# Reshaping the Disability Services Act 2006

## Please tell us what you think

### Easy Read version

## How to use this document

The Queensland Government Department of Communities, Disability Services and Seniors (the Department) wrote this document.

When you see the word ‘we’, it means the Department.

We have written this information in an easy to read way.

We have written some words in **bold**. We explain what these words mean. There is a list of these words on page 21.

This Easy Read document is a summary of another document.

You can find the other document and more information on our website at [www.qld.gov.au/DSAreview](http://www.qld.gov.au/DSAreview)

You can ask for help to read this document.
A friend, family member or support person may be able to help you.

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## What is this document about?

The National Disability Insurance Scheme (NDIS) is starting to work
across Queensland.

We must think about the laws we need in Queensland to support the NDIS.

This document has 2 parts:

* Part A is about how we can make sure the law in Queensland shows we understand the rights and abilities of people with disability.
* Part B is about how we can make sure people with disability get good supports and services that keep them safe.

We want to know what you think about the ideas.

Learning about what you think will help us make sure we have the right laws in place.

# Part A

## New laws about disability

We have been talking to people with disability in Queensland about:

* their lives
* what they need.

What people told us helped us write our State Disability Plan 2017–2020
 (All Abilities Queensland).

The NDIS is making big changes to the way people with disability find and use supports and services.

The NDIS gives you much more choice and control.

The NDIS has been working in parts of Queensland since 1 July 2016.

The NDIS will be working across all of Queensland from 1 July 2019.

In Queensland we have a law called the Disability Services Act 2006
(the Act).

The Act is the main law about:

* disability rights
* disability services
* keeping people with disability safe.

We think that now is a good time for us to think about:

* how the laws in Queensland should work with the NDIS
* what we can do to make Queensland more:
	+ **accessible**
	+ **inclusive.**

If something is accessible, everyone can use it.

This might be:

* a place or a building
* a service
* information
* a website.

If something is inclusive, everyone can take part.

## Ideas for new laws

We have ideas for new laws in 3 areas:

* **The rights of people with disability**
* **Working together to make sure services and supports include everyone**
* **Helping the government and the community work together.**

We talk about each of these areas in more detail on the following pages.

### The rights of people with disability

Our laws need to respect the rights of people with disability.

We need to make sure people with disability are included in
community life.

**What does the law say now?**

The laws we have now:

* recognise the rights of people with disability
* talk about how people with disability have the same rights as other people in the community
* say parts of our government need to think about what is best for people with disability when we develop plans for our services.

**What could we change?**

One idea is to make our disability laws reflect the United Nations Convention on the Rights of Persons with Disabilities (the UN Convention).

The UN Convention is a document that says people with disability should be treated fairly.

Many countries around the world have agreed to it.

It talks about ideas like:

* showing respect for the independence of people with disability and their freedom to make choices
* making sure people with disability are included and can take part in the community
* giving people with disability the same opportunities as
other people.

Another idea is for the law to recognise the needs of different groups of people with disability, such as:

* Aboriginal peoples and Torres Strait Islander peoples
* people from different cultures who may not speak English
* people who are lesbian, gay, transgender, intersex or queer (LGBTIQ+)
* women
* children.

Another idea is to introduce a Charter of Rights.

A Charter of Rights would talk about how people with disability have:

* abilities
* rights
* needs.

We could use the Charter of Rights to help the community know and understand how people with disability should be treated.

### **What do you think?**

Which of our ideas do you support? Why?

Do you have any other:

* comments?
* thoughts?
* ideas?

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### **Working together to make sure services and supports include everyone**

Our laws need to make sure supports and services are accessible to people with disability.

We also need to make sure we talk to people with disability and listen to what they think.

**What does the law say now?**

The laws we have now say each of our government departments must:

* have a disability service plan
* make sure their plan is working well
* talk to people with disability about how well their plan is working.

Even though the law doesn’t say we need to, the Queensland Government has developed the State Disability Plan 2017–2020
(All Abilities Queensland).

**What could we change?**

One idea is for the law to say the Government must develop a State Disability Plan for all of Queensland.

Another idea is for areas of the government to develop plans about how they will include people with disability:

* in their work
* in the community.

Another idea is that when parts of government write new plans, they should have to:

* talk to people with disability about the plan
* talk about how they will make the plan work
* make sure their plan is working well.

Another idea is that departments could collect more information about how people with disability use their services.

This would help us understand how well plans are working.

### **What do you think?**

Which of our ideas do you support? Why?

Do you have any other:

* comments?
* thoughts?
* ideas?

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### Helping the government and the community work together

People with disability need to be included in the groups of people who check the work we do.

People with disability need a chance to tell us what they think when we:

* start new projects
* develop new ideas
* offer new services.

**What does the law say now?**

The laws we have now say we should work with expert groups, such as:

* the Queensland Disability Advisory Council
* Regional Disability Advisory Councils.

They can give us advice about:

* the problems people with disability face
* how to deal with those problems.

**What could we change?**

One idea is that there could be better rules around who can take part in the expert groups we work with.

New laws could make sure these groups include:

* more people with disability
* more people with different types of disabilities.

Another idea is that the law would explain exactly how the expert groups should work.

This will help them better understand the problems people with
disability face.

### **What do you think?**

Which of our ideas do you support? Why?

Do you have any other:

* comments?
* thoughts?
* ideas?

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# Part B

## Quality and Safeguards

We need to make sure people with disability:

* get good supports and services
* are safe when they receive services.

All of Australia’s states and territories have agreed to the NDIS Quality and Safeguarding Framework (the Framework).

**Quality** is about getting good services.

**Safeguarding** is about ways for people to be safe when they receive
their services.

The Framework will make sure things are done the same way
across Australia.

It will be managed by the new NDIS Quality and Safeguards Commission.

## Ideas we would like you to think about

We have ideas for new laws about quality and safeguarding
in Queensland.

We need to make sure there aren’t any workers who treat people with disability badly.

In Queensland, we already run worker screening systems.

These are the checks we do to make sure the right people support people with disability.

Governments across Australia agree that worker screening should be done the same way everywhere.

However, we have choices about some things in Queensland.

We talk about our ideas for how some of these things could work on the following pages.

## Ideas for new laws

### How much worker screening we do

Our laws need to explain which people who work with people with disability need to be checked, including:

* **employees** – people who get paid to do their job
* **volunteers** – people who choose to work for free.

**What does the law say now?**

The laws we have now explain the system we use to check people who work with people with disability.

Our system includes:

* employees
* volunteers
* contractors – people who have made agreements to work for service providers.

**What does the Framework say?**

The Framework says that people who work for service providers registered for the NDIS need checks.

People who work for service providers that are not registered for the NDIS don’t need to be checked unless a person with disability:

* employs them

and

* asks them to.

**What could we change?**

One idea is for worker screening to only include registered
service providers.

Is there a need for worker screening to include unregistered service providers too?

### **What do you think?**

Which of our ideas do you support? Why?

Do you have any other:

* comments?
* thoughts?
* ideas?

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### When people can start working

We need to decide:

* if someone can start working with people with disability once they have applied for their worker screening check
* or if they have to wait until their worker screening check is complete before they start working.

We need to think about how this might affect people with disability.

**What does the law say now?**

The laws we have now say employees can start work as soon as they have applied for a check.

Volunteers need to wait until their application has been approved.

**What does the Framework say?**

The Framework says you need to have a work agreement with an NDIS service provider before you can apply for worker screening.

**What could we change?**

One idea is for our laws to let people work once they have applied for their worker screening check.

This means people could start work even though their application might not be approved.

Another idea is for our laws to stop everyone from starting work until they have been:

* checked

and

* approved.

### What do you think?

Which of our ideas do you support? Why?

Do you have any other:

* comments?
* thoughts?
* ideas?

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### **How worker screening systems work together**

Across Queensland, we use different systems to screen workers who do different types of work.

At the moment, these systems work together.

**What does the law say now?**

The laws we have now talk about:

* which workers need to be checked
* what types of checks workers need.

**What does the Framework say?**

The Framework says things will need to change in Queensland.

Changes will affect people who work:

* with children with disability
* in health care.

**What could we change?**

One idea is to separate the screening systems.

But this means workers might need to get a check in each area they want to work in.

Another idea is to find a way to keep the screening systems
working together.

### What do you think?

Which of our ideas do you support? Why?

Do you have any other:

* comments?
* thoughts?
* ideas?

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## How to tell us what you think

We want to know what you think about the ideas in this document.

You can talk about all, or just some, of the ideas.

You can tell us what you think by:

* sending us an email

submissions@communities.qld.gov.au

* writing to us

Reshaping the DSA

Strategic Policy and Legislation

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* visiting the website

[www.getinvolved.qld.gov.au](http://www.getinvolved.qld.gov.au)

[www.qld.gov.au/DSAreview](http://www.qld.gov.au/DSAreview)

We need to know what you think before Friday 9 November 2018.

We might share the things you tell us.

If you don’t want us to share what you have told us, please let us know.

## Word list

**Accessible**

If something is accessible, everyone can use it.

This might be:

* a place or a building
* a service
* information
* a website.

**Contractors**

People who have made agreements to work for service providers.

**Employees**

People who get paid to do their job.

**Inclusive**

If something is inclusive, everyone can take part.

**Quality**

Getting good services.

**Safeguarding**

Ways of keeping people safe when they receive their services.

**Volunteers**

People who choose to work for free.

**Worker screening**

The checks we do to make sure the right people support people
with disability.

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