Disability Services
POLICY

Title: Eligibility

The Department of Communities, Child Safety and Disability Services (the department) is committed to a sustainable service system that delivers specialist disability services in an easy to use, responsive and fair way, and achieves improved outcomes for people with a disability, their families and carers, while delivering improved value for government.

Specialist disability services aim to support a person to live as independently as possible. Access to specialist disability services provided and funded by the department is determined through a comprehensive process that sees a person’s eligibility checked, their needs assessed and prioritised, and an indication made about the type and level of funded support that would meet their assessed need. Following this a person may be offered, and then linked to, an available service or support.

In order to support people to achieve and/or retain as much independence as possible, the department will consider appropriate supports beyond the funded disability services system to assist in meeting a person’s needs.

Policy Statement
The department is committed to applying a fair, consistent and transparent approach for each person applying for specialist disability services, and managing finite resources effectively and equitably.

Policy Detail
Eligibility criteria are the minimum requirements to be met by a person applying for specialist disability services. The department may gather a range of evidence to determine eligibility. The method for gathering evidence, and the type of evidence required will be informed by the person’s circumstances.

Eligibility alone does not entitle a person to receive specialist disability services. Rather, access to specialist disability services will depend on eligibility, the outcome of assessment and prioritisation processes, and available resources.

Eligibility will be confirmed during a needs assessment.
Eligibility criteria

To be eligible for specialist disability services, a person will meet the following criteria:

1. The person must be one of the following:
   - an Australian citizen or
   - a holder of a visa that gives permanent residency rights or
   - a New Zealand citizen who arrived in Australia prior to 26 February 2001

   The person must also be:
   - a Queensland resident, and
   - under 65 years of age.

   AND

2. The person has a disability that is:
   - attributable to an intellectual, psychiatric, cognitive (including both congenital and acquired impairments), neurological, sensory or physical impairment or a combination of impairments, and
   - permanent or likely to be permanent (and may or may not be of a chronic episodic nature).

   AND

3. The disability results in the person:
   - having substantial reduction in one or more of the following areas: communication, social interaction, learning, mobility, or self care/management, and
   - requiring ongoing specialist disability support.

Children under six years of age

A child under six years of age is eligible for specialist disability services where they meet criteria one, and:

- have a significant developmental delay, or
- have a disability that is attributable to an intellectual, psychiatric, cognitive (including both congenital and acquired impairments), neurological, sensory or physical impairment or a combination of impairments.

To be eligible for specialist disability services a child six years of age and over must meet all eligibility criteria, even if they have previously received services while under six years of age. A child is reassessed at six years of age where it is necessary to confirm they have a disability consistent with criteria 2 and 3 above. In circumstances where this has been confirmed prior to a child turning six years of age, the child does not need to have their eligibility reconfirmed.

Determining eligibility

A person will be advised of the evidence required by the department to determine eligibility. It is a person's responsibility to source and fund this information.

In instances where the department determines that information to verify eligibility is conflicting, the department may seek a supplementary assessment.

Once a person has provided all necessary information to determine their eligibility, the department will make a determination and advise the person.
Conditional eligibility

A person may be determined as conditionally eligible for specialist services where they:

- require a critical, time-limited response and it appears from available information that they are likely to meet eligibility criteria
- have a disability where early therapeutic interventions would improve long-term functional capacity to a point where the person no longer has a substantial reduction in capacity
- have a disability where the permanency of the disability is not clear but it is likely to be permanent.

Where the permanency of a disability is unclear, a review date of no longer than two years from assessment is set to confirm ongoing eligibility for specialist disability services.

Where a person in receipt of a time-limited response is determined as ineligible, the department will support the person to access other appropriate informal supports and mainstream services. Ongoing specialist disability services cannot be offered.

Review of decisions

A person can request a review of the eligibility decision once the eligibility decision is confirmed (refer to the Complaints Management Policy).

Principles

The principles underpinning this policy are:

- the process to determine eligibility will place as minimal a burden as possible on the person seeking specialist disability services
- a person’s eligibility for specialist disability services is determined and communicated as soon as possible
- eligibility confirmation does not by itself confer entitlement to specialist disability services. Allocation of services is based on assessment, prioritisation and service availability.

Objectives

This policy aims to ensure that:

- the decision making process to determine eligibility is simple, clear and transparent
- eligibility decisions are made consistently
- only people determined as eligible are able to access specialist disability services.

Scope

Reference to ‘a person’ means a child or adult with disability, and includes the person’s family, carer, guardian or substitute decision-maker, as appropriate.

Reference to a person’s ‘needs’ means a person’s disability support needs.

Specialist disability services are those services defined by the Disability Services Act 2006 and includes accommodation support services, respite services, community support services, and community access.

This policy applies to a person who is seeking ongoing specialist disability services or a person seeking one-off disability supports, such as aids and equipment.

This policy does not apply to community care services.
Roles and Responsibilities

Service Access Teams

Members of Service Access Teams are responsible for:
- applying and adhering to the Eligibility Policy
- applying a consistent process for people seeking access to specialist disability services
- ensuring the eligibility information reflects a realistic representation of the person and their circumstances
- advising a person of the process to request a review of the eligibility decision where a person is determined as ineligible
- resolving any concerns as they arise
- responding appropriately to each person seeking assistance, including Aboriginal or Torres Strait Islander peoples, people from a culturally or linguistically diverse background, or people with alternate or assistive communication needs
- recording the information collected so that it can be used to deliver responsive services, for decision-making purposes by the department, and to inform the department’s policy and program development.

Team Leader, Service Access and/or Manager, Service Access

Team Leader, Service Access and/or Manager, Service Access are responsible for:
- supporting and assisting staff to make consistent decisions about a person’s eligibility
- providing staff with required information and assisting to resolve any concerns or complaints that may arise.

Disability Services Commissioning

Disability Services Commissioning is responsible for:
- custodianship of this policy, including its intent
- providing support and guidance as required to apply this policy
- reviewing this policy to ensure its continued accuracy, currency and relevance.

Authority

Disability Services Act 2006

Delegations:

Regional Directors (Disability Services)

Regional Directors are delegated to implement this policy within departmental regions and are accountable for ensuring that appropriately skilled staff deliver services under this policy.

Records File No.: 34/270/108027-P1
Date of approval: July 2011 (revision approved 30 October 2017)
Date of operation: July 2011
Date to be reviewed: July 2019
Office: Client Services Innovation and Reform, Disability Services Commissioning

Contact: Manager, Client Access, phone 07 3037 2929

Links:

**Related policies**
- Disability Services Contact Policy (approved July 2011, revised August 2017)
- Disability Services Intake Policy (approved July 2011, revised August 2017)
- Disability Services Needs Assessment Policy (approved November 2011, revised August 2017)
- Disability Services Prioritisation Policy (approved July 2011, revised August 2017)
- Disability Services Planning, Offering and Linking to Services Policy (approved July 2011, revised August 2017)
- Disability Services Review Policy (approved July 2011, revised August 2017)
- Disability Services Time-Limited Response Policy (approved July 2011, revised August 2017)
- Preventing and Responding to the Abuse, Neglect and Exploitation of People with a Disability Policy (approved 1 July 2014)
- Disability Services Complex Communication Policy (approved April 2017)
- Disability Services Complex Communication Procedure (approved April 2017)
- Critical Incident Reporting Policy (approved 1 June 2016)
- Complaints Management Policy (approved 11 May 2016)
- Queensland Government – Queensland Language Services Policy (June 2014)

**Related legislation or standard**
- Human Services Quality Standards
- Guardianship and Administration Act 2000
- Right to Information Act 2009
- Information Privacy Act 2009
- Public Service Act 2008
- Public Sector Ethics Act 1994
- Code of Conduct for the Queensland Public Service

**Rescinded policies**
- Department of Communities (Disability and Community Care Services) Review of Decisions Policy (approved July 2011)

Michael Hogan

Director-General