

**Budget Estimates 2006-2007 Hearing
Questions on Notice
Department of Ageing, Disability and Home Care (DADHC)**

A1. STAFF UNDER INVESTIGATION

How many DADHC staff are under investigation from 05/06 and what categories of breaches are being investigated.

ANSWER

The Department employs over 12,000 staff in its various business streams across New South Wales.

The table below lists the allegation type and number of staff that have been subject to formal investigation in the 05/06 financial year.

Allegation type	Number
Inappropriate physical contact	51
Neglect - client	14
Use of restrictive practices – includes restraint of client	8
Breach of Code of Conduct and Ethics	72
Fraud – time worked	5
Performance management - significant	9
Theft	16
Emotional/verbal abuse - client	3
Misuse communication device	2
Credit card – breach of policy	7
Charge/conviction	10
Systemic review	2
No category	1
TOTAL	190

This represents 1.5% of staff employed for whom an allegation has been made.

A2. ALLEGATIONS OF MISCONDUCT

Has the investigation into systems relating to allegations of misconduct in large residential centres been done and what are the findings?

ANSWER

In April 2006, the Department instigated a project to closely examine the internally reported critical incidents to understand the trends and factors (systems, policies and practices) that may contribute to the incidents occurring.

The Department appointed a Senior Project Officer and independent consultant to investigate the critical incidents that involved staff and clients during the period of 2004 to 2006, which impacted on service quality.

The scope of the project was not limited to large residences and also included group homes and respite services.

The project plan was comprehensive and the methodology included:

- an overview of the critical incident reports and the systems in place within the Department;
- an analysis of other relevant data that may provide trend information, such as occupational, health and safety reports and casual staff usage;
- a file review of all critical incidents that were formally investigated involving staff and clients between the period of 2004 to 2006; and
- 25 on-site service reviews with consultation occurring within each region and service and analysis of the outcomes.

The project is due for completion at the end of October.

A set of recommendations for consideration within the Department will be derived from the key findings.

Once received, the recommendations will be duly considered within the context of the significant reforms that are already occurring within accommodation and respite services, to improve performance and quality overall.

A3. CRIMINAL AND WORKING WITH CHILDREN CHECKS
Request for information regarding Departmental employees, who are subjected to a criminal record check and a working-with-children check.

ANSWER

Working with Children Checks and Criminal Record Checks are conducted for all new staff. Checks are undertaken on successful applicants to positions designated as child-related under legislation.

Criminal Record Checks are undertaken on all new employees (external to the public service) who are appointed to a position in the Department and successful applicants for positions which have the following risk profile:

- Unsupervised care for people with a disability
- Access to people's homes
- Handles money
- Access to sensitive information

Employees who commenced work prior to the implementation of the checking process are not required to undergo a criminal record check.

A4. MARSDEN CENTRE

What has happened with regard to the allegations made about the Marsden Centre, the Tarriro Unit and so on. I understand a number of matters might have been before the court. Have any of those been finalised?

How many people were charged and are before the courts?

ANSWER

Three people were charged and have appeared before the court on matters relating to allegations of assault at the Tarriro Unit.

On 21 September 2006, one of the three persons charged was convicted on two counts of common assault, and is yet to be sentenced.

The other two matters are still to be finalised.

Two of the three persons charged are no longer employed by the Department and the remaining person has been assigned to non-client contact duties pending completion of the matters.

A5. BACKFILLING

How much does the Department have to spend on backfilling where staff are the subject of complaints and have to be either suspended or redirected to duties that they would not otherwise perform?

ANSWER

In the last 12 months, approximately \$823,240 has been spent on backfilling staff that were the subject of complaints and were either suspended or redirected to alternate duties.

A6. BANKSTOWN HANDICAPPED CHILDREN'S CENTRE
What are the names of the two consultants the Department used to investigate matters on The Centre, formerly known as the Bankstown Handicapped Children's Centre.

How much money has the department spent on external consultants to investigate The Centre?

ANSWER

The Department engaged two consulting firms to investigate The Centre. WalterTurnbull was contracted in January 2005, by the Department's Metro South Region for a comprehensive review of Financial Management and Corporate Governance practices. In May 2006, WalterTurnbull was engaged to further conduct a detailed investigation into a number of complaints in the areas of finance, governance and human resources.

Quovas (formerly Equalis) was engaged at the same time to conduct an investigation of the complaints relating to specific individuals.

In addition, the Department's Metro South Region conducted internal reviews. These occurred in June and July 2004, and were reported to The Centre's Board of Management in September 2004. The review was completed in April 2005.

The Department's Metro South Region is currently conducting a service review, as part of the Integrated Monitoring Framework. The governance of the organisation was assessed in August 2006. All outlets will be reviewed during this process.

The costs to date are:

- The WalterTurnbull January 2005 review of financial management and corporate governance, cost the Department \$19,038 excluding GST.
- The WalterTurnbull May 2006 detailed investigation into financial related allegations, cost the Department \$16,700 excluding GST.
- The Quovas May 2006 review of management and reporting incidents involving three clients, cost the Department \$5,000 excluding GST.

Total \$40,738.

A7. TRAINING AND ACCREDITATION FOR PRIVATE HOME CARE WORKERS

Will you have a training and accreditation system for private home care workers?

Can you investigate that?

ANSWER

Under the Attendant Care Program, any prospective provider must apply to become an approved provider. The application process requires information from any would be provider on how they would comply with the *New South Wales Disability Services Act (1993)* with regard to their recruitment and training of staff.

For providers receiving funding under the Home and Community Care (HACC) Program, the Department is implementing the Integrated Monitoring Framework, which includes a section on Workforce Development.

A8. CODE OF CONDUCT

When was the Department's Code of Conduct for employees established?

ANSWER

A revised Code of Conduct and Ethics Policy was developed for the whole of Department and implemented in June 2004.

A9. MEDIA RELEASES

Provide information regarding the Media releases on *Stronger Together* for all the regions in New South Wales.

ANSWER

The media releases on 10-year Disability Plan meetings, *Stronger Together*, are attached. (**Attachment 1**)

A10. WENTWORTH FALLS PROPERTIES

Did the department purchase a number of properties in the Wentworth Falls area to be used as alternative accommodation for people moving out of Greystanes, and is it a fact that one of the properties located at Sinclair Crescent, Wentworth Falls has remained idle and unoccupied since early 2004?

ANSWER

In early 2005, two properties were purchased at 117 and 119 Sinclair Crescent. Modifications to these properties were completed in early 2006 and are now in operation.

A11. MARSDEN CENTRE

Is it a fact that the Marsden Centre requires upgrading?

It is not in good physical condition, because the external environment is inadequate for people in wheelchairs, it has inadequate facilities for dining and inadequate facilities for privacy and so forth?

Has an audit been done of the Marsden Centre in that regard?

What was the result of the audit?

When was the last time anything at the Marsden Centre was upgraded to address those issues?

ANSWER

Marsden Centre (now known as the Westmead Centre) is comprised of ten accommodation units, and is home to 181 long-term residents.

Over the last six years, six of these units have had a total upgrade, which has provided individual bedrooms, dedicated living, dining areas and access to outdoor living areas. This is a total upgrade of 60% of the existing accommodation.

The remaining four units have also had renovation work undertaken, which included total repainting of three units, replacement of vinyl floor coverings and bedroom modifications. One unit has also had the dining area and bathrooms upgraded.

One residential unit will be closed at the end of October 2006, as resident numbers at the centre have reduced.

An architect was contracted in May 2006, to provide advice about the feasibility of major upgrading to two more units at the Westmead Centre.

The external environment of Westmead provides access for people who require wheelchairs or other mobility aids. The site is relatively level and the residents enjoy the spacious outdoor areas that the site affords. There are extensive areas of path and paving and these require ongoing repair, with some areas being affected by soil

subsidence. These repairs are carried out as required. It is anticipated further areas of paving will be replaced in the next few months.

All the renovated units have separate dining areas, where residents can eat their meals in small groups. Privacy is well catered for with individual bedrooms. There are also areas that residents can use for quiet time or when family members may be visiting.

The feasibility studies currently being undertaken will provide advice on addressing dining and privacy issues in two more units.

A condition audit of the Westmead Centre was undertaken early in 2006.

The audit looked at the condition of the buildings and compliance with the Building Code of Australia and Fire regulations. As a result, a program of works, costed at \$275,000 has been developed and a budget sum will be allocated in the 2006/07 financial year, to complete the work identified. This will be in addition to the maintenance budget for the Westmead Centre in 2006/07 of \$290,000.

Renovation works were undertaken on the Jesamine Unit (six) at the end of 2001 and Augusta Unit (five) in early 2002.

The old units consisted of:

- Four four-bedrooms,
- Two two-bedrooms,
- Six single-bedrooms,
- Two day-areas/dayrooms,
- One dining-room; and
- Two toilet/shower areas.

The newly renovated units consist of four distinct apartments within the one building, with a total of 24 single-bedrooms. Each apartment has six single bedrooms, two separate shower/toilet facilities, a lounge room with a built-in kitchenette/dinette and an entertainment cabinet. There is also a common entertainment/function room within the building.

Renovations to the Jesamine Unit were completed in May 2003 and Augusta Unit was completed in July 2003.

A12. COMMUNITY PARTICIPATION

How many existing services became ineligible for the Community Participation Program as a result of being unsuccessful in the tender process?

How many clients then had to move from ineligible providers to new providers?

ANSWER

36 existing organisations were unsuccessful in the Community Participation Tender 1. This affected 294 young people. Many of these young people are in areas where a second tender was advertised. The second tender round has not yet been finalised.

A13. COMMUNITY PARTICIPATION

Provide information regarding the names of independent panel members engaged for the Community Participation tender and the total cost of sitting fees.

ANSWER

Assessment panels for the Community Participation tender comprised staff from the Department and independent members.

Total expenditure on sitting fees for independent panel members, who were not employed by State agencies was \$55,833. Members were:

- Mr Tony Tenny, a former principal of mainstream and disability schools in NSW;
- Mr Alan Pratt, a former Principal (Chief Executive Officer) with purchasing experience at the Department of Education and Training;
- Ms Dianna Dally, a consultant with extensive operational experience in disability services in rural NSW;
- Mr Robert Davidson, a consultant with extensive experience in the development, implementation, management and evaluation of community-based programs; and
- Ms Heather Martin, a former Director, Disability Services, Department of Education.

Independent members who were employed by State agencies:

- Ms Sue Murphy, Disability Division, Department of Education and Training; and
- Ms Debra Luttrell, Disability Services Division at the Victorian Department of Human Services.

A14. COMMUNITY PARTICIPATION

There was a level of inconsistency about what was on offer. One regional director - I think in the Illawarra area - informed a family that their only way of staying with their existing service provider was if someone in the family died. A complaint has been made about this issue.

ANSWER

A family in the Illawarra area contacted the Regional Director, Southern Region to discuss the grounds on which a young person could continue to receive a service from an unsuccessful provider. The family was informed that consideration would be given to that young person's circumstances and all issues put forward would be considered. This would include circumstances in which a young person was coping with stress and significant life changes. No complaint has been received about this issue.

A15. UNDERSPENDING OF HOME CARE SERVICE FUNDS

In the budget papers this year, the Home Care service spent only \$6 million of the \$10.5 million increase and the hours of service rose by only .04 per cent last year. Why was that?

ANSWER

Pages 19-12 of the budget papers indicated a projected increase in expenses for 2005-06 of \$10.5 million (6 per cent) on the 2004-05 budget of \$176,934 million.

The revised level of expenditure was \$182,735 million.

The Home Care Service delivered 3.626 million hours of service in 2005/06. This was about 2 per cent less than anticipated.

The reasons for this included:

- improved intake strategies to ensure appropriate service type mixes; and
- the take-up rates and time between clients being assessed and commencement of services.

A16. SEXUALITY AND HUMAN RELATIONSHIPS

Does the Department have a policy in relation to the sexuality issues and needs of its clients?

If so, what details can be provided about the policy?

This is mainly to understand to what degree the policy is being implemented.

ANSWER

The Department's policy on *Sexuality and Human Relationships* has been in use in the Department operated services, since October 1996.

Within three months of a client entering the Department operated accommodation service, the client meets with staff to develop an Individual Plan that is reviewed every six months. The client's sexuality and relationship needs are addressed in the Plan. The client's relationships with their family and other significant people are recorded along with any special arrangements the client needs to maintain these relationships.

Where matters arise in relation to clients' sexuality and human relationships, staff manage them on a case-by-case basis using the client's Individual Plan as a guide to providing appropriate support, and following the operational procedures contained in the Department's *Sexuality and Human Relationships* policy.

A17. JOB DESCRIPTION FOR CARE WORKERS

Has the job description for the position of care worker been revised in recent years?

As part of the last question too, are there tasks that were previously undertaken by care workers that are no longer part of the job description? Has there been a considerable change in the degree of responsibility and tasks that those people are due to undertake?

Does DADHC have a policy that clients are not to be provided with information about the relevant qualifications, experience and training that the care workers have or are obtaining?

ANSWER

Care worker positions are reviewed in the same way as other positions.

This process was last undertaken in 2003/2004, and is happening again as part of the 2006 negotiations.

There were no changes required to the Care Worker Position Description following the 2003/2004 negotiations, as the agreed changes to the conditions of employment had no impact on the duties performed by Care Workers.

The types of changes made to the Enterprise Agreement in 2004 were:

- the introduction of a casual conversion to permanency clause;
- introduction of study leave and religious and cultural observation leave;
- amendments to payslips to show leave entitlements;
- changes to union training leave;
- changes in the threshold requirement to move from part-time to full-time employment;
- increase in wages; and
- increase in travel allowance.

The current negotiations are continuing and, as yet, there is no agreed position on any changes. However, the items being discussed again do not have any impact on the duties or role of a Care Worker or the matters considered in the Position Description.

The Department is not aware of any tasks that were previously undertaken by care workers that are no longer part of the job description. Additionally, there has been no considerable change, if any change at all, in the degree of responsibility and tasks that Care Workers undertake.

The Home Care Service does not have a policy that states that clients are not to be provided with information about the qualifications, experience and training of care workers.

The branches are very aware of protecting the privacy of both clients and employees. This may have prevented information being provided about a particular care worker and his or her skills knowledge and qualifications.

A18. CODE OF CONDUCT REVIEW

Is there a review being undertaken into the code of conduct and who would be involved in such a review if it is being undertaken?

ANSWER

A review of the Code of Conduct and Ethics Policy will be undertaken in 2007/08.

A19. SUPPORTED ACCOMMODATION

What is the most of the Department spends on any one individual in a supported accommodation package?

ANSWER

The Department funds models of supported accommodation through its recurrent funding programs. The Department provides or purchases supported accommodation services through block funding to group homes, large residences and in-home accommodation services.

Costs of support vary subject to the support needs of individuals.

A20. BLAIR ATHOL

You are shortly to open a new respite facility in Blair Athol in Campbelltown. I understand it will be operated by DADHC. I wondered why there were not expressions of interest by the local disability providers to provide the service of respite for teenagers in the area, because it appeared to be opened by DADHC. Is there some reason why it was not made available?

Is it a fact that the new facility that is to be opened at Blair Athol in Campbelltown will be largely staffed by people from a property known as Gibbs Street in Campbelltown and Georges Hall? If that is the case, what are you planning to do with the services that are currently provided at Georges Hall and Gibbs Street?

ANSWER

A new respite unit for children will be located at Blair Athol.

This unit was previously located at Five Dock, in Sydney's Inner West. When this building became unsuitable for use, the new respite service was moved to Campbelltown due to the need for centre-based respite services for children.

This unit was previously operated directly by the Department and it is appropriate for this to continue.

Staff for the new Blair Athol facility will be recruited in a manner that is consistent with the way the Department recruits all residential support staff, that is, through a merit based selection process run by Businesslink and the Department's Metro South region.

This process draws potential staff from outside the agency and also from the existing pool of casual employees working for the Department.

In some instances, staff currently employed at existing Department units may apply to transfer to a new Department of Ageing, Disability and Home Care facility.

It is not the case that Blair Athol will be "largely staffed by people from a property known as Gibbs Street in Campbelltown and Georges Hall".

A21. NARDY HOUSE

Is it possible to have six full-time respite beds with 24 hour support for 365 days a year with funding of \$400,000?

What is the costing benchmark?

ANSWER

The question is based on a false premise.

It was never suggested that the Department's recurrent funding offer, worth approximately \$400,000 per annum, would be the sole funding for the year. In addition to the 20 weeks funding, the fulltime coordinator would also book respite during the other 32 weeks, from people with severe and profound disabilities who currently use their government funding packages elsewhere.

The funding is consistent with other respite services.

A22. JOHN WILLIAMS TRUST

Could you provide the Committee with an update of what would be left in the trust once you have completed that work in November?

ANSWER

It is estimated that the balance of funds in the John Williams Memorial Trust once the modifications to the two purchased properties have been completed will be \$6.74 million.

A further two properties have been identified for purchase. Costs of the properties have not yet been finalised.

A23. SUPPORTED ACCOMMODATION VACANCIES

How many supported accommodation vacancies have occurred within the system in each region during the 2005/06 financial year?

How many applicants have applied for supported accommodation places in each region during 2005/06?

How many supported accommodation places in New South Wales in total and give details of how they are distributed within each region?

Provide a description as to how many of those places are operated by the government and then by non-government organisations?

ANSWER

Supported accommodation vacancies which have occurred within the system in each region during the year 2005-06.

Region	No of vacancies
Hunter	23
Metro North	21
Metro South	31
Northern	13
Southern	4
Western	4
Total	96

Applicants who have applied for supported accommodation places in each region during 2005-06.

Region	No of applicants
Hunter	200
Metro North	350
Metro South	115
Northern	299
Southern	65
Western	310
Total	1,339

Total number of clients in receipt of supported accommodation services and their distribution within each region.

<i>Region</i>	<i>Total number of clients in receipt of supported accommodation services</i>	<i>Number of clients in DADHC operated services</i>	<i>Number of clients in NGO operated services</i>
Hunter	1,232	858	374
Metro North	1,831	837	994
Metro South	1,196	346	850
Northern	292	101	191
Southern	378	198	180
Western	500	204	296
Total	5,429	2,544	2,885

Data in the table is sourced from the 2005/06 DADHC Annual report and reflects a count across the whole financial year and includes large residences and group service types.

The NSW Government has written to the Prime Minister asking the Commonwealth Government to match the NSW Government's record \$1.3 billion increase in funding for disability services.

If the Commonwealth agrees to this, the combined funding will allow for almost 2000 new accommodation and support places over the next five years.

Unfortunately the Prime Minister is yet to respond.

Unfortunately the NSW Opposition has not supported the Government in this bid for extra resources for disability services in NSW.

A24. UNPAID CARERS

How many unpaid carers are currently accessing aged care services for their own age-related disabilities, while still supporting their ageing disabled sons and daughters?

How many unpaid primary carers in New South Wales are co-residing with their sons and daughters, where the carer falls into different age brackets?

ANSWER

The new proposed Home and Community Care (HACC) Minimum Data Set will include more detailed information about carers, including a linkage key that will enable the identification of the relationship between carers receiving services and care recipients. The current HACC data collection does not link carer with care recipient. Therefore, while the data indicates recipients of HACC respite (by definition, carers), it does not identify if these carers are caring for sons and daughters with a disability.

In addition to HACC services, ageing carers may also access Commonwealth Community Aged Care Packages to support them in their own home.

The flexible respite packages rolled out by the Department in 2005/06 (jointly funded by the Commonwealth Government) are targeted specifically at this population of ageing parent carers caring for sons and daughters with a disability. 769 flexible respite packages have been rolled out in the first stage of this program.

An analysis of the Commonwealth State and Territory Disability Agreement Minimum Data Set (CSTDA MDS) 2003/04 estimated that

in New South Wales, 799 users of disability services were co-resident with their ageing parent carers, aged 65 and over. This data does not provide any information as to whether the ageing parent carers are accessing services.

The Australian Bureau of Statistics Survey of Ageing, Disability and Carers 2003 estimates that there are 149,700 primary carers in New South Wales.

Nationally, the survey shows that about 59,000 primary carers are co-resident carers of sons or daughters. 95% of these carers were under the age of 65.

Due to size of the sample, it is not possible to provide accurate estimates of the number of co-resident primary carers in different age brackets caring for sons and daughters with a disability in New South Wales.

A25. MONITORING

How much money will DADHC spend on monitoring the conformity of DADHC provided and funded disability services with the requirements of the *Disability Services Act*, and what is the breakdown of that spending?

ANSWER

Performance and Quality Improvement teams in each region monitor activities as a core part of their responsibility.

Part of the performance monitoring activities includes an assessment of the provider's compliance with the Disability Service Standards.

The primary cost to the Department relates to salary and operational costs within each region. This is estimated to be \$5.4 million per annum.

A26. HACC SPENDING

If you take your point about the base year and go back to the year before, 2002-03, we still have not reached it either. If you look at 2003-04 compared to 2002-03, the progression there is only a slight increase. To say that 2003-04 is an abnormal year is not consistent with the figures in the last year's budget papers. You still have not reached 2002-03.

What measures will you take to ensure that service hours targets are met in 2006-07 if they are often not meeting their target of hours?

ANSWER

The majority of the Home Care Service income is provided by a grant from the Home and Community Care (HACC) Program.

Over the past few years, the Department has used open and selective tendering to purchase HACC services.

This has led to an increased proportion of HACC funding going to a wider range of providers.

The HACC Program funds over 700 providers to deliver HACC services to eligible persons.

Accordingly, Home Care's objective is not to achieve levels of previous years, but to expend its HACC allocation in the most efficient manner.

The planning process undertaken by the Home Care Service has facilitated a sustainable and achievable budget for each Home Care branch, and will ensure proposed service delivery can be met as efficiently as possible.

It also meant branches had early notice to work towards starting 2006/07 at the approved monthly base level of hours.