

Mr Steven Reynolds
Director
General Purpose Standing Committee No 2
Parliament of New South Wales
SYDNEY NSW 2000

D05/853

Dear Mr Reynolds

Please find attached answers to Questions On Notice taken during the General Purpose Standing Committee No 2 Budget Estimates Hearing on 20 December 2004.

Yours sincerely

Carol Mills
Acting Director-General

GENERAL PURPOSE STANDING COMMITTEE NO. 2

Monday 20 December 2004

Examination of proposed expenditure for the portfolio areas

COMMUNITY SERVICES, AGEING, DISABILITY SERVICES AND YOUTH

The Committee met at 2.00 p.m.

MEMBERS

The Hon. P. Forsythe (Chair)

The Hon. T. Catanzariti

Reverend the Hon. Dr G. K. M.
Moyes

The Hon. Dr A. Chesterfield-Evans

The Hon. J. F. Ryan

The Hon. A. R. Fazio

The Hon. H. S. Tsang

PRESENT

Department of Ageing, Disability and Home Care

Mr B. O'Reilly, *Director-General*

Ms C. Mills, *Deputy Director-General*

Ms E. McAlpine, *Deputy Director-General*

QUESTION 1. The ELTON REPORT

The Hon. JOHN RYAN: You will be able to provide the Elton report to us but not the Wollongong study because it is incomplete?

ANSWER

The Elton Report is attached. A copy of the Report was provided to Mr John Ryan on 21 December 2004.

QUESTION 2. RESPITE IN ALBURY

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: Was a respite centre promised in the Albury region? If so, has it been opened? If not, why not?

ANSWER

The Department of Ageing, Disability and Home Care provides respite in a variety of ways in the Albury region. This includes respite beds in group homes managed by the Department, funded centre-based respite and host family respite. The Department also funds respite services provided by Family Link Respite Care Incorporated in Albury.

Children's respite in the Albury region is currently being provided in temporary premises. Relocation of the respite service to permanent premises has been postponed until clients currently accommodated in the premises in an emergency capacity have been re-housed. Plans for the relocation of these emergency clients are in place and it is anticipated that the children's respite centre will operate from permanent premises in the near future. There have been no promises for further respite centres in the Albury region.

QUESTION 3. SERVICES IN WILCANNIA, MENINDEE, BROKEN HILL

Reverend the Hon. Dr GORDON MOYES: Yes, I understand you have several staff in Broken Hill. This morning I was told by a phone call that when people arrived on site they looked at the other services in the area and there are no services in Wilcannia. I have not had a chance to follow up that information.

And:

Is there anything in Menindee?

ANSWER

In addition to the Home Care multiservice centre in Wilcannia discussed by Ms McAlpine, a number of other services are provided through outreach from Broken Hill. These include psychology services, community support, behavioural intervention and outreach therapy services. Respite services in Broken Hill are also accessed by clients in the Wilcannia area.

Home Care support services are provided to Menindee through Nyampa Aboriginal Corporation. Support services include community care packages, Home Care and Veteran's Home Care services, which include personal care, domestic assistance, respite, and home maintenance.

QUESTION 4: COMMONWEALTH SUPPORTED EMPLOYMENT SERVICES

The Hon. JOHN RYAN: How many supported employees attend these services?

Answered on Page 26 of transcript –

QUESTION 5: (as above)

The Hon. JOHN RYAN: What is the proportion of Commonwealth funding in those programs?

ANSWER

The four employment services transferred to NSW as day programs are 100% Commonwealth funded. This funding, of \$1,406,698 per annum has also been transferred to NSW.

QUESTION 6

Reverend the Hon. Dr GORDON MOYES: I appreciate that this is not in your direct field but can you speak to your colleague about the places I mentioned, Wilcannia and Menindee, to see if the community services centres operating in those areas are fully staffed?

See Answer to Question 3

QUESTION 7: STAFFING

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: I am talking about rosters, in other words, which shifts you work. People are saying that they work a very large number of shifts in one fortnight and then very few in the next fortnight. Certainly if you are going from day shifts, to afternoon shifts to night shifts, the general principle is that you always have forward rotations. There are quite a lot of guidelines on occupational health and safety relating to changes in diurnal rhythms and so on, physiologically, and there has been a lot of controversially, has there not, over rostering in some areas?

ANSWER

The Department currently has rostering principles based on the Award and best practice. In addition the Department is currently working with the Public Service Association to review these principles.

The principles do not specifically address forward rotation, however the Department is cognisant of the need to ensure that shift workers have adequate breaks between shifts.

The Crown Employees (New South Wales Department Of Ageing, Disability and Home Care) Community Living and Residential (State) Award 2004, which covers Residential Support Workers provides that:

- The ordinary hours of work for shift workers, exclusive of meal times, shall not exceed 152 hours per 28 calendar days or an average of 38 hours per week in each roster cycle, and
- each shift worker shall be free from duty for not less than two full days in each week or four full days in each fortnight. Where practicable, such rostered days off duty shall be consecutive.

QUESTION 8: HOME CARE STUDY

The Hon. JOHN RYAN: Are you able to provide the actual study to the Committee?

ANSWER

Study attached.

QUESTION 9

The Hon. JOHN RYAN: You mentioned earlier that 240 people were on the waiting list for the high needs pool. Would you clarify whether that represents a reduction in the size of the waiting list, as was reported by the Auditor-General in his performance audit of the Home Care Service dated October 2004? You also mentioned a number of people on the waiting list for attendant care and the high needs pool are young people inappropriately placed in aged care facilities. Would you indicate what number of people are on the waiting list for that purpose?

ANSWER

The Auditor-General identified 346 people on the High Needs Pool waiting list in December 2003. In the previous 12 months there were 99 referrals to the High Need Pool waiting list. 205 applicants have exited the High Need Pool waiting list for the following reasons:

- allocated a place in other programs;
- did not meet program eligibility criteria;
- deceased;
- institutionalised;
- inappropriate referral/other;
- applications withdrawn.

There are currently 15 young people on the Attendant Care and High Needs Pool waiting lists who are inappropriately placed in aged care facilities. However, this does not include young people placed inappropriately in aged care facilities who have not applied or are ineligible for those Programs.

QUESTION 10: CRIMINAL RECORD AND WORKING WITH CHILDREN CHECK

The Hon. JOHN RYAN: I will refer to two recommendations of the Auditor-General. One is with regard to his recommendation that the Home Care Service include a criminal record check and a working with children check as part of pre-employment screening. He also referred to the fact you may have a number of employees who because they were employed prior to a certain date would not have even had a criminal record check. Would you indicate to the Committee what you intend to do about that recommendation and how soon you intend to address that?

ANSWER

The Home Care Service of NSW undertakes criminal record checks for all new employees, and has done so for approximately twelve months.

The Department is in the process of developing a "Clear Record Declaration" for existing staff, to provide approval for the Department to seek further information on criminal records, including, where necessary undertaking a Criminal Record Check.

It will be necessary for the Department to liaise with the relevant employee organisations (the Liquor, Hospitality and Miscellaneous Workers Union and the Public Service Association of NSW) to negotiate how past criminal records will impact on the employee's ongoing employment.

Home Care commenced Working with Children Checks following the enactment of the Child Protection (Prohibited Employment) Act 1998. Home Care was subsequently advised by the Commission for Children and Young People that Home Care did not fall into the definition of child related employment, and that there was no legal basis for Home Care to undertake these checks.

Home Care therefore ceased Working with Children Checks following this advice.

For Home Care to be able to undertake these checks requires an amendment to the Child Protection (Prohibited Employment) Act 1998.

The Department is liaising with the Commission for Children and Young People in seeking the appropriate amendments to the Child Protection (Prohibited Employment) Act 1998.

QUESTION 11. HOME CARE WAITING LISTS

The Hon. JOHN RYAN: I would be interested to know whether or not the Home Care Service intends to do anything about maintaining a waiting list for eligible applicants who are most at risk of not accessing services elsewhere, as was recommended by the Auditor-General in his performance audit.

ANSWER

It has been recommended by the Audit Office Report that the Home Care Service establishes and maintains a limited waiting list, which meets specific criteria.

The Department is committed to establishing a small targeted waiting list of those clients identified in greatest need and unable to access assistance at the time of the referral. Options are currently being considered as to how this can be achieved.

QUESTION 12: CASUAL STAFF HOME CARE

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: Are jobs offered to casual staff before agency staff routinely or is it at the discretion of the manager?

ANSWER

The Home Care Service of NSW and LHMU (Care Workers) Enterprise Agreement 2001 requires that permanent employees within the team shall have first opportunity to perform any additional work before casuals and contractors, subject to availability, appropriate training and the work being performed at ordinary time rates of pay.

Home Care Managers are aware that when additional work cannot be performed by permanent employees it should then be offered to casual employees first, and then agency employees.

QUESTION 13 AND 14: FIRST AID CERTIFICATES

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: Are all staff or a percentage of staff in group homes required to have a first aid certificate. Are they encouraged to have a first aid certificate or is it a requirement that say 60 per cent have one? Is there a guideline for the requirement of first aid certificates?

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: If they are required to have first aid training, are they required to pay for the training themselves or does the Government pay?

ANSWERS

Employees in group homes are covered by the Crown Employees (New South Wales Department Of Ageing, Disability And Home Care) Community Living And Residential (State) Award 2004, and are employed as Residential Support Workers (RSW).

1. There is no requirement under the Award for RSWs to have a first aid certificate. However it is a core competency of Certificate III in Disability Work, which is a requirement to progress to RSW Level 2, or to be selected for an RSW Level 3.
 2. Employees either have obtained Certificate III when recruited, or are encouraged to undertake training in Certificate III.
 3. The Department provides training in Certificate III for employees, which includes the First Aid competency, and staff who have undertaken Certificate III are provided with refresher training for first aid. The Department pays for both the First Aid Certificate and staff replacement costs, whilst the employee is undertaking the training.
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