

Disability Inclusion (Review Recommendations) Amendment Bill 2022

LGA Submission

April 2023

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Introduction

Local Government Association of South Australia

The Local Government Association of South Australia (LGA) is the voice of local government in South Australia, representing all 68 councils across the state and the Anangu Pitjantjatjara Yankunytjatjara.

The *South Australian Local Government Act 1999* recognises the LGA as a public authority for the purpose of promoting and advancing the interests of local government. The LGA is also recognised in and has prescribed functions in 29 other South Australian Acts of Parliament. The LGA provides leadership, support, representation and advocacy to achieve better outcomes for councils and the communities they represent.

The South Australian *Local Government Act 1999* recognises the LGA as a public authority for the purpose of promoting and advancing the interests of local government. The LGA is also recognised in and has prescribed functions in 29 other South Australian Acts of Parliament. The LGA provides leadership, support, representation, and advocacy relevant to the needs of our member councils.

The LGA is a strong advocate for policies that achieve better outcomes for councils and the communities they represent. Councils are a partner in government and part of the solution. Working together we can make positive contributions to the health and wellbeing of our communities.

Our submission

The LGA welcomes the opportunity to provide the following feedback to the State Government in response to the *Disability Inclusion (Review Recommendations) Amendment Bill 2022* and the *Disability Inclusion Act 2018* (the Act) – *South Australia - Section 32 Review of Act Report* (the Report), prepared by Richard Dennis AM PSM.

This submission has been prepared with feedback from the local government sector and previous LGA consultations; and should be read in conjunction with any separate submissions received from individual councils. This submission addresses key areas relevant to local government and comment is provided to the recommendations made in the Report.

If you have any questions relating to this submission, please don't hesitate to contact Senior Policy Officer Belinda Tassone at belinda.tassone@lga.sa.gov.au or 82242051.

Local government's role in disability

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.

Local governments play an important role in working towards an inclusive society. Their unique position in communities enables councils to identify barriers to inclusion and develop and implement more inclusive policies and practices at a local level.

LGA policy

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 review made 50 recommendations in relation to legislation, policy and operational impacts for consideration by the Minister, all of which are broadly supported by the Department, with some requiring further scoping to determine how they can be actioned effectively. There were many recommendations of significance to State Government agencies and local councils.

Feedback has been provided to each recommendation, relevant to local government, as laid out in pages 7-13 of the *Disability Inclusion Act 2018 – South Australia - Section 32 - Review of Act Report*.

Recommendation 1

The opportunity should be taken by the Department, when it is developing a future communications strategy or community awareness campaign to promote disability inclusion, to include information about the range of State and Commonwealth legislation that is relevant to people with disability.

LGA comment

The LGA supports this recommendation. 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).

There is also an opportunity to consider including or promoting information about the United Nations Convention on the Rights of Persons with Disabilities.

Recommendation 2

In order to enhance the status of the Act, the technical and detailed provisions in the Act (and the relevant regulations under the Act) relating to worker screening and restrictive practices should be incorporated into other pieces of legislation in due course (recognising that this may to occur in a staged fashion).

LGA comment

This recommendation is supported.

Recommendation 4

The following provisions currently appearing in the Disability Inclusion Regulations 2019 should be enacted as provisions in the Act:

- a. regulation 5 (providing for additional matters that should be addressed by the State Disability Inclusion Plan);***
- b. regulation 8 (providing for additional matters to be included in disability access and inclusion plans);***
- c. any requirement to the effect that documents prepared for the purposes of consultation under section 13 or 16 of the Act, and any notice or other information associated with consultation under those sections, must be in a form that is accessible to people with disability.***

LGA comment

This recommendation is noted and supported.

Specifically, in relation to point (b) disability access and inclusion plans (DAIPs) - the LGA notes that by elevating this regulation to the Act, there would need to be stronger action in this area.

As such, councils would welcome additional tools and resources to assist them in developing strategies related to these key priority groups.

In relation to point (c), if the intent is for Easy Read versions of consultation documents to be produced or that Auslan communication is needed, then that needs to be made clear. The LGA recognises that this is extremely important. Further commentary regarding Easy Read is provided under Recommendation 43.

Recommendation 5

A definition of “barrier” along the following lines should be included in the Act:

barrier – a barrier may include something that is:

- (a) physical, architectural, technological or attitudinal; or***
- (b) based on information or communications; or***
- (c) the result of a policy or practice.***

LGA comment

The definition of barrier is supported but it is suggested that another element is included, namely 'past exclusion'.

Past exclusion limits the capacity of many people with disability to use their abilities in mainstream areas such as employment, community life, civic participation including leadership.

Past exclusion is problematic due to the lack of opportunity for people with disability to develop their personal and social resources. The barriers caused by past exclusion needs investment by government to support people with disability and disability agencies able to build their capacity.

The LGA understands that previous limited access to education, employment, community and civic life has denied many people with disability the opportunity to develop the personal and social resources that people with similar abilities and characteristics (gender, age, culture etc) would take for granted.

Removing this barrier requires an investment in personal and social development, including developing leadership abilities. Just as physical and other barriers require government and private investment to improve, so these barriers caused by past exclusion need investment by government to support people with disability and agencies to strengthen and expand their capabilities.

Recommendation 6

Section 8 of the Act should be amended to include a new object as follows:

- (f) without limiting a preceding paragraph, making significant gains towards achieving an inclusive community where the principles outlined in the United Nations Convention of the Rights of Persons with Disability underpin the development and delivery of services, especially by removing barriers so that people with disability are able to access services and to participate in the community in the same way as other members of the community.***

LGA comment

This recommendation is supported.

Recommendation 7

Section 8 of the Act should be amended to provide expressly that the Act applies to all people with disability regardless of age.

LGA comment

This recommendation is supported.

Recommendation 8

Section 9(1) of the Act should be amended to include a new paragraph as follows:

- (ja) people with disability have the right to be safe, and to feel safe, through the provision of appropriate safeguards, information, services and support, and through***

appropriate and accessible reporting mechanisms in a case of neglect, abuse or exploitation;

LGA comment

This recommendation is supported.

Recommendation 9

Section 9(1) of the Act should be amended to include a new paragraph as follows:

- (p) people with disability, and their families and representatives as appropriate, have a right to participate in the design and delivery of inclusive policies and programs;***

LGA comment

This recommendation is supported. Relationships between people with disability and their families, carers and other significant peoples are a fundamental part of the lives of people with disability and should be recognised.

Recommendation 10

Section 9(1) of the Act should be amended to include a new paragraph as follows:

- (q) insofar as people with disability may not be able to find out about their rights, or may not be able to understand their rights, because of their disability, State and local government should take reasonable steps to assist them to learn about their rights and to develop ways in which they can, or their families or representatives can, report violations of those rights.***

LGA comment

The LGA supports this recommendation and suggests that guidelines be developed to assist councils as to what 'reasonable steps' may be and that resources are provided to be able to disseminate information to people with disability. There is a need for greater clarity on this recommendation as it is unclear what legal requirement this may place on councils.

Our members have suggested that it is important for the State Government to advocate for the continued funding of the National Disability Coordination Officer (NDCO) Program, which works strategically to assist people with disability to access and participate in tertiary education and subsequent employment.¹ Members have seen a significant reduction in funded positions and consequently supports due to funding uncertainties. This has led to a loss in experienced advocates that councils can call upon.

¹ <https://www.education.gov.au/access-and-participation/ndco>

Recommendation 11

Section 9 of the Act should be amended to include a new subsection as follows:

- (5a) In addition to the principles set out in any other provision of this section, the following principles are to be acknowledged and addressed in the operation, administration and enforcement of this Act as it relates to people with significant intellectual disability or who have high levels of vulnerability due to disability:**
- (a) people with significant intellectual disability or who have high levels of vulnerability due to disability have a right to feel safe, to enjoy dignity in their lives, and to participate in the community in a meaningful way;**
 - (b) people with significant intellectual disability or who have high levels of vulnerability due to disability may face major barriers which they may not be able to understand and so need support from others to advocate on their behalf when seeking to remove, or deal with, those barriers.**

LGA comment

This is supported, although a minor modification to the wording is suggested.

In Part 2, 5- 'Amendment of section 9 - Principles' (3)(5a) it is suggested to revise and state '**and/or**' in '*people with significant intellectual disability or who have high levels of vulnerability*' in line 11 and wherever else occurring.

In Part 2, 5- 'Amendment of section 9- Principles' (3)(5a)(a) remove the word '**enjoy**' and replace with '**experience**'.

In Part 2, 5- 'Amendment of section 9- Principles' (3)(5a)(b) suggestion to revise wording of line 21 to '**seeking to address or overcome those barriers**' rather than 'seeking to remove, or deal with, those barriers'.

Recommendation 12

The Act should be amended to require State authorities to report annually on how they are addressing the risks and principles insofar as they relate to the priority groups under section 9. This should occur in connection with provisions in the State Disability Inclusion Plan, and disability access and inclusion plans, that identify how State authorities are addressing the risks and principles that relate to these priority groups.

LGA comment

The LGA support this in principle, but further guidance and clarity is required as to what this will entail for councils.

Councils had expressed concerns regarding how the diversity of disabilities is being captured at a State level when the first review was undertaken last year, particularly the intersections with other groups such as children, culturally and linguistically diverse communities and First Nations peoples. It is pleasing to see that the focus is proposed to be strengthened.

It is suggested that further guidance on this be shared to support councils in developing initiatives, activities and programs. As such members are keen to understand:

- If the Department is looking towards a standard structure and approach to measure impact on the priority groups identified in the Bill.
- If there will be funds available to support measurement including, staff resources.
- If there has been consideration as to how staff and the public are identified as belonging to the priority groups.

There is a concern that privacy and identification of attendees may be a barrier to participation in local events, programs, and initiatives and would need to be considered in any response.

Recommendation 15

The Department should develop some tools to assist government agencies, councils and businesses to see how they are going with disability access and inclusion. These would be “self-assessment” tools.

LGA comment

This is supported. Member councils would welcome tools to assist with evaluation of plans and strategies, including examples of good practice amongst agencies.

Recommendation 16

The State Government should strengthen collaboration with the Commonwealth Government to ensure coordinated effort in implementing their shared access and inclusion agenda, including by considering opportunities presented through initiatives like ILC grants.

LGA comment

This is supported. Collaboration is crucial and better collaboration at the state and National levels, will ideally flow down to and be of benefit to local government as well.

The LGA was the recipient of ILC grants in 2020 which led to many successful outcomes for councils.

The *Local Government Information, Linkages and Capacity Project* was delivered with funding provided by the National Disability Insurance Agency (NDIA) and in partnership with the Department. This funding was provided with the objective of building the capacity of mainstream services to understand and respond to the needs of people with disability, and to increase the connection with community and participation therein, of people with a disability.

The independent project evaluation noted it was a success and that each of the three project streams achieved their objectives.

Recommendation 18

The Department, the Local Government Association and individual councils should work together to explore additional grant opportunities and funding from State and Federal Governments to enable councils to support the implementation of the Act and the Australia’s Disability Strategy 2021 – 31, and to deliver access and inclusion initiatives in local communities.

LGA comment

This is supported. The LGA would be keen to work with the State Government to explore additional grant opportunities and funding from the State and Federal Governments to support the implementation of the Act and the *Australia's Disability Strategy 2021 – 31*, and to deliver access and inclusion initiatives in local communities. The LGA would also be keen for the Department to develop a mechanism to include people with disability in the grant decision-making process.

Recommendation 19

The reporting requirements under the Act should be amended so that they provide as follows:

(1) Section 14: The annual report relating to the State Disability Inclusion Plan should relate to each calendar year and the report should be provided by the Chief Executive to the Minister by 30 June in the ensuing year.

(2) Section 17: The annual report relating to a DAIP should relate to each calendar year and the report should be provided by the State authority to the Chief Executive by 30 April in the ensuing year. A report summarising the reports received from the State authorities should be prepared by the Chief Executive by 30 June and provided to the Minister.

The change to calendar years for reporting would commence on 1 January 2024.

LGA comment

The LGA does not support changing from financial year to calendar year.

Local government's annual reporting and budgets align with the financial year. The LGA noted in its previous submission that 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.

Recommendation 20

Section 18 of the Act should be amended so that each State authority must review its DAIP to the extent necessary to ensure that the DAIP is consistent with the State Disability Inclusion Plan when the State Disability Inclusion Plan is varied. The State authority would have 6 months to review its DAIP and publish its DAIP as varied. The Chief Executive would also have the ability to require a State authority to take into any requirement specified by the Chief Executive for the purposes of the review of its DAIP.

LGA comment

The LGA does not support this recommendation. A six-month window between the publication of the new state plan and councils publishing their new revised DAIPs (ensuring consistency with the new State Plan) could be problematic, especially if public consultation on the draft new DAIPs is required.

Some members suggested revising the amendment so that councils have six months to prepare and publish a "DRAFT varied DAIP" for consultation, allowing for a further two-four months to review public feedback and update/publish their final new DAIPs.

There is precedence for this approach in the *South Australian Public Health Act 2011* under section 51 (10) and (11) Regional Public Health Plans.

Other feedback indicated that a six month turn-around of state variations on DAIP may be able to be delivered depending on the size of the variation required. However, they noted that if there are numerous variations additional time will be required for community engagement and council approval. There may also be additional costs to republish, redesign, easy read format and print new DAIPS.

A 12-month turn around and additional resources would be preferred.

It is further noted that the State Disability Inclusion Plan is currently reviewed every four years along with council and other State authority DAIPs. But the proposed amendment could also include revisions to the State Disability Inclusion Plan other than the scheduled four yearly review.

Both types of review must consider the timelines common to local government authorities. It is suggested that there are only two ways that a six months' timeline for revising council DAIPs could be achieved:

- By suspending the requirement for community consultation about DAIP revision other than for the 4-yearly scheduled review.
- If the State Disability Inclusion Plan is varied before its four yearly review, then at least 18 months' notice is provided to councils allowing two years for the subsequent DAIP review.

This allows time for councils to:

1. secure council funding for the costs of the DAIP review (up to eight months depending on the cost)
2. conduct a consultation (one- two months with minimum two months' notice)
3. draft a revised DAIP (two-six weeks depending on staff and consultancy resources)
4. have it approved by administration or Elected members (two-three months if changes are required before approval).

When the State Disability Inclusion Plan is reviewed and revised every four years, councils need to ensure that their four yearly mandatory DAIP reviews are scheduled at least one year later to allow time to:

1. Conduct a consultation.
2. Draft a revised DAIP for community consultation which is also required by the Act.
3. Undertake their DAIP approval process by administration or Elected members.

Definition of consistent

Additionally, further clarification is required as to what 'consistent with' means under section 18(3)(a) acknowledging that local councils and communities are unique in their processes and relationships with community.

Ultimately it is important that the review process should not be too onerous (the legislatively mandated annual report to the Department is resource intensive already) and that local government have flexibility in how their plans are set out.

Recommendation 21

The Act should expressly require the Minister to have a reference group to provide advice in relation to the development of policies and initiatives under the Act and the preparation and review of the State Disability Inclusion Plan, taking into account the principles of co-design. The reference group should seek to provide a broad spectrum of membership, including members who represent priority groups referred to in section 9 of the Act.

LGA comment

This is supported as it is vital that there is a provision for a reference group as a strategic advice source for the Minister for Human Services, drawing upon a diversity of people with and living with disability. Having it enshrined in legislation will ensure that it cannot be easily disbanded.

Specifying the Advisory Council's role and a legislative commitment to resourcing its capability is important.

The LGA suggest adding a provision for local government representation, in Section 12A (2) of *Amendment Bill 2022*, likewise to the requirements in the *South Australian Public Health Act 2011* for the South Australian Public Health Council.

Recommendation 22

The Act should expressly require each council to have a reference group to provide advice in relation to the development of policies and initiatives under the Act and the preparation and review of disability access and inclusion plans, taking into account the principles of co-design.

The reference group should seek to provide a broad spectrum of membership, including members who represent priority groups referred to in section 9 of the Act. Two or more councils could have the same reference group, which may work well for regional or other groupings of councils and assist with efficiencies and the sharing of expertise and ideas.

LGA comment

The LGA do not support this recommendation. The Act needs to allow for flexibility and innovation - a mandated approach does not allow for this. The Act could *encourage* councils to develop local or regional reference groups or in any other such format/way that enables genuine representation from people with lived experience of disability that fits best with their community.

Many, if not most, councils do not have the resources to establish and facilitate a dedicated reference group, especially one which is well supported and achieves appropriate representation across disability types and priority groups.

Establishing and maintaining a reference group requires staffing and a budget and most councils do not have these; including the capacity to develop the capability of disability inclusion advisory group members to progress from very specific and often personal access and inclusion matters to a more strategic view.

The lack of a strategic view has limited the effectiveness of some local council reference groups and contributed to their demise. Strategic advice is important and more likely to influence local government decision-makers and make the advisory body more sustainable.

For those councils who have established a reference group, there is a growing expectation to subsidise knowledge of lived experience resulting in ongoing costs and these costs are likely to increase by increasing the membership to ensure a broad spectrum of disability as well as representation of the priority groups identified in the Act.

During some of the past two decades only the City of Adelaide, Campbelltown City Council, District Council of Copper Coast and for a time the Salisbury Access Advisory Team (1998- 2004) and its formal successor Salisbury Inclusion and Access Advisory Sub-Committee) have had sustained capacity building input. But these groups are few and far between.

The requirement to have a diverse representation of reference group members across many local or regional reference groups will spread the talent pool very thin. There is no measure or requirement to fund capacity building for reference group members in recognition that most people with disability have been denied the opportunities of other people to acquire strategic knowledge and skills.

One council reported that they opted to have an Access and Inclusion Engagement Register which had a list of people available to comment on access and inclusion projects; and which has been successful as well as cost effective.

It is suggested that the Department consider the following three proposed options:

1. Change the scope of the proposed Disability Ministerial Advisory Council.

One suggestion is that the scope of the Disability Ministerial Advisory Council – proposed under Part 3A of the *Amendment Bill 2022*, be modified so that the 12F Functions of the Council be broadened to “be available for requests from local councils, without their own disability reference group or advisory groups” and “to request advice in relation to the preparation and review of their DAIPs”.

2. Fund the LGA to determine the best way to encourage councils to get local representation from people with disability in their communities.

It is acknowledged that the reviewer consulted with the JFA Purple Orange funded LGA Disability Inclusion Advisory Group (DIAG) as part of the initial review process. This group was established with the support of the LGA’s Research and Development Scheme funded Senior Policy Officer position. This group is not currently operational due to a lack of capacity and funding to sustain operations. It was found that without a dedicated role and funding for the group, sustaining the activities and ensuring there was regular communication and agenda items was problematic.

Therefore, the LGA call on the Department to fund the LGA to work with councils to determine the best solution for their council and/or region, ensuring that priority groups are also recognised.

3. Provide grant funding to councils or groups of councils.

The Department could establish a grant program that supports councils, by providing seed funding to establish a reference group or an alternative way for people with disability to have a voice in their local communities and provide strategic advice to the council or groups of councils in relation to disability inclusion such as the preparation, implementation and review of disability access and inclusion plans.

Recommendation 23

From a general perspective, higher standards need to be developed and implemented in relation to disability access and inclusion plans. The current Disability Access and Inclusion Plan

Guidelines need to be reviewed and revised by the Department to improve the quality of DAIPs and to promote community of practice across the entities that are required to prepare a DAIP. One change should be to place greater emphasis on the inclusion component of DAIPs.

LGA comment

This is supported; however, clarity is needed regarding what is meant by 'higher standards.' Strongly support the recommendations made regarding the Disability Access and Inclusion Guidelines.

Recommendation 24

The guidelines should be strengthened to promote a greater understanding of the characteristics of an inclusive society and effective strategies for achieving this.

LGA comment

This is supported. Further guidance can support council staff to implement the Principles of the Act more effectively.

Recommendation 25

The guidelines should reiterate the principles of the United Nations Convention on the Rights of Persons with Disabilities and provide additional context to better support their translation into practical strategies by State authorities as part of their DAIPs.

LGA comment

This is supported. Further guidance can support council staff to translate the principles of the United Nations Convention on the Rights of Persons with Disabilities more effectively.

Recommendation 26

The guidelines should outline the connection between disability inclusion and safeguarding and require a State authority to report annually on the extent to which its DAIP has provided for safeguarding through its actions and outcomes.

LGA comment

The LGA supports outlining the connection between disability inclusion and safeguarding but recognises that safeguarding is a significant issue. It is unclear if this recommendation relates to council operations or within the community and how this would be measured.

This recommendation aligns with Recommendation 28, below, and it is suggested that DHS develop a DAIP Outcomes Framework for local councils, with suggested/shared outcomes and measures relating to both the system and population outcomes. These outcomes should align with the Outcome Areas of *Australia's Disability Strategy 2021-2031* and co-designed with local government to ensure that they are achievable and practical.

Recommendation 27

Without limiting the steps taken to improve the quality of DAIPs, the following should be incorporated into the guidelines as requirements for DAIPs:

- (a) To recognise that access is not just about the physical environment***
- (b) To use simple English***
- (c) To avoid or clearly explain acronyms***
- (d) To consider using definitions for “hard” words***
- (e) To provide options for contact points (including for contact to be made by telephone)***
- (f) To include a table of contents and consider including a guide to a reader on how to use the particular plan.(page 37-38)***

LGA comment

This is supported and the LGA suggest that guidance is provided in the updated Guidelines on how to achieve this.

Recommendation 28

DAIPs should include specific measures against which performance and outcomes can be assessed.

LGA comment

This is supported but there needs to be clear achievable measures that councils will be able to practically assess and report on. Any measures and outcomes framework needs to be developed in partnership with local government.

Recommendation 29

The guidelines should indicate that actions outlined in a DAIP should avoid (so far as is reasonably practicable in the particular circumstances) actions that do not lead to definite and meaningful action.

LGA comment

This is supported, and the LGA suggests that practical ‘tips and tricks’ are provided in the updated Guidelines to assist councils with examples of what ‘definite and meaningful actions’ may be.

Recommendation 30

The Department should develop and adopt a set of measurable benchmarks to report on the implementation and effectiveness of DAIPs. These benchmarks should form part of an outcomes framework, and individual actions contained in a DAIP should be linked back to this framework.

LGA comment

This is supported, but as previously mentioned, there needs to be clear achievable measures that councils will be able to practically assess and report on. Any measures and outcomes framework needs to be developed in partnership with local government as well as with not for profits, other advocacy/peak bodies, people with disabilities, as well as Federal agencies.

Members have suggested that duplication needs to be avoided and that the benchmarks should be agile, adaptable - to be shaped and co-designed by each agency in consultation with their disability community.

Recommendation 31

Provisions and reforms associated with worker screening should include screening under which the providers of services to people with disability other than under the NDIS can assess a comprehensive screening scheme for their staff, workers and volunteers. Consideration should be given to including a screening scheme relating to people working with people with disability in a broader scheme relating to people involved in providing care or support to vulnerable people. This issue may be appropriately considered and addressed in conjunction with reforms or initiatives developed in discussions or under agreements with the Commonwealth. Any screening scheme relating to people working with people with disability should be incorporated into another piece of legislation in due course.

LGA comment

This is noted, as there could be repercussions for local government in terms of additional costs to undertake screening for their staff and volunteers.

Recommendation 32

The State Government should ensure that adequate funding remains available to appropriate entities, organisations or groups in connection with disability inclusion advocacy and rights awareness. This funding may be sourced from the Commonwealth or the State, including under a national framework.

LGA comment

This is supported as councils often rely on disability organisations and groups to assist them in their work. Ensuring that the funding is sustained is crucial to sustain local knowledge and experience in the disability sector.

Recommendation 33

The review of the community visitor scheme is very timely and while its improvement and expansion should not be delayed, at an appropriate time the provisions for a community visitor scheme should be set out in the Act rather than in the regulations.

LGA comment

This is supported. The LGA would like to see an expansion in the types of premises that are included under the scheme. For example, councils, as the current licensing bodies for Supported Residential Facilities (SRF), would like to see their inclusion back into the scheme as a safeguard for vulnerable SRF residents.

Recommendation 34

Steps should be taken to continue to review how people with disability are supported in finding and retaining employment and in participating in other activities in the community. This could include reporting on disability inclusion more widely within the community, supporting people with disability as they overcome barriers in the community, and assisting businesses in introducing or supporting disability inclusion.

LGA comment

The intent of this recommendation is supported in principle, but it is unclear how this would be reported. Further clarity is also needed on what is meant by 'other activities' i.e. relating to employment? Or in general?

Furthermore, it is unclear what 'reporting on disability inclusion more widely within the community' means. This could be a big undertaking, so consideration needs to be given as to how this is achieved.

The LGA understands that National Disability Coordination Officer Program (NDCO) in South Australia have done research on this and are soon to launch resources. It is important that there is a single point pulling together all these resources into a single working resource for local government, State Government, disability organisations and the community to access.

Recommendation 35

Additional safeguards for people with disability can be achieved by increasing social connection. To do this, State government agencies and local councils should be encouraged to partner with, and to provide resources as reasonably available, to organisations and other bodies that are involved in creating inclusive and connected communities at the local level for people with disability.

LGA comment

This is supported. The LGA suggests that funding be made available to councils to run programs and initiatives.

Councils and other organisations need to better understand that 'inclusion' is not just creating 'a group' for people with disability but that special measures and reasonable adjustments may be needed to advance disability inclusion, for example considering people with disability in the planning and provision of services and activities. Resourcing or access to funding to achieve this would be desirable.

Additionally, there needs to be a suitable platform whereby disability and other organisations are supported to promote their programs and services to ensure that state government agencies and councils are aware of the organisations that exist to be able to partner with.

Recommendation 37

The State Government should promote disability awareness programs and training, especially for small to medium sized businesses.

LGA comment

The LGA supports this recommendation and suggests that any resources developed by the State Government be shared with councils, to assist with amplifying the messages to local businesses.

Recommendation 39

More work should be done by the State government and local councils to create opportunities for people to realise the importance of disability inclusion, including the fact that it can result in economic advantages and business opportunities. The State and local government sectors should commit to an increased effort to help businesses to become more inclusive. The Department should provide advice to businesses about government funding that is available for workplace modifications and specific equipment and facilities to assist people living with disability to gain or retain employment.

LGA comment

This recommendation is supported, but the LGA would like to see funding, or a grant program established to help support the economic development areas in local government be involved in initiatives and support local businesses.

Recommendation 40

In providing services or programs that may assist people living with disability, State authorities should take steps to collect and collate information on: (a) the number of people with different prescribed categories of disability engaging with the entity; (b) the changes or adjustments to services that were required to ensure that they could access relevant services; and (c) amounts spent on advocacy and specifically promoting the interests of people with disability. This information should be published by the State authority.

LGA comment

The LGA understands the intent of this recommendation and how it would assist in responding to gaps and discovering patterns that could be used to improve service delivery and the development of programs.

However, members have told us that they have strong concerns related to privacy and the sharing of disability. The LGA refers to the work undertaken by the National Disability Coordination Officer Program (NDCO) regarding disclosure planning located on the [Centre for Disability Studies](#) website for consideration by the reviewers.

It would also require significant reform of councils' internal systems and consultation as to how this would be possible in a practical sense is strongly needed.

Recommendation 41

State authorities should take steps to collect and collate information about complaints and feedback received by State authorities in relation to the operation of their DAIPs and the provision of services to people with disability. This information should be published by the State authority.

LGA comment

This is supported. It is suggested that this could be incorporated into annual DAIP reporting, but sufficient advance notice would be required to ensure that a system for collecting the information is developed.

Recommendation 42

State government agencies and local councils should ensure that their DAIPs are accessible from the “front page” of their websites and be in a form that is easy for people with disability to access.

LGA comment

This recommendation is supported and could be easily achieved.

Recommendation 43

Insofar as is reasonably practicable, Easy Read documents should be seen as standard requirements for all policies published by the State Government and local councils.

LGA comment

This recommendation is supported in principle, provided it is at the discretion of each council. The LGA understands that this is intended to be aspirational and lead to improvements over time.

Councils have many policies, often 80 or more, that would require to be produced in Easy Read, plus strategy documents and plans. This would require staffing resources and an operational budget to deliver this. Maintenance of these policies in Easy Read would also be an ongoing cost.

It is suggested that councils could consider easy read formatting when a policy or plan is updated. The LGA understands that both commissioning Easy Read documents or producing internally, requires significant resourcing of approximately \$2000 - \$3000 per document.

Our members have indicated that this is not likely to be achievable for many councils, as it would require local governments to need additional resources, staffing and a clear timeframe for action.

Recommendation 44

State government agencies and local councils should take reasonable steps to ensure that they have policies in place to assist people living with various disabilities to be able to understand documents and published information.

LGA comment

This is supported in principle, like Recommendation 43, there could be huge resourcing implications resulting from this recommendation. Additional resources may be needed to develop the policies, let alone the implications of fulfilling them. It is suggested that councils are supported through the provision of templates developed by the Department. Further clarity about what 'reasonable steps' means in practice is also needed.

Recommendation 47

The Department should take steps to ensure that a “universal” identification card is made available for people with disability who do not hold a driver’s licence.

LGA comment

This is supported as members have suggested that this would also support inclusive employment practices.

Recommendation 49

Section 18 of the Act should be amended so that a report on the review of a disability access and inclusion plan submitted to under that section includes, or is accompanied by, information about any changes made, or proposed to be made, to the DAIP as a result of the review. Consideration could also be given to amending section 18 so that the reports are initially provided to the Chief Executive, and a report summarising those reports is provided in turn to the Minister.

LGA comment

This is supported in principle, but further information is needed as to the detail of this recommendation. It is unclear if this report would be additional to the annual report required under section 17 of the Act or not. The LGA would not support additional reporting requirements placed on member councils.

Recommendation 50

An overview of the Act should be published in Easy Read format on the Departments’ website.

LGA comment

This is supported. This will benefit many people with disability and increase their knowledge and understanding of the legislation. It will also set an example for other agencies to replicate.

Recommendation 51

A copy of this report should be published in an Easy read format on the Department’s website, and made available by the Department, after the report has been tabled in Parliament.

LGA comment

This is supported. This will benefit many people with disability and increase their knowledge and understanding of the legislation. It will also set an example for other agencies to replicate.

Conclusion

The overall operation of this Act has seen many positive outcomes for people with disabilities and their families.

South Australian councils will continue to be part of the solution in supporting and promoting opportunities for people with disabilities, working in partnership with the Federal and State Governments and non-government organisations.

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