

FACT SHEET

Disability Services Bill 2011

The *Disability Services Bill 2011* extends the significant reform of Tasmania's disability services sector currently underway.

The *Disability Services Bill 2011* relates to specialist disability services that are either funded or provided by the Department of Health and Human Services.

This Bill will replace the outdated *Disability Services Act 1992*.

The Bill brings the provision of specialist disability services into line with contemporary practice and thinking.

It reflects up-to-date policy and practice, increasing safeguards for people with a disability and ensuring that services provided are the best possible response for those with the greatest needs.

In recent years there have been a number of key developments that have redirected the focus of support services for the more than 111,700 people with a disability in Tasmania.

There are around 23,000 Tasmanians under the age of 65 who have a profound or severe disability. Services provided under this legislation are intended to assist those with the greatest need.

One of the major developments is the State Government's extensive restructure and refocus of service provision following the 2007-2008 review of the effectiveness and efficiency of specialist disability services.

The Bill offers an opportunity to ensure that disability services are provided in a way that better meets the community's obligations to Tasmanians with a disability.

The *Disability Services Bill 2011*:

- Reflects broader human rights perspectives in line with Australia's ratification of the United Nations Conventions on the Rights of Persons with Disabilities;

- Revises the definition of disability to place a greater emphasis on the impact of the impairment and includes recognition of disability arising from cognitive impairment ;
- Provides a mandate the development and monitoring of standards (including compliance requirements and sanctions for non-compliance), and establishes a requirement that standards be articulated within regulations;
- Explicitly specifies broad roles and responsibilities for government and funded organisations to include better planning, reporting, information sharing, and quality and safety requirements;
- Introduces approval processes and safeguards to monitor the use of restrictive interventions;
- Provides for new and flexible funding arrangements; and
- Introduces planning and reporting requirements at an individual, service and systems level.

During 2010 the Department for Health and Human Services undertook an extensive consultation on amending the *Disability Services Act 1992*. A consultation draft of the Bill was released for public comment in December 2010. This Bill reflects many of the comments and views that were expressed throughout the consultation process.