. Improvements in performance will be demonstrated by progress against the following provisional performance benchmarks, reported at a national level only. The proposed benchmarks for all the outcomes are provisional only and will be reviewed following the Standing Council on Federal Financial Relations' review of funding adequacy in 2013.

### **Outcome A: People with disability achieve economic participation and social inclusion**

- 22. Between 2009 and 2018, there will be a five percentage point national increase in the proportion of people with disability participating in the labour force.

### **Outcome B: People with disability enjoy choice, wellbeing and the opportunity to live as independently as possible**

- 23. Between 2009 and 2018, there will be a five percentage point national decrease in the proportion of people with disability who report a need for more formal assistance.

### **Outcome C: Families and Carers are well supported**

- 24. The Parties agree that further work will be undertaken to develop a benchmark with a quantifiable target for Outcome C following the Standing Council on Federal Financial Relations' review of funding adequacy in 2013.

## REFORM AND POLICY DIRECTIONS

- 25. The Parties commit to on-going policy and reform directions in the disability sector to achieve the objectives and outcomes of this Agreement.
- 26. All governments have agreed to contribute to a service system which enhances the social and economic participation for people with disability and supports their families and carers. The agreed policy directions to achieve this are to:
  - (a) improve provision of the skills and opportunities to enhance the capability of people with disability to participate in social, economic and community activities;
  - (b) ensure services are person centred and provide timely access to supports based on assessed needs;

- (c) identify, plan and respond to the development and support needs of people with disability at an early stage and at key life transition points; and
  - (d) support the role of families and carers including strengthening their informal support networks.
27. All governments recognise the importance of mainstream services in achieving the outcomes of this Agreement.
28. The Parties have agreed to concentrate initial national efforts in several identified priority areas to underpin the policy directions and achieve reforms in the disability service system, to the extent that it is achievable within available resources. They are:
- (a) *Build the evidence base for disability policies and strategies* – A National Research and Development Agenda to be actioned from 2012; continued improvements to the Survey of Disability, Ageing and Carers; and annual publication of the National Need and Supply Model including Population Benchmarks, will provide a stronger basis for future policy decisions.
  - (b) *Enhancing Family and Carer Capacity* – All governments are committed to strategies that focus on improving outcomes for carers, including the Commonwealth National Carer Strategy and relevant jurisdictional strategies. This encompasses carers of people with disability.
  - (c) *Strategies for Increased Choice, Control and Self-directed Decision-making* – Pursue individual and/or self-directed funding arrangements for disability services that emphasise choice and control by the person with disability.
  - (d) *Maintain innovative and flexible support models for people with high and complex needs* – This may include options for younger people in, or at risk of entry into, residential aged care, people at risk of interaction with the criminal justice system (including those on forensic orders), and those who require support due to challenging behaviours, including those who are subject to restrictive practices.
  - (e) *Develop employment opportunities for people with disability* – Through models for enhancing independence and work readiness at different life transition points.
29. Across all policy and reform directions consideration will be given to strategies specific to Indigenous Australians, those from culturally and linguistically diverse backgrounds, and those living in regional, rural and remote communities.
30. The Parties have recognised that addressing the challenges in disability services will require shared and coordinated effort, and have agreed to support COAG's commitment to:
- (a) consider the recommendations of the Productivity Commission's Final Report on *Disability Care and Support* regarding a National Disability Insurance Scheme, including foundation reforms, funding and governance; and
  - (b) progress measures consistent with the reform objectives of the National Disability Agreement that have also been identified as foundation reforms for a National Disability Insurance Scheme, including development of a national assessment framework, nationally consistent service and quality standards for the disability services sector, and a comprehensive national disability services workforce strategy.
31. All governments agree to work together to review the priority reform areas from time-to-time in light of emerging priorities at the national and local level.