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11 May 2022

Mr Richard Dennis
Reviewer, Review of the *Disability Inclusion Act 2018 (SA)*
Department of Human Services
GPO Box 292,
ADELAIDE SA 5001
Emailed: DHSdisabilityinclusionact@sa.gov.au

Dear Mr Dennis

Review of the *Disability Inclusion Act 2018 (SA)*

The Local Government Association of South Australia (LGA) welcomes the opportunity to provide a submission to the Review of the *Disability Inclusion Act 2018 (SA)* (the Act).

The LGA is the voice of local government in South Australia, representing all 68 individual councils across the State and the Anangu Pitjantjatjara Yankunytjatjara.

The LGA provides leadership, support, representation and advocacy to achieve better outcomes for councils and the communities they represent. As the level of government closest to residents, workers and businesses, local government has a unique understanding of the needs and aspirations of people with disability within council areas and communities.

This submission was developed with input from councils and the Local Government Disability Advisory Group (LGDAG).

The LGA acknowledges the individual submissions of SA councils and the additional feedback received by the Reviewer at a meeting of the Local Government Access and Inclusion Network (LGAIN) and LGDAG.

LGA Policy

Councils have had a long-standing role in creating more inclusive and accessible communities for people with disabilities. The LGA Policy Manual states:

3.4.5 Disability Inclusion Action Planning

Local government recognises the benefits of Disability Access and Inclusion Plans (DAIP) and ensuring adequate provisions for those with a disability are put in place. Local government shall continue to lobby for adequate resources to carry out the new statutory services contained in the Disability Inclusion Act 2018.

3.4.6 Access and Inclusion

Local government recognises the imperative in ensuring all individuals can access community services and facilities to tackle issues contributing to social exclusion. Councils shall continue to explore and implement strategies through planning and community functions that promote access and inclusion for all individuals

General comments

The LGA echoes the sentiment noted in the Review's Discussion Paper¹ that the Act is an important part of South Australia's legislative scheme; and strongly supports the recognition of essential human rights as outlined in Part 2 - Objects and principles of the Act.

Conversations with the local government sector, including LGAIN and the LGDAG have indicated that overall, the legislation has been well received and no changes are required at this time.

The acknowledgement that the Act was being administered in line with the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) and its principles was well received by our members as was providing clear Objects and Principles to follow.

Additional feedback is outlined below:

Promotion

Council staff have indicated that the Act could be better promoted and that a collaborative approach across government could be implemented to raise awareness of and promote the rights of people with disability (in accordance with the Act). The LGA would be open to supporting the State Government on this issue.

Engagement

Councils were encouraged by the additional contact, collaboration and strengthening of relationships between officers from the Department of Human Services (DHS) and the local government sector in the operation of this Act. It is hoped that this will continue moving forward.

It is suggested that including the State Government Disability Engagement Group (DEG) as a statutory body provided for in the Act would strengthen the voices of people with disabilities.

It would further provide a mechanism to ensure that genuine lived experiences are incorporated in the State Disability Inclusion Plan, which is intended to be the leading policy document for social inclusion within South Australia.

Disability access and inclusion planning

Councils stated that being provided with a clear framework for them to administer accessible and inclusive practices was welcomed.

Members reported that the Act was having a significant impact on the lives of people with disability and their families and carers because of the requirement to deliver Disability Access and Inclusion Plans. The plans have enabled the instigation and creation of strategies and policies which support disability access and inclusion in the community.

Our members noted that by fostering the development of programs, activities, events and initiatives, knowledge and awareness relating to access and inclusion has improved both within their individual councils as well as in the broader community.

Councils reported that developing stronger partnerships with businesses and community groups has also been a positive outcome.

¹ https://inclusive.sa.gov.au/_data/assets/pdf_file/0006/128508/Disability-and-Inclusion-Act-Review-Discussion-Paper-2022.pdf

Councils seek to have continued support from DHS in this area, particularly in relation to building the capacity of local government staff to deliver access and inclusion plans.

Funding

Councils reported that most were working with existing or limited budgets ranging from \$50,000 to \$5,000 – some negligible – depending on the size and location of the council. Councils are an ideal partner for local delivery of State Government programs and can efficiently leverage state monies.

Recommendation: The LGA and DHS work together to explore additional grant opportunities / funding from State and Federal governments to enable councils support the implementation of the Disability Inclusion Act 2018 (SA), Australia's Disability Strategy 2021-31 and to deliver access and inclusion initiatives in local communities.

Reporting

It was suggested that perhaps the State Government could seek to better understand the approval processes of local government and allow for longer consultation and reporting times. Issues around tight reporting timeframes and poor alignment with council meeting processes is problematic.

Additionally, concerns were expressed regarding how the diversity of disabilities is being captured in addition to the intersections with other groups such as children, culturally and linguistically diverse communities and First Nations peoples. It is suggested that further guidance on this be shared to support councils in developing initiatives, activities and programs.

The overall operation of this Act has seen many positive outcomes for people with disabilities and their families. There is a sense of optimism within local government in South Australia that issues relevant to people with disabilities are starting to attract attention and be heard. South Australian councils will continue to be part of the solution in supporting and promoting opportunities for people with disabilities.

Thank you for the opportunity to make a submission to the Review.

If you require further clarification regarding this feedback, please contact Senior Policy Officer, Belinda Caruana, at: belinda.caruana@lga.sa.gov.au.

Yours sincerely



Clinton Jury
Chief Executive Officer

Telephone: (08) 8224 2039

Email: cjury@lga.sa.gov.au