

Transfer of disability services to the non-government sector

Questions and answers for families – June 2018

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Service transfer

1. Why is the Victorian Government transferring disability accommodation and respite services to non-government providers?

The decision to transfer disability accommodation and respite services to non-government providers supports expansion, sustainability and diversity in the disability sector, enabling all Victorians with a disability to have greater choice and control.

Under the National Disability Insurance Scheme (NDIS) an additional 27,000 people with disability in Victoria will receive support, with a total of 105,000 Victorians accessing the scheme once it is fully operational in 2019.

To meet this increased demand, we need to support Victoria's disability sector to develop and grow, with more organisations providing a diverse and individualised range of disability services.

The services that will transfer are the staff support provided in group homes or houses, called Supported Independent Living (SIL) under the NDIS, and facility based respite, called Short Term Accommodation and Assistance (STAA) under the NDIS.

2. Will the transfer affect where people live?

There is no change in the ownership of the houses that services are delivered in. **The houses will not be transferred and residents will not be asked to move.**

3. How will the transfer of services happen?

The Victorian Government is working to ensure the transfer of services is smooth and successful for residents, their families and the workforce.

Once the Government has chosen the successful providers, the Department of Health and Human Services (DHHS) will work closely with them to plan and prepare for the transfer, in ongoing consultation with residents, families and staff. Providers will be contractually obliged to meet requirements Government has set to verify they are ready to deliver services. This will include making sure all participant records are transferred and in place, complaints and feedback systems are ready and all staff training has taken place. Once providers can prove to Government that they are ready, services will transfer to them.

As part of our commitment to collaboration, we have held workshops with groups of residents, families and staff to design how the transfer of services will occur. The resulting 'transfer framework' sets out key activities that must take place to help everyone feel fully informed and supported during the transfer.

Successful providers will be contractually obliged to use the framework to guide all activities in order to best support residents, families and staff to feel comfortable and confident transferring to new providers.

4. When will services transfer to new providers?

There will be no changes this year. Services will start to transfer from 1 January 2019. The Government expects to announce the successful providers and the transfer dates of services at the same time, which will be from mid-2018.

People with disability and their families

5. What if we have concerns about the service we are receiving now? Will these issues be resolved through the transfer?

The Government has always been committed to delivering the highest quality services and actively encourages residents and families who have concerns to discuss them with the house supervisor or operations manager as soon as possible, and follow existing complaints processes.

Information about how to make a complaint is available at <https://www.dhhs.vic.gov.au/making-complaint>

6. Will residents, families and staff meet the providers before transfer?

In addition to regular communication about the transfer, residents, families and staff have told us it is important to be able meet with their new provider as soon as possible.

Meetings will be held after successful providers are announced and information about these meetings will be sent to you. The meetings will give providers the opportunity to explain who they are as an organisation and for residents, families and staff to ask questions about how they manage services.

7. How will residents and families be kept informed about the transfer to new providers?

Residents and families will continue to receive regular information by post, through staff and online, about key steps in the transfer. This will include information about who their new provider is and how they can meet with them.

Residents and families have told us it is important to have access to their new provider as soon as possible. Once successful providers are announced they will start communicating directly with residents and families about their organisation and the important things families need to know, such as who to contact with questions.

In addition, DHHS has engaged The Victorian Advocacy League for Individuals with Disability (VALID) to provide advocacy support to residents and families, and ensure they are supported to understand what the transfer of services means to them.

VALID will keep residents and families informed about the transfer through its regular newsletters, and is continuing to hold small resident meetings at group homes and local venues until the end of June. People can subscribe to the VALID newsletter, or get information and support, by calling 1800 655 570.

The Government has also engaged Carers Victoria to provide information sessions and support to people who use facility based respite services and their families. Information about this will be sent to facility based respite service users, their families and respite staff in June.

Up to date information is always available at www.vic.gov.au/ndis

8. What will happen for residents transitioning to the NDIS at the same time as the transfer?

There are three areas that will be transitioning to the NDIS during the first half of 2019; Goulburn, Mallee and Outer Gippsland. The transfer to new providers will not delay the NDIS planning process and the Government will work with providers and the NDIA to ensure a streamlined process.

9. Who will be responsible for managing resident money e.g. personal spending?

The new providers will be responsible for assisting residents' to manage their money.

As part of the tender process, prospective providers needed to demonstrate that they have robust systems in place to protect and account for resident's monies that meet the requirements of the Disability Act 2006.

Before the transfer of services occurs, successful providers will work with residents and their financial administrators to understand how resident money will be managed and to get ready for the new system.

Providers

10. How are providers being evaluated and selected?

During 2017 the Government held an expression of interest (EOI) process. Following the strong response to this process, the Government opened a tender for accommodation and respite services on 14 February 2018. Only bidders that were able to pass the strict criteria set for the EOI were shortlisted and invited to participate in the tender.

The tender closed at the end of April 2018 and submissions are currently being evaluated against a second set of strict evaluation criteria.

Providers are being measured against evaluation criteria that have been developed in consultation with people with disability and their families and the disability workforce.

A fact sheet about the tender evaluation criteria is available at www.vic.gov.au/ndis

11. Are the providers not for profit?

Yes, all providers being evaluated as part of the tender are not for profit organisations.

12. How will services be allocated to new providers?

As part of the tender, shortlisted providers were invited to provide submissions for services in geographical groups. Their submissions are currently being evaluated and a successful provider will be selected to manage the services located in each geographical group.

Providers will be required to support all disability accommodation and respite services that are located in the geographical group – they cannot pick and choose individual services.

13. Will residents and/or their families be able to choose the new provider of their group home?

The Government has been engaging with residents and families, as well as staff, throughout this process. This includes close consultation with residents and their families to develop the evaluation criteria being used to select the new providers through the tender process. It means their priorities – high quality of care, safety and choice under the NDIS – are at the centre of the Government's decision making.

14. How can DHHS be sure that a new provider will be ready to start delivering services on the day of transfer?

In order to be selected, the Government must have a high level of confidence that providers will be well prepared to deliver high quality services from day one.

As part of the tender process, providers have been required to plan and set out in detail how they will support residents, families and staff to transfer to their services with minimal disruption.

Before a transfer can take place, new providers will be contractually obliged to meet requirements Government has set to verify they are ready to deliver services. The Government will work closely with successful providers to hand over services.

15. How will Government make sure providers have relevant local knowledge?

Through the tender, providers have been asked to demonstrate connections to the communities they are submitting proposals for, especially in rural locations, and to show how they will continue to build local knowledge and connection.

Staff

16. Which staff are transferring with the service? What happens if staff choose not to transfer?

Staff members who are in-scope for the transfer include house supervisors, operations managers (the office based manager who has the most day to day contact with group homes) and direct care staff (full-time, part-time and casual).

The Government has also made a commitment to retain the house supervisor at each group home, recognising the importance of the relationship between house supervisors, residents, their families and carers.

Staff will transfer to the new providers and continue delivering quality services to residents. The incentives being offered for staff to transfer recognises the value placed on the longstanding relationships and trust participant's and families have with existing staff.

17. What if there are staff vacancies at a group home?

Throughout 2018 and until services transfer, DHHS will continue to recruit to fill staff vacancies. Following the transfer, the new provider will recruit to fill vacant positions.

Casual workers are also included in the transfer, which means that when temporary replacement staff are required, successful providers will have access to those staff already familiar with residents' support needs.

18. How are staff being kept informed about the transfer?

A range of activities have taken place and will continue to be implemented to keep staff informed. These include:

- Information sessions held in March 2018 where all staff had the opportunity to hear about the workforce package being offered to staff and to ask questions about the transfer process.

- Access to a hotline where they can raise questions or concerns. The hotline has been open since December 2017 and will remain open until all services have transferred.
- Up to date information through their managers, regular newsletters and update emails.
- Access to resources that help staff to provide accurate and consistent information to residents and families.
- The opportunity to meet with the new providers following the announcement of the successful providers.

19. Will the new provider be able to reduce staffing?

Under the NDIS, support needs are assessed on an individual basis and plans are tailored to meet these needs. As an individual participant's needs change, the support they require can also be changed. Providers of services under the NDIS need to be able to deliver services in line with an individual's needs, which at times may require a flexible approach.

Staff will be transferring to the new providers based on the terms of their current employment and have their substantive hours protected through the Disability Services Enterprise Agreement (DSEA). The Government will support providers to meet fair terms for the workforce.

20. Will new providers be able to recruit staff less qualified than DHHS do now?

The DSEA maintains current terms and conditions for the workforce including qualification requirements for each type of position, and providing unqualified employees with the opportunity to obtain qualifications. As the DSEA will transfer with staff to the new providers, these conditions will be maintained when services are managed by the new providers.

21. How will new providers ensure that staff have the right skills and experience to deliver quality services?

Non-government providers of disability services operating in Victoria currently employ staff with the same qualifications as those working for the Government, and this will not change.

In fact, existing Government disability accommodation and respite services staff will transfer to new providers, maintaining longstanding relationships with residents and families who have intricate knowledge of how to best support residents living in group homes.

Staff will continue to undertake mandatory training relevant to their role and other training linked to the needs of the residents they are working with.

In addition, the Victorian Government is working to grow the Victorian disability workforce and equip workers with the knowledge and skills they need to thrive and meet the demands of the NDIS.

This includes a new registration and accreditation scheme for Victoria which aims to protect vulnerable people from harm, as well as to support the disability workforce by making sure workers who care for people with a disability have the right skills, experience and qualifications.

Quality and assurance monitoring

22. How can families feel confident that providers will deliver quality services?

The Government will put in place a rigorous regime to monitor the performance of providers until the end of 2025, which will focus on specific obligations relating to safety and the quality of services.

Successful providers will also be required to meet a number of reporting requirements including a feedback survey that regularly seeks the views of residents and families, biannual reporting and auditing where required.

Families will continue to have access to house supervisors and operations managers to discuss day to day issues, and will be advised of their new provider's process for raising any concerns.

From 1 July 2019, the new providers will also need to comply with the National Quality and Safeguards Framework which will provide a nationally consistent approach to quality and safeguards for residents and providers under the NDIS.

23. How will providers be held accountable for their performance?

Successful providers will be contractually required to meet a range of quality and safety conditions under a strict performance and monitoring regime being established by the Victorian Government.

Under the regime, providers will be required to put in place regular feedback surveys with residents, families and staff. These will be designed in consultation with residents and families and a dedicated team within DHHS will monitor the information collected and services they deliver.

There will be sanctions for providers who fail to meet the mandatory requirements and DHHS will work with providers to address and remediate the identified issues.

Providers will also be accountable under the new NDIS Quality and Safeguarding Framework which includes annual accreditation, oversight by the NDIS Quality and Safeguards Commission and continuation of a community visitor scheme.

A fact sheet about the Performance and Monitoring Regime will be available shortly at www.vic.gov.au/ndis.

24. How will families raise concerns if they are unhappy about the management of a group home?

All new providers are required to have processes to respond to feedback and concerns, including a complaints process.

Information about the new providers system, including contact numbers, will be provided to residents and families prior to the transfer of services.

In addition, the NDIS Quality and Safeguards Commission is a new independent body that will support the resolution of complaints about the quality and safety of NDIS supports and services. The Commission will start operating in Victoria from 1 July 2019. Information about how to contact the Commission will be provided to residents and families before this date.

25. What happens if the provider stops operating or fails the performance monitoring checks?

DHHS will monitor the performance of providers until the end of 2025. If there are concerns about the quality of services or the ability of providers to continue operating, DHHS will work with the provider to address the issues.

If the issues are serious enough for a contract to be ceased, or for the National NDIS Quality and Safeguarding Commission to consider deregistering the organisation as an NDIS provider, the Government will take the necessary action to ensure the safety and wellbeing of residents.

Transfer process

26. What happens with records? What will transfer?

To make sure that new providers continue to deliver quality and safe services that are tailored for each participant from day one, copies of current records will be transferred to new providers as part of transfer preparations. This includes behaviour support plans, participant health records and other critical information.

DHHS will continue to store older, archived records and make them available on request.

27. What happens to communal items, or items that DHHS has purchased such as furniture, kitchen equipment and hoists?

DHHS is currently undertaking an inventory of equipment or furniture that Government has purchased for residents/houses. Of this, items used by individual residents will be gifted to residents, and communal items will be made available to the new provider to manage on residents' behalf.

Items that residents have purchased themselves will continue to stay at the house with residents.

28. What changes are likely to occur after the transfer?

Most things that residents experience in their day to day lives will not change. Residents will continue with their day to day routines, access the same day services or other activities as they do now, and be provided support in the same way that is currently outlined in their support plans.

Residents will continue to have access to the same transport support, support workers and house supervisors will not change, and residents will not be asked to leave their homes.

Some things are likely to feel different. For example, some forms or systems that staff use in their jobs might change and there will be new contacts for providing feedback and making complaints.

In the lead up to the transfer DHHS and the new providers will keep families updated about any changes they need to be aware of, including new contact points. Residents, families and staff will meet and become familiar with new senior management from the new provider. Staff will also be supported to learn new systems before they transfer.

This work will be based on the 'transfer framework' which will provide more information about how the transfer will happen.

Transport

29. The Government's commitment to residents includes maintaining access to transport. What does this mean?

New providers are required to ensure there is no reduction to the current level of transport services for residents through the transfer.

Providers may change how the transport is delivered to residents e.g. they may introduce different shared arrangements, but the level of transport must be maintained, and at no additional cost to the resident.

To help ensure transport continues to be provided at current levels, DHHS will transfer existing vehicles to successful providers.

Payments and charges

30. Will the rent or board and lodging payments change?

The NDIS 'Terms of business for registered providers' outlines the rules for collecting rent, called a 'Reasonable rent contribution', from residents. These rules include a maximum amount for rent and specific requirements for collecting board payments.

More information about the implementation of these new NDIS rules will be provided to residents, their financial administrators and families as this work progresses.

Advocacy support

31. What assistance is there for residents who need support with decision making?

VALID has been engaged to provide advocacy support to residents and families, and ensure they are supported to understand what the transfer of services means to them.

All residents can also access VALID for additional support to assist them through the NDIS planning process.

VALID have a dedicated information and advice telephone line for group home residents and families. The number for this telephone line is 1800 655 570.

Additional advocacy support for people who use little or no speech to communicate; and for people who use facility based respite services is also available.

Background

32. What was the outcome of the expression of interest process?

During 2017 the Government held an expression of interest (EOI) process. The level of interest and quality of responses were strong, and demonstrated that a number of high quality providers are well placed to take on Government operated disability accommodation and facility based respite services.

Amongst other things, these providers:

- have an exceptional knowledge of the NDIS, and are delivering services that are tailored to individual needs;
- have strong and enduring safeguards in place to protect people with disability and their families, including embedded processes to foster a culture of prevention of abuse, empower individuals to understand and assert their rights, monitor and report incidents and foster continuous improvement;
- are committed to a positive workplace and the continual development of their staff, and demonstrated a strong appreciation of the value of a professional and competent workforce in delivering high quality services; and
- are delivering innovative, high quality and individualised services that encourage client choice and control.

This is a testament to our strong disability sector in Victoria, the majority of which comprises not-for-profit organisations with deep connections to, and supported by, the community. This will assist to deliver positive outcomes for Victorians.

33. What is Specialist Disability Accommodation?

Specialist Disability Accommodation (SDA) is the NDIS term for the group homes or houses that disability accommodation is delivered in.

There is no change in the ownership of the houses that services are delivered in. The houses will not be transferred and residents will not be asked to move.

Under the NDIS, SDA owners will organise and cover the costs of maintenance, repairs, refurbishment and/or replacement of houses through the collection of the SDA payment that residents will receive through their NDIS plans, and through the collection of rent that residents will pay for through their disability support pension.

Prior to the transfer of services, residents will receive new Residential Statements that include the contact details of their SDA owner.

To receive this publication in an accessible format phone 1300 156 631, using the National Relay Service 13 36 77 if required, or [email the NDIS branch](mailto:ndis@dhhs.vic.gov.au) <ndis@dhhs.vic.gov.au>

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