

**ROYAL COMMISSION INTO VIOLENCE, ABUSE, NEGLECT AND EXPLOITATION OF PEOPLE WITH
DISABILITY
PUBLIC HEARING 5: EXPERIENCES OF PEOPLE WITH DISABILITY DURING THE ONGOING
COVID-19 PANDEMIC**

SUBMISSIONS ON BEHALF OF ARUMA SERVICES

Introduction

1. The fifth public hearing of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (**Royal Commission**), held between 18 and 21 August 2020, inquired into experiences of people with disability during the ongoing COVID-19 pandemic.
2. The Royal Commission inquired into:
 - (a) *The impact on people with disability, including First Nations people, people from culturally and linguistically diverse backgrounds and women with disabilities and the barriers and challenges they are facing;*
 - (b) *The response of the Commonwealth government and agencies to the COVID-19 Pandemic, as it relates to people with disability (noting the Royal Commission expects to examine the particular response of states and territories at a later time);*
 - (c) *How some disability service providers have responded to the COVID - 19 Pandemic;*
 - (d) *The question of how the impact of COVID-19 on people with disability has developed over the period since the Pandemic began;*
 - (e) *What should be done in the near, medium and long term to better protect people with disability from violence, abuse neglect and exploitation, and promote the inclusion of people with disability during the COVID-19 Pandemic.*
3. The primary focus of Public Hearing 5 was on the response to the COVID-19 pandemic, rather than on individual service providers.
4. The submissions of Aruma Services (**Aruma**) are made in response to Counsel Assisting's submissions dated 4 September 2020 (**Main Submissions**) and Dr Mellifont QC's submissions relating to service providers' evidence dated 9 September 2020 (**Supplementary Submissions**).
5. Mr Andrew Richardson, Aruma's Chief Executive Officer received a Notice to Give Information or Statement in Writing dated 11 August 2020 (**NTG-00070**) requesting that he respond to a series of questions regarding various areas relating to the impact of COVID-19 on people living with disability. In response to NTG-00070, Mr Richardson provided his statement to the Royal Commission on 16 August 2020.

6. Mr Richardson gave evidence, as a panel, with Ms Claire Robbs, Chief Executive Life Without Barriers, to the Royal Commission on 20 August 2020.
7. On 24 August 2020, Mr Richardson provided a further written response to a question on notice, regarding whether notifications were made to the NDIS Quality and Safeguards Commission in the context of COVID-19 related restrictions for residents of group homes.
8. Aruma is one of the largest providers of disability services in Australia, delivering services to approximately 5,300 customers per year across New South Wales, Victoria, Queensland and the Australian Capital Territory. Aruma delivers a broad range of services for adults and children with a disability including supported independent living, flexible supports, support coordination, therapeutic services and supported employment.
9. Aruma continues to implement measures to assist its customers and staff navigate the unprecedented challenges of the COVID-19 pandemic.
10. The Main and Supplementary Submissions make recommendations to the Royal Commission as to findings that should be made against Aruma as well as broader recommendations for the disability sector. Aruma responds to those matters in the following paragraphs.

Main Submissions

11. Paragraph [520] of the Main Submissions provide that:
'The Royal Commission heard from a service provider, Life Without Barriers, that disability support work must be recognised as an essential service - 'it is fundamentally disrespectful to people with disability to this otherwise'.
12. It is respectfully submitted that this statement ought be appropriately attributed to Aruma, rather than Life Without Barriers, as per the corresponding footnote [951].
13. Aruma otherwise fully supports the findings and recommendations made in the Main Submissions.

Supplementary Submissions

Part 3: Other matters - Pandemic Planning

14. Paragraphs [73] - [78] of the Supplementary Submissions comment on disability providers' preparedness for the COVID-19 pandemic.
15. While Aruma developed a COVID-19 pandemic plan in March 2020, it has since this time continued to make amendments as the state of knowledge evolves. For the period preceding March 2020, Aruma maintained an existing Emergency Response Plan.
16. Aruma fully supports the finding made at paragraph [78] in relation to pandemic planning and the fact that it ought to have had a specific plan in place prior to the COVID-19 pandemic.

Findings and Recommendations

17. Aruma submits that it is open to the Royal Commission to make the following broader recommendations suggested in the Supplementary Submissions (noting that some recommendations refer to the Main Submissions), for disability providers:
- (a) In relation to advice provided to disability services at paragraph [35] - *The evidence of the service providers is consistent with, and supports, the findings proposed in the Main Submissions (at paragraphs 476(a)-(c) and (e)-(f));*
 - (b) In relation Community Visitors at paragraph [39] - *It is submitted that the Royal Commission consider making the following recommendation: That service providers ensure that Community Visitor attendances and attendances by advocates are conducted in a way that ensures the privacy and confidentiality of attendances, whether they are conducted by telephone or video calls, or in person;*
 - (c) In relation to testing and screening at paragraph [42] - *This evidence supports the submissions as to findings and recommendations contained within paragraphs 507-509 of the Main Submissions;*
 - (d) In relation to the challenges associated with accessing PPE across the disability sector at paragraph [53] - *Thus, the evidence of the service providers supports the findings and recommendations made at paragraphs 523(a) and (c) and 524(a) of the Main Submissions;*
 - (e) In relation to recognition of disability support workers as essential workers and the Commonwealth's online training program at paragraph [60] - *The Main Submissions observe that on 16 March 2020, the Department of Health published online infection prevention and control training for care workers across the health, aged care, disability and other sectors. As at 21 August 2020, Mr Cotterell said that there had been no evaluation of the effectiveness of the online training program since its release. Recommendations in paragraph 524 of the Main Submissions address this;*
 - (f) In relation to communication and consultation at paragraph [90] - *It is open for the Royal Commission to recommend that service providers review their communication plans to ensure that consideration is given to ensuring that communication to CALO and First Nations people is culturally appropriate; and*
 - (g) In relation to oversight mechanisms at paragraph [93] - *It is submitted that the issue as to whether restrictions being imposed by service providers are more severe than what is appropriate is a topic worthy of further investigation by the Royal Commission.*

Conclusion

18. Aruma supports the above recommendations made by the Royal Commission.
19. With continuous improvement and informed by the findings and recommendations of the Royal Commission, Aruma is committed to delivering the highest quality of care to its customers including throughout the unprecedented COVID-19 pandemic.

Dated 15 September 2020



MinterEllison



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