



## Submission from the Physical Disability Council of NSW in response to the public consultation on General Foundational Supports and Targeted Supports for children under 9 with developmental delay and other disabilities.

December 2024

### Introduction

PDCN is pleased to contribute to the Department of Social Services Consultation on Foundational Supports. Given that the NDIS serves only a small proportion of people with disability, it is vital to ensure foundational supports outside the scheme meet the needs of the physical disability community. This submission defines foundational supports, outlines what people with physical disabilities require from these supports, and provides key principles for their development. It also recommends that disability advocacy funding be kept separate from general supports funding.

### About Us

The Physical Disability Council of New South Wales (PDCN) is the peak advocacy organisation for people with physical disabilities in NSW. We stand up for the rights of people with physical disabilities, advocate for disability inclusion across Government and business, and drive systemic reform around accessibility. The following submission draws on the knowledge and experience of people with lived experience of physical disability.

### Defining Foundational Supports

**Background:** The NDIS Review, published in December 2023, recommended the introduction of Foundational Supports for people with disability. This would form one part of a cohesive support system for all people with disabilities across Australia, comprising accessible mainstream services, foundational supports, navigator assistance, and individual NDIS support.

Foundational supports, a concept newly introduced by the NDIS Review, have been defined as supports that would be needed for a good life<sup>1</sup>. These supports will be both general (for all people with disabilities) and targeted (for those with lower-level support needs who are not NDIS-eligible).

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<sup>1</sup> <https://www.ndisreview.gov.au/resources/fact-sheet/foundational-supports-all-people-disability> (accessed 20th June 2024)



Foundational Supports aim to provide essential services to all people with disabilities, bridging the gap between those eligible for the NDIS and those who are not, thereby preventing people from falling through the cracks. The goal of foundational supports is to improve inclusion, boost social and economic participation, and ensure that all people with disabilities receive the support they need.

**There are two types of foundational supports proposed by the NDIS Review:**

**General Foundational Supports** which include information and advice, peer support, self-advocacy, and disability employment supports. General Foundational Supports also includes ‘capacity building’, which is defined by the NDIS as development and training that helps people with disability develop skills and abilities that can enhance their independence, improve their quality of life and reach their goals<sup>2</sup>. These supports would cater to all people with disabilities under 65.

**Targeted Foundational Supports** which are for those under 65 not eligible for NDIS and include home and community supports, aids and equipment, capacity building for adults with psychosocial disabilities, early supports for families and children, and transition supports for young people. These supports are meant for early intervention or less intensive needs.

**These foundational supports will sit alongside mainstream services and NDIS individual supports.**

**Mainstream Services** are for everyone and include accessible services like transport, healthcare, education, and community programs.

**Individual Supports** are personalised budgets and supports available under the NDIS for specific needs.

## What people with physical disabilities want from Foundational Supports

In June 2024, PDCN launched a survey to understand the desired supports for people with physical disabilities outside the NDIS. The survey respondents include people with disabilities living in NSW in addition to parents and carers of children with disabilities. Of the 124 survey respondents who had completed the survey by 18<sup>th</sup> June 2024, 69% were between the ages of 46 and 64 and 73% of respondents identified as women. Approximately 47.6% of respondents were from Sydney metro area and 37.4% of respondents resided in regional NSW. 74.7% of respondents identified as having a physical disability and 53.1% were current NDIS participants.

People with disabilities and their families face a complex and fragmented service landscape with inconsistent costs, eligibility, and availability. Most of our survey respondents (56.6%) feel there are no adequate supports outside the NDIS, with affordability and reliance on informal support being significant challenges for people who cannot access NDIS supports. A 2022 study into ‘Access to

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<sup>2</sup> [NDIS Support budgets in your plan, Capacity Building Supports budget categories](#) (accessed 27<sup>th</sup> June 2024)



Supports...for people with disability outside the NDIS' by the University of Melbourne reported that 90% of people with disabilities did not have adequate support due to availability, accessibility, unreliable information, and lack of knowledge on where to find support<sup>3</sup>. Concerns about the lack of parity between resourcing for supports for NDIS participants and those outside the scheme currently cause anxiety and concern for our survey respondents and PDCN's Lived Experience Advisory Panel (LEAP).

Respondents to the PDCN survey and PDCN's Lived Experience Advisory Panel stressed the importance of community inclusion and co-design in developing Foundational Supports, and the need for compliance and government cooperation in building a robust disability support landscape. Most respondents to our survey (86.2%) believe the NSW government should fund additional disability services outside the NDIS, indicating a strong community desire for state-funded supports. 96.6% of respondents believe they would benefit from additional disability services, with key benefits including increased choice and control, assistance with daily activities, filling NDIS gaps, improving quality of life, enhancing community inclusion, providing income support, and increasing safety.

The most desired services include daily life assistance, health services, accessible transport, assistive technology, support workers, mental health support, community engagement, education, housing, and home modifications. Respondents emphasised the need for future supports to focus on choice and control (26.9%), regulation and auditing (9.7%), and accessibility and flexibility (8.6%). They also highlighted concerns about unqualified support workers, pricing structures, and the complexities within the support system.

We also heard that from survey respondents that Foundational supports should triage people to the supports which are most appropriate to meet their needs. This system should provide a "soft landing" and minimise administrative hurdles. The success of this model relies on knowledgeable local 'Linkers' or Navigators at a one-stop Gateway, assisting people with disabilities and their families to understand and navigate their options. This setup requires expertise to advise whether needs should be addressed by the NDIS, General Foundational supports, Targeted foundational Supports or mainstream services. Foundational supports should serve as the initial point of contact, offering assessments and development and training for people with disability. They must be adaptable to meet the diverse needs of different communities, especially in regional areas where mainstream services may be less accessible.

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<sup>3</sup>Olney S; Mills A; Fallon L, 2022, The Tier 2 Tipping point: access to support for working-age Australians with disability without individual NDIS funding., University of Melbourne, <https://apo.org.au/node/319016> p13

## Principles to guide Foundational Supports from our Community Engagement

Based on consultation with people with physical disability and their families in NSW, the following principles should guide the development of foundational supports:

- 1. Foundational supports should be provided equitably across the four key disability cohorts** (physical, neurodiverse, psychosocial, and intellectual). PDCN is concerned that physical disability is not a focus for the Government, despite 75.3% of people with disabilities in Australia reporting a physical disability as their main condition<sup>4</sup>. Many people with physical disabilities struggle to access the NDIS so foundational supports need to address the needs of people with physical disabilities. When developing and implementing general supports, consider the life stages of an individual from birth to old age and the journey of disability for an individual. This involves whether a disability is temporary, dynamic, or permanent, functional ability, whether a disability is from birth or acquired and when someone has multiple disabilities.
- 2. The co-design of foundational supports should involve people with disabilities, their families, and stakeholders in the design and implementation of supports to ensure they meet user needs effectively.** Involve people with disabilities, their families, and relevant stakeholders in designing and implementing support programs to better meet their needs and preferences. This requires significant investment from the NSW Government. This will foster trust in the system's ability to meet people's needs effectively, enhancing overall confidence in accessing and utilising support services. Meaningful co-design would improve the sustainability and cost effectiveness of the supports.
- 3. Choice and control must be prioritised**, with accessible, flexible, and high-quality services that empower individuals to make informed decisions. Supports need to be accessible and flexible. As a first step we recommend professionalising the role of 'Linkers/Navigators' and disability support workers through education and training. Regulations and guidelines must set out rules and standards for costing and resourcing disability services and supports. This can enhance service quality and reliability, empowering people with disability to make informed decisions about their support options.
- 4. Professionalising roles like 'Linkers/Navigators' and disability support workers** through training and regulation will ensure consistent quality. We support Recommendation 4 from the NDIS Review report about local navigators. Trained navigators with knowledge of their local area should help identify disability services and support systems. However, identifying services is not sufficient. Navigators must also support individuals to travel to services, provide social support to engage with service provider staff and assess suitability. Navigators will need to be qualified, and skilled professionals with experience in disability support. The role should also assess the suitability of services for individual needs.

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<sup>4</sup> <https://australiandisabilitynetwork.org.au/resources/disability-statistics/>

5. **Funding should be streamlined to reduce disparities for non-NDIS participants** and ensure fair access to services regardless of support pathways. Commonwealth government and State and Territory government expenditure should account for the NDIS, foundational supports, and mainstream supports. This will make the system more equitable for those unable to access NDIS supports and ensure that people with disabilities receive fair access to necessary services regardless of their specific support pathway.
6. **A triage system should be established within foundational supports to guide people** to appropriate services while minimising bureaucratic hurdles. Ensure the disability supports system offers a "soft landing" to minimise bureaucratic hurdles and provides initial assessment and capacity-building. Empower local 'Linkers/Navigators' with the expertise needed to navigate between NDIS, General Foundational Supports, Targeted Foundational Supports, and mainstream services based on individual needs. This will ensure smoother transitions into services which can reduce waiting times and enhance the efficiency and effectiveness of the support system.
7. **Supports should be tailored to meet the diverse needs of communities, especially in regional areas**, to reduce isolation and improve community cohesion. Promote adaptability and responsiveness to ensure equitable access to services across different geographical and demographic contexts. Services that respond to local need will reduce isolation, improve community cohesion and overall wellbeing by addressing specific local challenges and barriers to access.

## Further Consideration on disability advocacy funding

***Concern:** Disability Advocacy funding will be merged into Foundational Supports, which could create conflicts of interest.*

### **Dilution of Advocacy Independence**

Disability advocacy organisations play a critical role in independently representing the interests of people with disabilities, holding governments and service providers accountable. If advocacy funding is combined with funding for service delivery, advocacy organisations may face pressure to align with government or service provider interests rather than challenge them. This in turn may compromise the ability to critically assess and call out systemic failures or gaps in service delivery.

### **Loss of Specialisation**

Advocacy organisations focus on empowering individuals and improving systems, which requires distinct expertise. Rolling advocacy funding into general support risks reducing the capacity to deliver specialised advocacy training and programs and forcing organisations to prioritise service delivery over their core advocacy role.

### **Erosion of Trust**



People with disabilities often turn to advocacy organisations precisely because these bodies are independent from service providers. Combining this funding with service-oriented programs may create a perception (or reality) of bias, where advocacy organisations appear tied to the interests of service funders or providers and reduce confidence in advocacy organisations' ability to represent individuals impartially and effectively.

If a person with a disability has a grievance with a service provider or needs assistance advocating for adjustments, they might hesitate to approach an advocacy organisation that is financially tied to the service provider. This undermines the ability of advocacy organisations to serve as impartial intermediaries or watchdogs, leaving the individual without an effective avenue for support.

**Recommendation: Disability Advocacy funding should be kept separate from Foundational Supports to prevent conflict of interest and protect the quality of disability advocacy for people with disabilities.**

Thank you for the opportunity to provide feedback on foundational supports. Please feel free to contact us if you have any questions or queries.

Yours sincerely,

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