

VICTORIAN COALITION OF ABI SERVICE PROVIDERS INC.



**SUBMISSION IN RESPONSE TO THE
REGULATORY IMPACT STATEMENT
FOR THE PROPOSED
SUPPORTED RESIDENTIAL SERVICES REGULATIONS 2011**

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To:

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Victorian Coalition of ABI Service Providers (VCASP) welcomes the opportunity to provide a response to the Regulatory Impact Statement, Supported Residential Services (Private Proprietors) Regulations 2011. VCASP acknowledges the importance and timeliness of the current review of regulations relating to Supported Residential Services (SRS).

VCASP was established in 1998 in response to the need for coordinated policy and service development for people affected by acquired brain injury (ABI). VCASP is a not-for-profit peak body acting on behalf of public and private sector service providers who assist people with acquired brain injuries, their families and others involved in their support. VCASP advocates for the availability of appropriate services and resources, as well as information and research that can assist those experiencing the effects of ABI. VCASP has advised the Victorian Department of Human Services (DHS) and been involved in the ABI strategic plan and its implementation.

VCASP members have identified over many years that access to appropriate accommodation and support is a significant issue for people with an acquired brain injury (ABI). A lack of appropriate ABI specific accommodation in particular often results in entry to residential aged care or SRS's which are unlikely to address, given the often complex presentations, an individual's rights and/or needs.

Given the lack of appropriate accommodation options therefore reforms to the legislative and regulatory requirements are integral to the partial address of this situation.

ABOUT ABI

Acquired brain injury, by definition, can be the result of one of a number of causal factors, including hypoxic injury, alcohol and other drug use, physical trauma, medical and neurological conditions and stroke. For many persons with an acquired brain injury, their condition may be co-present with another condition, such as physical injury, intellectual disability, mental health issue or medical condition.

Members of the community with an ABI, and their families, can often find their lives dramatically affected at a social, emotional and financial level by the post-effects of their ABI. These impacts may include reduced or impaired access to appropriate accommodation, healthcare, aids and equipment, employment and financial income, potential loss of previous lifestyle and culture, and potential loss of connection with family and friends.

COMMENTS ON THE REGULATORY IMPACT STATEMENT

KEY ISSUES

In responding to the Regulatory Impact Statement, VCASP wish to comment on three areas specific to ABI:

1. RESPONSIBILITIES OF SRS

As noted in the Regulatory Impact Statement (page 15), SRS services are increasingly providing such services as respite, transitional care, and/or post-hospital recuperation services. With this expansion of responsibility and duty of care, there is an increased requirement for expanded levels of knowledge and training of staff, access to aids and equipment, and the appropriate co-ordination of linkages and referrals to specialist support services.

2. KNOWLEDGE AND TRAINING OF SRS STAFF

The Regulatory Impact Statement notes the concerns of agencies, expressed in consultations, with regard to the level of support provided (1 in 30), and the skill level and minimum training standards of SRS staff. VCASP shares these concerns, and would strongly recommend the provision of increased training and staff client ratios across the board, to protect the rights and livelihoods of SRS residents.

3. RIGHTS OF RESIDENTS TO APPROPRIATE ACCOMMODATION AND TO LIFESTYLE CHOICE

Like all residents of SRS facilities, people with ABI require access to appropriate accommodation and opportunities to exercise lifestyle choices. People with ABI often experience discrimination and loss of rights. The impact to the individual can include the loss of connection to family and friends, work and lifestyle interests and pursuits, and recreational activities which may have existed prior to acquiring their brain injury. Appropriate assessment, which addresses 'whole of life' issues, is fundamental to the respect of the rights of the individual.

RECOMMENDATIONS

- Two to Three Forums per year on ABI and Complex Issues (Mental Health / AoD).

It is noted that the RIS recommends the funding of 10 forums/year to inform SRS proprietors and staff of standards of care and industry best practice. VCASP recommends the funding and provision of designated workshops, (within the 10 forums proposed) for SRS to specifically address training in the support of clients with complex needs, including ABI.

- Schedule 9 Part 2 – Lifestyle - That any regulation of the minimum standards established in Standard 2 reflects the rights of individuals with an ABI to exercise lifestyle choices which are reflective of their pre-injury status and preferences.

VCASP acknowledges the importance and timeliness of the current review, and thanks the Department Of Health for the opportunity to provide this response to the Regulatory Impact Statement for the proposed Supported Residential Services Regulations.