**Vision Australia Submission to**

**Victorian Disability Worker Regulation Scheme**

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## Introduction

Vision Australia welcomes the opportunity to provide this short submission to the Victorian Government’s consultation into the Victorian Disability Worker Regulation Scheme and the proposed registration standards and regulations for Victoria’s disability workforce. Vision Australia provides services to more than 26,000 people who are blind or have low vision every year. We work in partnership with Australians who are blind or have low vision to help them achieve the possibilities they choose in life.

We will be primarily providing comment on the proposed registrations standards to be able to gain registration under the Disability Worker Regulation Scheme. The views in this submission have been formed through our work supporting members of the community who are blind or have low vision and their personal experiences.

## Background

Vision Australia provides a wide range of services to the blind and low vision community. We know that our clients also seek services outside of those provided by Vision Australia. Outside of the standard services Vision Australia provides, the blind and low vision community often seek everyday supports from other practitioners such as:

* A gym companion
* Assistance getting to and from a lesson, class or appointment
* Assistance with navigating a supermarket
* Cleaning
* Gardening

We certainly believe that the Victorian Disability Worker Regulation Scheme is well-intentioned, and could address certain gaps in the sector. However, we have significant concerns that it will create a range of unintended consequences, the cumulative effect of which will be to limit the choice and control of people with disabilities in general. In particular, the implementation of the scheme in its current form is likely to make it more difficult for people who are blind or have low vision to obtain the timely supports they seek beyond what Vision Australia is able to provide.

Further, particularly of relevance to the blind and low vision community, we see the need for a registration category to capture people who fall outside the definitions of a support worker and a practitioner, such as a braille teacher or adaptive technology consultant.

Our concerns are primarily around the impact the scheme could have on disability support workers as opposed to disability practitioners. Although the scheme is voluntary, we predict issues will arise particularly around duplication, choice and bias.

## Issues

Duplication

We are concerned that, overall, the registration standards will duplicate measures that are already exist and operating effectively, for example through the NDIS and My Aged Care. Registered NDIS and My Aged service providers such as Vision Australia are required to comply with these workforce standards, which have been developed through extensive consultation. Although registration with the proposed Victorian scheme will (at least initially) be voluntary, in practice, it is anticipated that over time, there will be increasing pressure for service provider organisations to register. As a result, the regulatory burden will serve no useful purpose and will not deliver better outcomes for people with disabilities, as the relevant NDIS and My Aged Care standards are already applicable to such organisations

Choice

We are concerned that the scheme has the potential to take away a level of choice for the blind and low vision community, and the wider disability cohort, in who they choose to provide them services.

Bias

The voluntary nature of the proposed scheme will in our view, inevitably create an unhelpful, and potentially harmful, division between those workers who are registered and those who are not. In general discourse, there is often an implied equivalence between “registered” and “qualified”. For example, a registered nurse or a registered psychologist are considered sufficiently qualified to engage in their respective professions. However, there will likely be various and compelling reasons why some disability workers might not want, or be in a position to, register with the proposed scheme. Conversely, a disability worker who is registered will not necessarily be qualified to provide all (or indeed any) supports that a particular person with a disability might be seeking. The preferencing of registered workers over unregistered ones, and the conflation of the distinction between “registered” and “qualified” in this context, could lead to situations where a person engages a disability support worker could understandably assume that they are qualified to provide particular supports when in fact they are not, despite being registered with the scheme. There will be considerable pressure for current and prospective disability support workers to seek registration with the scheme, regardless of whether it is the most appropriate option for them or the most effective way of recognising their personal and professional skills and attributes.

There is also a strong likelihood that organisations that employ support workers will come under pressure to only recruit registered support workers who are already registered, even though these organisations will already be required to comply with NDIS and My Aged Care worker standards. In such situations, registration will not lead to better outcomes for people with disabilities, but will serve merely to foster a more risk-adverse sector. Service providers are currently operating in a thin market environment, it would be unfortunate if registration standards were made so onerous as to exclude skilled workers from the sector.

In summary, we believe that the scheme will create an unjustified bias in favour of registered workers that will:

1. Force a wide range of support workers who have the ability to provide excellent supports in certain areas to leave the sector altogether;
2. Discourage some prospective workers from entering the sector; and
3. Encourage others to register but then not comply with the standards.
4. There will be a net loss of both quantity and quality in the disability workforce as a result, and this in turn, will lead to diminished choice and control for people with a disability.

## Registration Standards

### Professional indemnity insurance standards

In the NDIS space, changes to the current insurance practices has the potential to get quite complex for clients, particularly those who are self-managed and might employ disability workers of their own. If there are varying insurance instruments, it will likely get quite complex for people to understand exactly what they are covered for and what risk they might be absorbing. We would seek further clarification on how this standard will be implemented.

### Continuing professional development

The board is proposing setting a registration standard of a minimum of 10 hours of professional development training per year, commencing in the second registration period, for disability support workers to maintain their registration. While this may be appropriate for some support workers providing certain types of supports, it is often neither necessary nor beneficial, especially in the context of the episodic, ad hoc services that many people who are blind or have low vision typically seek.

Many of our clients seek supports with activities such as cleaning, gardening, reading the mail, shopping, attending classes and medical appointments, and participating in community activities. Providing safe, high-quality and needs-appropriate support in these and related areas does not require extensive and ongoing training. In any case, though, most people who are blind or have low vision, source their supports from workers who are associated with an organisation registered under the NDIS or My Aged Care, and who would therefore have participated in various training programs. There would seem to be little, if any, value in requiring these workers to undertake additional, ongoing training as part of their registration with the proposed scheme. Many people with a disability, including people who are blind or have low vision, use professional platforms such as

Hireup and Mabel to identify and engage support workers as these platforms maximise their choice and control in meeting their needs. Support workers who find this model beneficial, convenient, and

financially rewarding are, in our view, much less likely to remain in the disability sector if they are compelled to comply with unnecessary and costly training requirements, at a time when the sector is already desperately struggling to attract sufficient workers.

*Case study:*

*John\* is a 49 year old professional who is blind. Through a service provider, John has sought the assistance of Claire\* to go to the gym with him. Claire picks John up for the gym most mornings. The only assistance John requires when at the gym is being guided around the gym premises so that he can find and use the machines he wishes to use. It would be completely unnecessary for Claire to*

*have to undertake mandatory training every year to maintain registration, as the supports she provides do not call for it. Claire is a part-time university student, and the level of support she provides to John and other people who have similar needs allows her to study while making a valuable contribution to her community. Claire has indicated that she would choose to remain unregistered under the new scheme because she can’t afford the time or cost of ongoing training, but*

*she is concerned that she would be perceived as being irresponsible and unsuitable to provide any supports at all, and says she would probably look for employment outside the disability sector.*

Vision Australia is of the position that an arrangement whereby all support workers do basic skill refreshers for things like first aid and CPR, and adding additional training units for support workers who are providing more complex services or working with clients who require behaviour support. This would be preferable to a blanket 10 hours of required training for all workers within the sector.

Funding of professional development

In relation to the 10 hours of annual professional development training, Vision Australia is concerned that the financial burden would be unsustainable, for employers and employees. There are already substantial compliance costs for organisations registered with the NDIS and My Aged care. At the same time, it would be unfair and unreasonable to expect employees to cover these ongoing training costs themselves, in the absence of demonstrable necessity and tangible benefit.

### Language Skills

In principle we support the notion of minimum language skills, as people who are blind or have low vision rely on effective verbal communication with support workers. We recognise that there is a need for support workers to be available to people whose primary language is not English, but the present form of the standards does not provide any guidance as to how this balance would be

achieved. Without a clear strategy for maintaining this balance, it is likely that some workers would be disadvantaged or at least discouraged from registering with the scheme.

### Physical and Mental Health

Vision Australia believes that an overarching, blanket standard around physical and mental health could unintentionally exclude a wide range of people from being able to qualify for registration with

the scheme. The following case study provides an example of how a blanket physical and mental health standard might not fit every scenario.

*Case study:*

*Simon\* is a 52 year old man with low vision. One of Simon’s passions is playing the classical guitar, attending weekly lessons to hone his skills. As Simon is not able to drive himself to his guitar lessons he sought the assistance of Jane\*, a support worker, to drive him to and from his lessons. Jane happens to have a mild back injury, however she is able to drive a car safely. If Jane were to seek registration, she may not pass the physical and mental health registration standard. If Jane remains unregistered she runs the risk of future clients not choosing to hire her as they might view her lack of registration as equivalent to a lack of qualification.*

Vision Australia agrees with the position outlined in the consultation paper that a registration standard in relation to physical and mental health could inadvertently encourage discrimination, and matters of impairment would be better managed on a case-by-case basis rather than through an overarching registration standard.

## Summary

While Vision Australia acknowledges the Victorian Disability Worker Regulation Scheme is well intentioned, we do foresee negative ramifications for disability support workers, with our concerns centring on duplication, choice and bias. We are concerned that stringent registration standards may force support workers who have excellent abilities out of the sector, as well as new workers being discouraged from entering the sector. There is a risk that by having registered and unregistered workers, a bias will form towards registered workers being preferable due to the assumption that this cohort are equipped with a greater skill set, when in actual fact, this might not always be the case. We see the potential for there to be a net loss of both quantity and quality in the disability workforce as a result, and this in turn, will lead to diminished choice and control for people with a disability.

**About Vision Australia**

Vision Australia is the largest national provider of services to people who are blind, deafblind, or have low vision in Australia. We are formed through the merger of several of Australia’s most respected and experienced blindness and low vision agencies, celebrating our 150th year of operation in 2017.

Our vision is that people who are blind, deafblind, or have low vision will increasingly be able to choose to participate fully in every facet of community life. To help realise this goal, we provide high-quality services to the community of people who are blind, have low vision, are deafblind or have a print disability, and their families.

Vision Australia service delivery areas include: registered provider of specialist supports for the NDIS and My Aged Care Aids and Equipment, Assistive/Adaptive Technology training and support, Seeing Eye Dogs, National Library Services, Early childhood and education services, and Feelix Library for 0-7 year olds, employment services, production of alternate formats, Vision Australia Radio network, and national partnership with Radio for the Print Handicapped Spectacles Program for the NSW Government Advocacy and Engagement. We also work collaboratively with Government, businesses and the community to eliminate the barriers our clients face in making life choices and fully exercising rights as Australian citizens.

Vision Australia has unrivalled knowledge and experience through constant interaction with clients and their families, of whom we provide services to more than 26,000 people each year, and also through the direct involvement of people who are blind or have low vision at all levels of our organisation. Vision Australia is well placed to advise governments, business and the community on challenges faced by people who are blind or have low vision as well the way in which we support this community fully participate in society.

Our vibrant Client Reference Group is made up of people with lived experience who represent the voice and needs of clients of our organisation to the board and management.

Vision Australia is also a significant employer of people who are blind or have low vision, with 15% of total staff having vision impairment. Vision Australia also has a Memorandum of Understanding with, and provides funds to, Blind Citizens Australia, to strengthen the voice of the blind community.