



Disability Services Act (National Standards for Disability Services) Determination 2014

Disability Services Act 1986

I, Mitch Fifield, Assistant Minister for Social Services, determine these disability standards under paragraphs 5A (1) (b), (ba) and (c) and subsection 5A (2) of the *Disability Services Act 1986*.

Dated: 20 June 2014

Mitch Fifield
Assistant Minister for Social Services

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Part 1 Preliminary

1 Name of determination

This determination is the *Disability Services Act (National Standards for Disability Services) Determination 2014*.

2 Commencement

This determination commences on 1 July 2014.

3 Revocation of the Disability Services Act (National Standards for Disability Services) Determination 2013

This determination revokes the *Disability Services Act (National Standards for Disability Services) Determination 2013*.

4 Authority

This determination is made under paragraphs 5A (1) (b), (ba) and (c) and subsection 5A (2) of the *Disability Services Act 1986*.

5 Definitions

(1) In this determination, unless the contrary intention appears:

Act means the *Disability Services Act 1986*.

advocacy service has the meaning given by section 7 of the Act.

continuous improvement describes the ongoing effort of an organisation to improve services, systems, processes or products to maximise benefits for persons in the target group.

employment service has the meaning given by section 7 of the Act.

Indicators of Practice has the meaning given by paragraph 7 (1) (a) of this determination.

program means a rehabilitation program.

rehabilitation program has the meaning given by section 17 of the Act.

service means an employment service or advocacy service.

target group has the meaning given by subsection 8 (1) and section 18 of the Act.

Note: Unless the contrary intention appears, expressions used in this determination and in the Act have the same meaning as in the Act.

6 Standards

- (1) For paragraphs 5A (1) (b) and (c) of the Act, the standards as set out in paragraphs 8 (1) (a) and (b) of this determination are:
 - (a) the disability employment standards to be observed in the provision of an employment service; and
 - (b) the rehabilitation program standards to be observed in the provision of rehabilitation programs.
- (2) For paragraph 5A (1) (ba) of the Act, the standards as set out in paragraphs 8 (5) (a) and (b) of this determination are the disability advocacy standards to be observed in the provision of an advocacy service.

7 Application of standards

- (1) For subsection 5A (2) of the Act, the key performance indicators to be applied in assessing whether a standard has been observed are:
 - (a) set out in Schedule 1 to this determination in the item specifying the standard and identified by the words 'Indicators of Practice';
 - (b) set out in Schedule 1 to the *Disability Services Standards (FaCSIA) 2007* in the item specifying the standard and identified by the initials 'KPI';
 - (c) set out in Schedule 1 to the *Disability Services Standards (DEWR) 2007* in the item specifying the standard and identified by the initials 'KPI';
 - (d) set out in Part B of the *Disability Services Standards (Advocacy Standards) (FaHCSIA) Determination 2012* in the item specifying the standard and identified by the words 'Key Performance Indicators'.
- (2) From 1 January 2015, the standards as set out in Schedule 1 to this determination are to be observed in the provision of an employment service or a rehabilitation program funded under the Act.
- (3) From 1 July 2015, the standards as set out in Schedule 1 to this determination are to be observed in the provision of advocacy services funded under the Act.

Note 1: Until and including 31 December 2014, the key performance indicators which apply in the provision of an employment service or rehabilitation program under subsection 6 (1) will be determined by the transitional arrangements under section 8.

Note 2: From 1 January 2015, the key performance indicators which apply in the provision of an employment service or rehabilitation program are the Indicators of Practice set out in Schedule 1 to this determination and the Disability Services Standards (FaCSIA) 2007 and Disability Services Standards (DEWR) 2007 cease to apply.

Note 3: Until and including 30 June 2015, the key performance indicators which apply in the provision of an advocacy service under subsection 6 (1) will be determined by the transitional arrangements under section 8.

Note 4: From 1 July 2015, the key performance indicators which apply in the provision of an advocacy service are the Indicators of Practice set out in Schedule 1 to this determination and the Disability Services Standards (Advocacy Standards) (FaHCSIA) Determination 2012 ceases to apply.

8 Transitional arrangements and revocation

(1) Until and including 31 December 2014 the provider of an employment service or rehabilitation program may elect whether it is observing:

(a) either:

(i) the *Disability Services Standards (FaCSIA) 2007*; or

(ii) the *Disability Services Standards (DEWR) 2007*; or

(b) the Standards as set out in Schedule 1

in the provision of an employment service or a rehabilitation program funded under the Act.

(2) Until and including 31 December 2014, in the absence of any election under subsection (1), the provider of an employment service or a rehabilitation program must observe the *Disability Services Standards (FaCSIA) 2007* or the *Disability Services Standards (DEWR) 2007* in the provision of an employment service or a rehabilitation program funded under the Act.

(3) If the provider of an employment service or a rehabilitation program makes an election under subsection (1), the provider must notify the Secretary, Department of Social Services, of its election in writing as soon as reasonably practicable.

(4) From 1 January 2015, the *Disability Services Standards (FaCSIA) 2007* and the *Disability Services Standards (DEWR) 2007* are revoked.

(5) Until and including 30 June 2015 the provider of an advocacy service may elect whether it is observing:

(a) the *Disability Services Standards (Advocacy Standards) (FaHCSIA) Determination 2012*; or

(b) the Standards as set out in Schedule 1

in the provision of an advocacy service funded under the Act.

(6) Until and including 30 June 2015, in the absence of any election under subsection (5), the provider of an advocacy service must observe the *Disability Services Standards (Advocacy Standards) (FaHCSIA) Determination 2012* in the provision of an advocacy service funded under the Act.

- (7) If the provider of an advocacy service makes an election under subsection (5), the provider must notify the Secretary, Department of Social Services, of its election in writing as soon as reasonably practicable.
- (8) From 1 July 2015, the *Disability Services Standards (Advocacy Standards) (FaHCSIA) Determination 2012* is revoked.

Schedule 1: National Standards for Disability Services

Standard 1: Rights

The service or program promotes individual rights to freedom of expression, self-determination and decision-making and actively prevents abuse, harm, neglect and violence.

Indicators of Practice

- 1.1 The service or program, its staff and its volunteers treat individuals with dignity and respect.
- 1.2 The service or program, its staff and its volunteers recognise and promote individual freedom of expression.
- 1.3 The service or program supports active decision-making and individual choice, including the timely provision of information in appropriate formats to support individuals, families, friends and carers to make informed decisions and understand their rights and responsibilities.
- 1.4 The service or program provides support strategies that are based on the minimal restrictive options and are contemporary, evidence-based, transparent and capable of review.
- 1.5 The service or program has preventative measures in place to ensure that individuals are free from discrimination, exploitation, abuse, harm, neglect and violence.
- 1.6 The service or program addresses any breach of rights promptly and systemically to ensure opportunities for improvement are captured.
- 1.7 The service or program supports individuals with information, and if needed, access to legal advice and/or advocacy.
- 1.8 The service or program recognises the role of families, friends, carers and advocates in safeguarding and upholding the rights of people with disability.
- 1.9 The service or program keeps personal information confidential and private.

Standard 2: Participation and Inclusion

The service or program works with individuals and families, friends and carers to promote opportunities for meaningful participation and active inclusion in society.

Indicators of Practice

- 2.1 The service or program actively promotes a valued role for people with disability, of their own choosing.
- 2.2 The service or program works together with individuals to connect to family, friends and their chosen communities.
- 2.3 Staff of the service or program understand, respect and facilitate individual interests and preferences, in relation to work, learning, social activities and community connection over time.
- 2.4 Where appropriate, the service or program works with an individual's family, friends, carer or advocate to promote community connection, inclusion and participation.

- 2.5 The service or program works in partnership with other organisations and community members to support individuals to actively participate in their community.
- 2.6 The service or program uses strategies that promote community and cultural connection for Aboriginal and Torres Strait Islander people.

Standard 3: Individual Outcomes

Services and supports are assessed, planned, delivered and reviewed to build on individual strengths and enable individuals to reach their goals.

Indicators of Practice

- 3.1 The service or program works together with an individual and, with consent, their family, friends, carer or advocate to identify their strengths, needs and life goals.
- 3.2 Service planning, provision and review is based on individual choice and is undertaken together with an individual and, with consent, their family, friends, carer or advocate.
- 3.3 The service or program plans, delivers and regularly reviews services or supports against measurable life outcomes.
- 3.4 Service planning and delivery is responsive to diversity including disability, age, gender, culture, heritage, language, faith, sexual identity, relationship status, and other relevant factors.
- 3.5 The service or program collaborates with other service providers in planning service delivery and to support internal capacity to respond to diverse needs.

Standard 4: Feedback and complaints

Regular feedback is sought and used to inform individual and organisation wide service or program reviews and improvement.

Indicators of Practice

- 4.1 Individuals, families, friends, carers and advocates are actively supported to provide feedback, make a complaint or resolve a dispute without fear of adverse consequences.
- 4.2 Feedback mechanisms, including complaints resolution and how to access independent support, advice and representation, are clearly communicated to individuals, families, friends, carers and advocates.
- 4.3 Complaints are resolved together with the individual, family, friends, carer or advocate in a proactive and timely manner.
- 4.4 The service or program seeks and, in conjunction with individuals, families, friends, carers and advocates, reviews feedback on service provision and supports on a regular basis as part of continuous improvement.
- 4.5 The service or program develops a culture of continuous improvement using compliments, feedback and complaints to plan, deliver and review services for individuals and the community.

4.6 The service or program effectively manages disputes.

Standard 5: Service Access

The service or program manages access, commencement and leaving a service in a transparent, fair and equal and responsive way.

Indicators of Practice

- 5.1 The service or program systematically seeks and uses input from people with disability, their families, friends and carers to ensure access is fair and equal and transparent.
- 5.2 The service or program provides accessible information in a range of formats about the types and quality of services available.
- 5.3 The service or program develops, applies, reviews and communicates commencement and leaving a service processes.
- 5.4 The service or program develops, applies and reviews policies and practices related to eligibility criteria, priority of access and waiting lists.
- 5.5 The service or program monitors and addresses potential barriers to access.
- 5.6 The service or program provides clear explanations when a service is not available along with information and referral support for alternative access.
- 5.7 The service or program collaborates with other relevant organisations and community members to establish and maintain a referral network.

Standard 6: Service Management

The service or program has effective and accountable service management and leadership to maximise outcomes for individuals.

Indicators of Practice

- 6.1 Frontline staff, management and governing bodies are suitably qualified, skilled and supported.
- 6.2 Practice is based on evidence and minimal restrictive options and complies with legislative, regulatory and contractual requirements.
- 6.3 The service or program documents, monitors and effectively uses management systems including Work Health Safety, human resource management and financial management.
- 6.4 The service or program has monitoring, feedback, learning and reflection processes which support continuous improvement.
- 6.5 The service or program has a clearly communicated organisational vision, mission and values which are consistent with contemporary practice.
- 6.6 The service or program has systems to strengthen and maintain organisational capabilities to directly support the achievement of individual goals and outcomes.

6.7 The service or program uses person-centred approaches including the active involvement of people with disability, families, friends, carers and advocates to review policies, practices, procedures and service provision.