

Disability Inclusion Bill 2023

August 2023 – Easy Read



What **you** have
to say is
important!



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How to use this paper



The Tasmanian Government Department of Premier and Cabinet wrote this paper.

When you see the word 'we', it means the Department of Premier and Cabinet.



We wrote this paper in an easy to read way.

We use pictures to explain some ideas.



We wrote some hard words in **bold**.

This means the letters are thicker and **darker**.

We explain what the hard words mean.



You can ask for help to read this paper.

You could ask a friend, family member, support person or advocate.

What is this paper about?



The Tasmanian Government is making a new **Act**.

An **Act** is a law.

The Act is called the Disability Inclusion Act.

The draft of the Act is called a Bill.

In this paper we tell you about the Act.



This paper is a short paper.

It explains the most important parts of the Bill.

There is a bigger paper with more information.



You can find the bigger paper online at:

https://www.dpac.tas.gov.au/major_policies.

We want to know what you think about the Act.

What we must do



We want to know what you think about the Disability Inclusion Bill.



We need to find out:

- any problems with it
- things that need to be clearer
- anything that needs to be changed



After this we must:

- make any changes to the Bill
- take the Bill to the Tasmanian Parliament
- members of parliament will vote on the Bill
- if parliament agrees it will become an Act



The reason for the new Act is to:

- improve the human rights of people with disability and



- make Tasmania a safer place for people with disability where they are more included

This is why your feedback is important!

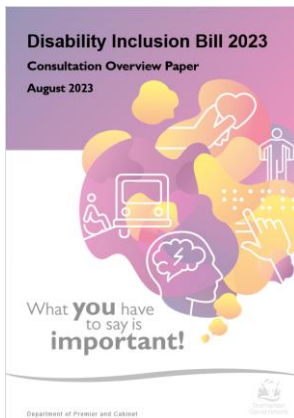


The Bill is in a number of parts.

We explain what they are.

Then we will tell you how you can give feedback.

Part 1: What is the Act?



The new Act is called the Disability Inclusion Act

These are the words that describe the Act and what it is trying to do.

“An Act to **advance the human rights** of people with disability and the **full and effective inclusion** of people with disability in the Tasmanian Community.”



This means the Act will make your human rights stronger.



It will make sure you can take part in your community.

Part 2: Disability Inclusion Planning



The Act has ways the Tasmanian Government will make Tasmania a more **inclusive** place to live.

inclusive means everyone can take part.

The Act says:

- the Government must write a Tasmanian **Disability Inclusion Plan**.



This plan will say how the Government will make Tasmania more inclusive.

- each part of Government must have its own Disability Inclusion Action Plan.



These plans say how they will make their services more inclusive.

- the Government must consult about how important projects and changes will affect people with disability.





- we will set up a **Disability Inclusion Commissioner**.

We call them the Commissioner for short.

We tell you more about the **Disability Inclusion Commissioner** on page 11.



- it is the Commissioner's job to write instructions to help Government with
 - talking to people with disability
 - writing plans and
 - reporting.

Part 3: Disability Inclusion Advisory Council



The Act says:

- the Government will have a group called the Disability Advisory Council.



They will:

- give advice to the Minister and the Commissioner about disability inclusion



- give advice about how to make Tasmania safer for people with disability



Most of the Advisory Council must be people with disability.

Part 4: Tasmanian Disability Inclusion Commissioner



The Tasmanian Government wants people with disability to be:

- safe
- healthy
- part of the community.

The Tasmanian Disability Commissioner's job is to help this happen.



They will make sure people get good supports and services.

The Act says the Commissioner has certain **powers** to do their job.

powers are what they can and are allowed to do.



The Commissioner can:



- look into complaints about
 - violence
 - abuse
 - neglect or
 - **exploitation** of people with disability

exploitation is when someone takes advantage of you.

- send complaints to other people like the **NDIS Quality and Safeguards Commission**.



NDIS Quality
and Safeguards
Commission

The **NDIS Quality and Safeguards**

Commission is a place that looks into complaints about the NDIS services.

It makes sure services follow the rules.



- set up ways to check on the wellbeing of people with disability



- keep an eye on how the government is doing with:
 - providing services and
 - including people with disability



- do **research** and give advice about:
 - services
 - gaps
 - Issues

Research is when we gather information to learn more about something



- make sure other people in the community know about people with disability and their rights.

The Act says the Commissioner should be:



- a person with lived experience of disability
- **independent** from the Government

independent means being separate and not part of the Government.



- the Commissioner will work with the Disability Advisory Council.

Part 5: Disability Services Standards



It is important to have rules for disability service providers.

Some rules are set by the NDIS.

It is important to have rules for providers who are **not** registered with the NDIS.



The National Standards for Disability Services are rules that **all** providers need to follow.



The rules are about:

- **your rights** – you have the right to be treated fairly when using disability services.



- **participation and inclusion** – you can take part in the community and feel included when you use disability services.



- **individual outcomes** – your service helps you to make choices about what you want to do.
You can work towards your goals.



- **feedback and complaints** – you can tell people what you think about the services you use.



- **service access** – finding and using services is fair.
Everyone can get the services they need.



- **service management** – disability services should be well run.



The NDIS also has the same rules.



The Disability Inclusion Act will say that service providers still need to follow the National Standards for Disability Services.

Parts 6, 7, 8 and 9 – The Senior Practitioner and Regulation of Restricted Practices



Sometimes a disability service provider may need to do something that stops a person with disability from doing something they want to do.

This is called a **restrictive practice**.

A **restrictive practice** is used to stop a person with disability from hurting themselves or others.
For example:



- when you are given medication to stop your behaviour



- locking you in a room



Restrictive practices should only happen:



- to keep a person with disability or other people safe from harm



- when there is no other choice



- if an expert like the **Senior Practitioner** says it is ok.

The **Senior Practitioner** has a job to protect your rights if you have **restrictions** placed on you.



The Bill makes changes to when restrictive practises are allowed.



These changes will make sure:

- your rights are protected and
- you are safe.



The changes for restrictive practices are:

- you must be involved



- you can choose you own independent person to help you.

This could be a:

- friend
- family member
- carer
- guardian

They cannot work for the service provider!



The Senior Practitioner will set up a list of volunteers who can be an independent person.

You can choose from this list.



The independent person must:

- explain the restrictive practice to you



- tell the Senior Practitioner if it is against the Act

- look after your rights

- make sure there is no other way of doing things.



A restrictive practice can only be used if there is a **behaviour support plan**.

A **behaviour support plan** is a plan that must say:



- how you have been involved in making it



- what other ways of keeping you safe have been tried



- what the restrictive practices are



- how and when they will stop using them.



If you have a restrictive practice, the service provider must also protect your rights.



They must do this by putting in place an **Appointed Program Officer**.

We call them an **APO** for short.

The **APO** works for the service provider.



They must make sure the restrictive practice:

- follows what the Senior Practitioner says
- follows the behaviour support plan
- affects your life as little as possible.

Part 10: Funding



This part of the Bill is about how the Tasmanian Government will give funding to things that fit in with the Act.



These are things like:

- Disability Advocacy organisations
- Research
- services for people with disability who are not eligible for the NDIS.



Part 11: Authorised Officers



In the Bill, there are **authorised officers**.

An **authorised officer** is a person the law says is allowed to do something.



Authorised officers can go into a place to make sure:

- the person who lives there is safe
- or
- is getting support.



The Authorised Officer helps other people like:

- the Senior Practitioner
- the Disability Inclusion Commissioner.

This part of the Bill says when and how an authorised officer can enter a place.



It says what they can ask when they are in there.

For example, they can ask to look at paperwork.

They can ask anyone questions.

How to give feedback



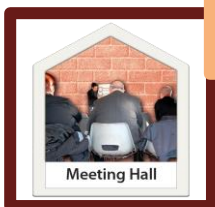
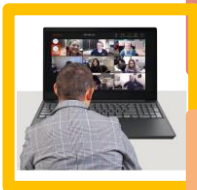
We want to hear your ideas about how the new Bill should work.



We want to find out what ideas you have.

This includes what you think needs to change.

There are different ways to give feedback. Choose a way that works for you.



You can tell us what you think:

- in writing
- in a video or audio recording.
- at a face-to-face consultation session
- in an online consultation
- or a group conversation with your organisation or group.



Important Information about written feedback



Written feedback on the Bill is called a submission.



If you write a submission, it will be published on the internet with submissions from other people and organisations.



This will include your name.

You can tell us if you don't want your name published.



If you have questions, please email us:

disabilityinclusionbill@dpac.tas.gov.au or



phone 1800 431 211.



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