



Physical Disability Council of NSW
Ordinary People Ordinary Lives

Submission for the National Disability Insurance Agency (NDIA)
Towards Solutions for Assistive Technology Discussion
Paper

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Physical Disability Council of NSW
St Helens Community Centre
3/184 Glebe Point Road
Glebe 2037

02 9552 1606
www.pdcnsw.org.au
Admin@pdcnsw.org.au

Who is the Physical Disability Council of NSW?

The Physical Disability Council of NSW (PDCN) is the peak representative organisation, of and for, people with physical disability across New South Wales. The Council has a majority of people with physical disability in its membership, its governance (i.e. Board), and employees. It is also a not-for-profit, non-government organisation.

The objectives of the Physical Disability Council of NSW (PDCN) are:

- To educate, inform and assist people with physical disabilities in NSW about the range of services, structure and programs available that enable their full participation, equality of opportunity and equality of citizenship
- To develop the capacity of people with physical disability in NSW to identify their own goals, and the confidence to develop a pathway to achieving their goals (i.e. self-advocate).
- To educate and inform stakeholders (i.e. about the needs of people with a physical disability) so they are able to achieve and maintain full participation, equality of opportunity and equality of citizenship.

The Physical Disability Council of NSW (PDCN) appreciates the opportunity to consider, and provide comment to the National Disability Insurance Agency.

Comment

The Physical Disability Council of NSW (PDCN) acknowledges the 'Towards Solutions for Assistive Technology Discussion Paper' (the discussion paper) contains many valuable and meaningful points in relation to individual participant choice and control. In particular, the first key objective, 'maximise participant choice and control' is the essence of person centred thinking, and significantly contributes to an individual's quality of life.¹

However, PDCN would like to discuss topics and suggestions made within the discussion paper, which may affect the integrity of systems and processes.

Comment 1: *Participant Capacity Building Framework*

PDCN has concern relating to a tool being developed which will 'assist in the process of determining participant capacity building areas and the need for professional supports'.²

Concerns centre on who the responsibility will be given to, in order to assess this capacity? People with disability are often restricted from making choices and decisions in their own lives. Providing this responsibility to a person who has little or no experience of disability, could inadvertently label, and so further reduce this decision making ability for an individual. Whilst

¹ National Disability Insurance Agency (2014). Towards Solutions for Assistive Technology – Discussion Paper (p.3)

² National Disability Insurance Agency (2014). Towards Solutions for Assistive Technology – Discussion Paper (p.8)

health professionals have been mentioned as some of the people making these assessments, their qualification alone does not necessarily mean they have experience in, or knowledge of disability and should not automatically be given this responsibility.

There should also be recognition of the transient states of capacity, as recognised at preamble (e) of the United Nations Convention on the Rights of Persons with Disability (UNCRPD):

“Recognizing that disability is an evolving concept and that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others³,

If a framework were to be introduced, it should recognise that a person’s capacity can and will change due to various influences and at different points in time.

Additionally, the discussion paper does not address funding, management or evaluation mechanisms of the capacity development process.

The last comment on this topic is in relation to the definition of ‘Novice’, ‘Developing’ and ‘Expert’. Clear definitions of the intent of these labels need to be provided to avoid people with disability further being labelled in a way which could disempower them.

Comment 2: *Managed procurement*

Whilst the document refers to ‘participant-centred frameworks’, which have informed the nature of this document, managed sourcing and procurement in bulk quantities could, in their innate structure, be assumed as not being person centred. Whilst a brand or model of a particular assistive technology (AT) item may be suitable and meet the needs of one person, it should not be assumed that the same item will suit any other individual.

For people with disability a consequence of managed procurement and NDIA preferred suppliers would mean they would not have the same access to the open market; with access to not for profit organisations, small businesses including niche or newly- established businesses, large scale national and international organisations, and the broad range of AT products they supply. Additionally in this structure there would be a loss of significant relationships and trust built with current suppliers. This loss of relationship can cause significant delays in the acquisition of assistive technologies, whereby a new supplier would not have an awareness of, or prior knowledge of an individual’s idiosyncratic needs and requirements. This would in turn mean that the individual’s new supplier would perhaps be repeating what could be a time consuming and costly in depth assessment process, prior to approval and issue of assistive devices.

³ United Nations Treaty Collection (2013). Convention on the Rights of Persons with Disabilities

PDCN would also suggest that the NDIA's managed procurement model, and use of a 'preferred supplier' pool is likely to reduce the ability to 'stimulate and nurture innovation'⁴ in AT products.

Comment 3: *Refurbishment of AT products*

PDCN acknowledges and sees merit, in some circumstances, in the refurbishment of AT products. However, PDCN has concern around ensuring all refurbished AT products meet Australian Safety Standards and Therapeutic Good Administration requirements. Additionally PDCN would suggest that there are tight regulations set in place within the chosen refurbishment process/administration to ensure products being refurbished are in good order, and that the refurbished AT product is in fact the most appropriate AT for the individual.

It also cannot be assumed a person will choose refurbished AT products, and so these options should not be offered as a first resort.

Comment 4: *Developing the new assistive technology market place*

The discussion paper refers to establishing 'an independent entity within or external to the NDIA'⁵. To remain independent, only external entities should be considered in order to provide impartiality to the market place.

Clear guidelines and timeframes need to be provided to ensure these mechanisms will benefit the input provided by this independent entity.

Comment 5: *Evaluation methods and feedback*

The discussion has mentioned 'quality assurance frameworks', however, this area needs to be further developed and discussed. There has been little or no mention of specific measurement, evaluation or feedback processes. PDCN believes it important this is addressed in order to ensure the system will continue to meet individual needs in a timely manner, with appropriate AT technologies for the individual, and provides the ability to manage complaints and grievances.

Evaluations should consider:

- The individual experience – people who are being provided with AT products should have the ability to provide feedback and inform processes.
- Trialling of AT – feedback should be sought to ensure the trialling periods are reasonable, effective and are useful for individuals and meet its aims.

⁴ National Disability Insurance Agency (2014). Towards Solutions for Assistive Technology – Discussion Paper (p.21)

⁵ National Disability Insurance Agency (2014). Towards Solutions for Assistive Technology – Discussion Paper (p.18)

- Suppliers KPIs – adherence to these KPIs should be evaluated, based on not only communication between suppliers, but also based again on feedback from individuals. Evaluation processes will also assist in amending KPIs to ensure quality provision of AT products and services

Comment 6: Rural and remote communities

PDCN support the recognition of a need to develop unique AT products for people in isolated communities. However, PDCN have concerns relating to the wording used in the discussion paper:

*“There is an opportunity to develop assistive technology products with **uniquely Australian designs** and using ultra-resilient materials and technologies to respond to the needs of (primarily) Indigenous people with disability in isolated communities:*

Reference to and use of ‘uniquely Australian designs’ could be misinterpreted, and cause offence to indigenous communities. When reading this point, it could be construed as providing AT products that have been painted, or decorated in unique Aboriginal design.

Comment 7: The Consultation Process

In order to enhance the benefits of this consultation process, PDCN hope the NDIA open this consultative process to the wider community for feedback and discussion. The discussion paper clearly recognises the importance of

‘actively engaging participants in decision-making to exercise choice in gaining access to assistive technology solutions to meet their reasonable and necessary support requirements⁶’

The consultation process should be opened to wider community members who have a lived experience of disability, to avoid reliance on select responses from only a number of individuals. This could limit the scope of positive and meaningful feedback of which could further develop this service approach.

When providing opportunities for wider consultative feedback the process should ensure feedback mechanisms recognise and meet the diverse communicative needs of people with disability. It should not be assumed that all people with disability have access to electronic devices and so PDCN advise against providing discussion papers primarily in electronic formats.

PDCN look forward to receiving updated information in relation to this discussion paper.

⁶ National Disability Insurance Agency (2014). Towards Solutions for Assistive Technology – Discussion Paper (p.5)