

# National Disability Advocacy Framework

## INTRODUCTION

1. On 30 May 2008, all Disability Ministers agreed to bring about improvements to disability advocacy under the National Disability Agreement.
2. The National Disability Agreement paragraph 28 states:

*‘Governments agreed to consider improvements in administration of advocacy services, with a focus on improving service delivery and access to advocacy services for people with disability. Responsibility for funding advocacy services will be reviewed in this process’.*
3. The Disability Policy Research Working Group (DPRWG) agreed to *‘develop a nationally consistent framework for advocacy that covers individual and system wide advocacy, common definitions and desired outcomes and data issues’.*
4. This framework is created subject to the provisions of the *National Disability Agreement (NDA)* and the *Intergovernmental Agreement on Federal Financial Relations* and should be read in conjunction with those Agreements and subsidiary schedules.
5. The implementation of the National Disability Advocacy Framework will be guided by the principles and priorities of the *United Nations Convention on the Rights of Persons with Disabilities* and the *National Disability Strategy*. The Framework will complement these mechanisms by providing a system that enables and supports people with disability to safeguard their rights and overcome barriers that impact on their ability to participate in the community.

## DEFINITIONS

6. The following definitions provide a description of the advocacy services provided under this Framework:
  - (a) Disability advocacy enables people with disability to actively participate in the decision making processes that safeguard and advance their human rights, wellbeing and interests.
  - (b) Individual advocacy supports people with disability to understand and exercise their rights, through either one-to-one support, or by supporting people to advocate for themselves individually, or on a group basis.
  - (c) Systemic advocacy seeks to introduce and influence longer term changes to ensure the rights of people with disability are attained and upheld to positively affect the quality of their lives.

## OBJECTIVES

7. Through this Framework, the Parties commit to the following objective as the long-term goal that governments should strive for in the provision of disability advocacy in Australia:

*People with disability have access to independent disability advocacy that promotes, protects and ensures their full and equal enjoyment of human rights and enables them to participate as valued members of the community and to pursue their life goals.*

## OUTCOMES

8. Advocacy provided under this Framework 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 and make decisions as independently as possible;
- (c) people with disability have the opportunity to participate in decisions that affect their lives;
- (d) people with disability are actively involved in all aspects of the development, delivery and evaluation of disability policies, programs and services that impact them; and
- (e) people with disability are actively involved in the development, delivery and evaluation of broader government policies, programs and services provided to the community.

## PRINCIPLES

9. The parties to this Framework accept and adopt the following National Disability Advocacy Principles as guiding the provision of advocacy for people with disability in Australia:

- (a) Disability advocacy operates under a human rights framework and upholds the legal and human rights of people with disability;
- (b) Disability advocacy promotes the interests and wellbeing of people with disability and promotes their full inclusion as contributing and participating members of the community;
- (c) Disability advocacy seeks to influence positive systemic changes in legislation, policy and service practice and works towards raising and promoting community awareness and education of disability issues;
- (d) Disability advocacy ensures that views represented meet the individual needs, preferences and goals of people with disability;

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- (e) Disability advocacy strengthens the capacity of people with disability to speak for themselves by actively supporting and encouraging self-advocacy;
- (f) Disability advocacy ensures that the rights of people with disability to privacy, dignity and confidentiality are recognised and upheld;
- (g) Disability advocacy will foster strategic alliances across the sector and governments to develop capacity to identify and respond to the needs of people with disability.

## OUTPUTS

10. The Framework will contribute to the following outputs in support of the agreed outcomes:

- (a) Disability advocacy is tailored to meet the individual needs of people with disability including a focus on geographic and demographic factors;
- (b) Disability advocacy is informed by an evidence base and is provided in an accountable and transparent manner;
- (c) Disability advocacy is planned and delivered in a coordinated manner and support communication between disability advocacy support, specialist disability services, mainstream services and governments;
- (d) Disability advocacy promotes community education and awareness of advocacy and disability issues;
- (e) Systemic advocacy that positively contributes to legislation, policy and practice that will support the agreed outcomes.

## REFORM AND POLICY DIRECTIONS

11. All governments commit to ongoing policy and reform directions in the provision of disability advocacy to achieve the objectives and outcomes of this Framework.

12. All governments agree to improve the funding and administration of advocacy support, with a focus on improving service delivery and access to advocacy for people with disability. Key policy directions to achieve this are:

- (a) Supporting and implementing key policy and data directions and requirements of the National Disability Agreement, National Disability Strategy and the United National Convention on the Rights of Persons with Disabilities;
- (b) Disability advocacy should be independent and autonomous from the broader service system that provides support to people with a disability and their family/carers. To minimise conflict of interest, governments will progressively ensure that disability

advocacy funding provided under this Framework will be independent of other specialist disability service provision funding;

- (c) Reform to Disability Advocacy will be affected by the full range of reform and priority directions indicated in the National Disability Agreement. In particular, the following have a close relationship to this Framework:
  - (i) Creating a service system which enhances the social and economic participation for people with disability and supports their families and carers, including improving people's skills and capability and ensuring person centred and timely support;
  - (ii) The development of a National Disability Quality Framework with a National Quality Assurance system for disability services;
  - (iii) Improvements to data collection are required to better understand and make decisions about Disability Advocacy. Data development for Disability Advocacy will be situated with the broader considerations and plans for the National Minimum Data Set.
  - (iv) Working towards outcome based reporting and evaluation of the disability advocacy sector to enhance transparency and accountability;
- (d) The funding and administration of disability advocacy should be transparent, informed by available evidence and consider the geographic and demographic factors that impact on the needs of people with disability to improve accountability and access for people with disability; and
- (e) Improving coordination and communication between the disability advocacy, mainstream sector and governments to develop the overall capacity of the sector.

13. All governments agree to work together to review the key policy directions from time to time in light of emerging priorities at the national and local level.

## NATIONAL DISABILITY ADVOCACY FRAMEWORK CONSULTATIONS QUESTIONS AND ANSWERS

**Why are governments developing a National Disability Advocacy Framework?**

On signing the National Disability Agreement in 2008, all governments agreed to consider improvements in administration of advocacy services, with a focus on improving service delivery and access to advocacy services for people with disability.

### **What is the objective of the National Disability Advocacy Framework?**

The objective of the National Disability Advocacy Framework is to ensure people with disability have access to a stronger disability advocacy sector that promotes, protects and ensures the legal and human rights of people with disability are upheld and they fully participate as valued members of the community.

The Framework will allow governments to provide disability advocacy services in a consistent way across Australia and creates a mechanism for governments to work together on disability advocacy policy issues to achieve this objective.

### **What is included in the National Disability Advocacy Framework?**

The Framework includes common definitions, objectives, outcomes and principles that all governments will use as the basis for providing disability advocacy programs.

The Framework will also provide policy and reform directions in areas of planning, reporting and data collection.

Some of the key policy areas identified under the draft Framework include:

- Ensuring that geographic and demographic factors are taken into account in the planning and delivery of advocacy support especially in relation to people with disability from indigenous, culturally linguistically diverse and rural and remote backgrounds;
- Improving collaboration and coordination across programs and stakeholders;
- Improving the national collection of disability advocacy data;
- Working towards an outcome based approach to delivering advocacy support by having two broad categories of individual and systemic advocacy;
- Working towards developing a quality improvement framework;
- Progressively working towards making disability advocacy funding independent of other specialist disability service provision funding; and
- Aligning policy and data requirements with the United Nations Convention on the Rights of Persons with Disabilities, National Disability Agreement, National Disability Strategy.

### **What has been taken into account in developing the Framework?**

The findings from previous government reviews, consultations and advocacy literature were used to develop the Framework.

### **Why are the definitions of advocacy in the framework limited to individual and systemic advocacy?**

Findings from past government reviews have recommended having two broad streams of advocacy support: individual and systemic. This approach will create a more flexible and innovative way of providing advocacy support based on achieving outcomes.

An outcomes focused approach has been applied to all National Agreements under the Council of Australian Government Intergovernmental Agreement reforms, including the National Disability Agreement.

The individual advocacy category would have a flexible range of advocacy models that would fit under it, including the models currently funded, such as, individual, self, family, group and citizen advocacy.

By having a broad category of individual advocacy an organisation will have the flexibility to use whatever model or approach is required to address an individual's needs taking into account circumstances at the time. This is particularly important when meeting the needs of people with disability from indigenous and culturally linguistically diverse backgrounds and people with complex communication and/or high support requirements.

### **How will the needs of people with disability from Indigenous, Culturally Linguistically Diverse and rural and remote backgrounds be met?**

Under the Framework, all governments will work together to assess the gaps and overlaps in disability advocacy support and plan where support is to be provided to ensure all people with disability have better access to disability advocacy.

A key policy reform direction of the Framework will be to focus on improving outcomes for people with disability experiencing geographic and demographic disadvantage.

### **How does the advocacy reform priority link up with other disability reforms happening at the moment?**

A stronger disability advocacy sector will play a central role in supporting the disability reforms currently happening. These include the: implementation of the United Nations Convention on the Rights of Persons with Disabilities; the National Disability Agreement reform priorities, including development of the National Quality Framework; and the National Disability Strategy.

### **Will the Framework include roles and responsibilities for funding?**

At this stage the Framework does not include funding roles and responsibilities. Disability officials are progressing work separately on this issue. This is being undertaken through the Disability Policy Reform Working Group.

**Will advocacy organisations be able to provide their feedback on the roles and responsibilities issue?**

As this issue is being worked on separately by disability officials, decisions around any consultations on roles and responsibilities will be made at a further date.

**What will happen with the consultation feedback?**

Disability officials will consider the feedback received from the consultations and the Framework will be revised to take that feedback into account.

**When is it expected that the Framework will be endorsed?**

It is expected that the final draft of the National Disability Advocacy Framework will be provided to Disability Ministers for their endorsement by the end of 2010.

**What happens after the Framework is finalised?**

Once Ministers endorse the Framework, disability officials will begin the process of implementing the key policy directions within the Framework. An implementation plan will be developed outlining key work to be progressed by all governments to meet the outcomes of the Framework.

## NATIONAL DISABILITY ADVOCACY FRAMEWORK CONSULTATIONS

Disability advocacy enables people with disability to actively participate in the decision making processes that safeguard and advance their human rights, wellbeing and interests.

Disability advocacy is currently provided by the Commonwealth, State and Territory Governments.

Previous government reviews and consultations have identified service delivery issues within the current disability advocacy system prompting calls for improvements in the administration of the disability advocacy sector.

These findings were acknowledged by Disability Ministers at the 30 May 2008 Disability Services Ministers' Conference where it was agreed that improvements in administration of disability advocacy support, with a focus on improving service

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delivery and access to advocacy for people with disability, would be progressed under the National Disability Agreement (NDA).

### PURPOSE OF CONSULTATION

In improving the administration of disability advocacy support, the Commonwealth, State and Territory Governments have developed a draft National Disability Advocacy Framework which is attached to this paper for your consideration.

The intention of this consultation is to seek your comment on key elements of the National Disability Advocacy Framework in terms of its appropriateness and applicability to the advocacy sector.

The framework will promote national consistency in the delivery of disability advocacy including common definitions, objectives, outcomes, outputs and principles. It will also provide reform and policy directions in areas of planning, reporting and data collection which all governments will work towards in seeking to improve disability advocacy support.

The overall objective of the National Disability Advocacy Framework is to provide people with disability access to independent disability advocacy that promotes, protects and ensures their full and equal enjoyment of human rights and enables them to participate as valued members of the community.

Findings from previous reviews and consultations have informed the development of the Framework. Common areas of improvement which have emerged in the reviews and consultations have been reflected in the Framework. These include:

- more effectively servicing the individual advocacy needs of people with disabilities including a focus on geographic and demographic factors;
- improving collaboration and coordination across stakeholders;
- improving quality assurance, data collection and reporting systems;
- greater coordination in the planning and delivery of disability advocacy services in a coordinated manner across governments;
- strengthening the outcomes based approach to service delivery by having two broad categories of individual and systemic disability advocacy; and
- providing greater consistency across the sector through common objectives, outcomes, definitions and principles.

The key elements of the Framework that we are seeking comment on include:

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- Developing common objectives, outcomes and principles based on a human rights foundation and guided by the principles and obligations of the *UN Convention on the Rights of People with Disabilities*;
- Developing broad consistent definitions of disability advocacy, individual advocacy and systemic advocacy in line with an outcomes based approach to service provision;
- Policy and reform directions in disability advocacy that will frame ongoing work of governments in the following areas:
  - Supporting and implementing key policy and data requirements of the NDA, NDS and the *UN Convention on the Rights of Persons with Disabilities*;
  - Working towards a service system that enhances social and economic participation, improves skills and capabilities and is person centred;
  - Improving the national collection of disability advocacy data;
  - Working towards outcome based reporting and evaluation;
  - Working towards developing a quality improvement framework;
  - Improving coordination and communication between the disability advocacy and mainstream sector and governments; and
  - Improving outcomes for people with disability experiencing locational or demographic disadvantage such as people with disability from indigenous and culturally and linguistically diverse backgrounds.

## PROVIDING FEEDBACK

Your comments are sought on the content of the National Disability Advocacy Framework. The questions below seek to assist you in providing feedback.

The closing date for all comments is 30 July 2010. You can forward your views by:

- Emailing [disability.advocacy@fahcsia.gov.au](mailto:disability.advocacy@fahcsia.gov.au)
- Writing to Disability Advocacy Consultation

Disability Policy Section

Disability and Carers Policy Branch

Department of Families, Housing, Community Services and Indigenous Affairs

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Box 7576 Canberra Business Centre ACT 2610

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- Fax 02 6244 8457
- Telephone (Kathy Gronthos 08 8400 2123)

## QUESTIONS TO CONSIDER

1. Please comment on the broad definitions of disability advocacy, individual advocacy and systemic advocacy?
2. Does the objective of the framework encompass the vision of advocacy adopted by your agency?
3. Please comment on the outcomes provided under the framework and whether they can be achieved through the advocacy sector? Are there other key outcomes that should be included in the framework?
4. Please give us your feedback on the National Disability Advocacy Principles provided in the framework and their appropriateness for guiding the delivery of advocacy for people with disability?
5. Are the outputs provided in the framework appropriate in achieving the outcomes of framework?
6. What processes and pathways are required to ensure effective communication of issues raised and dealt with by advocacy organisations and government, including communication of issues between individual and systemic advocacy services?
7. Please comment on the reform and policy directions that governments will work towards under the framework?
8. Do you have any other comments, thoughts or ideas about the National Disability Advocacy Framework?

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Thank you for your feedback