

# **GENERAL PURPOSE STANDING COMMITTEE NO. 2**

**Wednesday, 5 October 2016**

**Examination of proposed expenditure for the portfolio area**

## **AGEING, DISABILITY SERVICES**

**CORRECTED PROOF**

**The Committee met at 14:00**

### **MEMBERS**

The Hon. G. Donnelly (Chair)

The Hon. M. Mason-Cox

The Hon. D. Mookhey

The Hon. Dr P. Phelps

The Hon. B. Taylor

## **CORRECTIONS TO TRANSCRIPT OF COMMITTEE PROCEEDINGS**

**Corrections should be marked on a photocopy of the proof and forwarded to:**

**Budget Estimates secretariat  
Room 812  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000**



**The CHAIR:** Welcome to the public hearing of the supplementary budget estimates inquiry for General Purpose Standing Committee No. 2. Before I commence, I acknowledge the Gadigal people who are the traditional custodians of the land. I also pay my respect to elders past and present of the Eora nation and extend that respect to other Aboriginal people present or those who may be watching the webcast today. I welcome officers from the Department of Family and Community Services to the supplementary hearing. Today the Committee will examine the proposed expenditure for the portfolios of Ageing and Disability Services.

Today's hearing is open to the public and is being broadcast via the Parliament's website. A transcript of today's hearing will be placed on the Committee's website when it becomes available. In accordance with the broadcasting guidelines, while members of the media may film and record Committee members and witnesses, people in the public gallery should not be the primary focus of any filming or photography. I also remind media representatives that they must take responsibility for what they publish about the Committee's proceedings. It is important to remember that parliamentary privilege does not apply to what witnesses may say outside of their evidence at the hearing. I urge witnesses to be careful about any comments they may make to the media or to others after they have completed their evidence as such comments would not be protected by parliamentary privilege if another person decides to take an action for defamation. The guidelines for the broadcast of proceedings are available from the secretariat.

There may be some questions that witnesses could only answer if they had more time or with certain documents to hand. In those circumstances, witnesses are advised that they can take a question on notice and provide an answer within 21 days. Any message from advisers or members of staff seated in the public gallery should be delivered through the Committee secretariat. Transcripts of this hearing will be available on the web tomorrow morning. Finally, could everyone please turn off their mobile phones or switch them to silent for the duration of the hearing? All witnesses from departments, statutory bodies or corporations will be sworn prior to giving evidence, but I remind Mr Longley and Ms Taylor that they were sworn at the last hearing and do not need to be sworn again.

**JIM LONGLEY**, Deputy Secretary, Ageing, Disability and Home Care, Department of Family and Community Services, on former oath

**SAMANTHA TAYLOR**, Executive Director, NDIS Implementation, Department of Family and Community Services, on former oath

**ANNE CAMPBELL**, Executive Director, Service Delivery Programs, Department of Family and Community Services, sworn and examined

**The CHAIR:** I am not sure if you have any opening statements that you want to make before we commence the questioning. You are more than welcome to do so if that is your wish or we can commence with the questioning, whatever suits you.

**Mr LONGLEY:** We did not come with a pre-prepared statement but just indicate that we are looking forward to the opportunity to talk more about the disability services in New South Wales and of course the transition into the National Disability Insurance Scheme which is arguably the biggest and best reform Australia has done in a generation.

**The CHAIR:** On that issue, it might be useful if you can provide us with a snapshot as of today's date, give or take a day or two, of where we are with the rollout of the scheme in New South Wales. We have benefited from previous answers by the Minister in the House and the evidence at the last budget estimates hearing but I wonder if you are in a position to provide us with an update as to where we are at the moment.

**Mr LONGLEY:** It is a great pleasure to do that. I will make some general comments and Ms Taylor will go into a little bit more detail. In terms of the National Disability Insurance Scheme [NDIS] in New South Wales, as you would be aware, on 1 July 2013 through to 30 June 2016 we had the three-year trial site which was the Hunter. That was a resounding success. We made a lot of learnings from that and approximately 8,000 people have entered the NDIS as a result of that three-year trial period. That generated a lot of learnings for us. Then on 1 July 2015 there was the Nepean-Blue Mountains site which was targeted at an age-specific cohort: zero to 18 years of age. That was an age cohort approach targeting approximately 2,000 people.

Approximately 2,000 people in that age cohort did enter the scheme in that period, so again it was a great success and there were a lot of useful learnings from that. The contrast to the Hunter of course was that that was a full population. It is worth noting—if I am allowed to brag a little bit—that our Hunter site in full scheme, in the fullness of time, will be about 10,000 people, which represents about twice the population size of the Australian Capital Territory's whole jurisdiction which is about 5,000 people—just so people have a good sense of the scale of what we are doing in New South Wales and the significance of that.

Those two sites now continue on. As of 1 July 2016 New South Wales is entering into full scheme. From 1 July 2016 through to 30 June 2017 the first half of the State will be progressively moving into the scheme and then from 1 July 2017 through to 30 June 2018 the second half of the State will be migrated into the scheme. That then will mean that our whole transition into the NDIS will be completed over that period of time. The trial sites have gone well. There has been a little bit of publicity around some of the challenges that the National Disability Insurance Agency [NDIA], the Federal agency, has had with the commencement into the full scheme. The agency is working through those. I suppose to some extent with something of the scale of this and the newness of it at full scheme perhaps some teething problems were to be expected. The NDIA is assuring us that it is working very hard to get into full scheme in the numbers that we have agreed in an appropriate time frame, so we are working very hard with the agency to achieve that.

In terms of New South Wales, our side of it is going well. One of the learnings, for instance, out of the Hunter was the value of preparing clients as they do their planning with the NDIA. The better the planning that happens then the better the immediate outcomes for those people. It is important and we remind people that it is only their first plan and the plans are able to be and are reviewed annually so that as people change or as people learn more and so on then those plans can be updated. That is very important. That is the overall snapshot. I hand over to Ms Taylor to make some further comments.

**Ms TAYLOR:** As Mr Longley described, the agency has had some issues with its information technology platform and has resolved those issues and is now proceeding nationally with the rollout and to remediate the targets in each jurisdiction. That is going quite well. We have yet to receive the end of first quarter actuary's report, which will be published, describing the progress of the agency across that first quarter for the full scheme rollout. In New South Wales that is targeting around 33,000 additional people. There are in the order of 17,000 people out of that 32,000 who have had their access confirmed to the scheme and work is underway with those 17,000-odd people to construct, as Mr Longley described, their first plan. There is progressive contact being made with the remainder of the people that we would expect to access the scheme over the course of the next nine or so months.

There are targets set by the agency that were provided to Ministers at their Council of Australian Governments [COAG] reform council meeting at the beginning of September that gave assurances to Ministers in all jurisdictions that the agency would be working to ensure that in the first two quarters they would meet the targets, as required through the bilateral agreements, to support the agency in that task. The Commonwealth Minister, Minister Porter, has put in place additional resourcing from the Department of Human Services as well as having established a chief operating facility in the agency to ensure that the agency is able to attain those first two quarter targets and, from there on, continue to roll out in accordance with our agreement arrangements.

**The CHAIR:** The first two quarters take us to 31 December 2016. Is that right?

**Ms TAYLOR:** That is right, yes. That is correct. They will be in the order of 24,000-odd people with plans in New South Wales.

**The Hon. DANIEL MOOKHEY:** Thank you for your appearance today. I will commence by asking for some clarification in respect of the statement you have made to get some of the detail. Firstly, you said 17,000 have been accepted into the scheme out of 33,000. Did I understand that correctly?

**Ms TAYLOR:** Yes, that is right.

**The Hon. DANIEL MOOKHEY:** And the balance, that 16,000, are still being processed, or have they been processed and found not to have been—

**Ms TAYLOR:** No. The bilateral agreement allows people to progressively enter the scheme over the duration of the year.

**The Hon. DANIEL MOOKHEY:** Right. Got it.

**Ms TAYLOR:** The first quarter target is 15,000 people, so to have 17,000 people with access met means that the number of people that we would expect to enter the scheme within the first quarter have been identified and work is underway with them to enable that quarter to be met. Then there will be subsequent contact made with the remaining people as well as intake four, for new individuals, over the course of the remaining nine months of this first year.

**The Hon. DANIEL MOOKHEY:** You pre-empted my next question. You mentioned that Q2 and Q3—and I presume there are Q4 targets too.

**Ms TAYLOR:** That is right, yes.

**The Hon. DANIEL MOOKHEY:** Are you able to elucidate what exactly are those targets? We have got Q1 at 15,000, of which there is 17,000 of that has been cleared.

**Ms TAYLOR:** They are published in our bilateral agreement. I am happy to provide a snapshot of what is in the agreement. It is quite a complex set of numbers, but I am more than happy to provide those.

**The Hon. DANIEL MOOKHEY:** Great. That would be helpful, thank you.

**Ms TAYLOR:** Sure.

**The Hon. DANIEL MOOKHEY:** Mr Longley, you also mentioned in your opening statement that half the State is meant to be in the scheme. I am sorry for the need to clarify, but just for the purpose of *Hansard*, this would be useful. Which half of the State are you referring to?

**Mr LONGLEY:** It is half by numbers, approximately. Essentially, the approach we have taken is those regions which are contiguous in the first instance with the two trial sites and those which are contiguous with the Australian Capital Territory [ACT]. We can give you the list of that. Obviously the Hunter-New England and Nepean-Blue Mountains are two trial sites. You have South West Sydney, Sydney, Central Coast, southern; you have got Western, Western Sydney and Northern Sydney.

**The Hon. DANIEL MOOKHEY:** Thank you. Incidentally, I am sure you will not be shocked that very soon I will be asking you questions about each of the districts. Before I do that, you also mentioned the learnings from the trial sites. You have learnt the learnings from the trial sites and you have translated them into practice.

**Mr LONGLEY:** Yes.

**The Hon. DANIEL MOOKHEY:** You mentioned one specifically, which is for all those people with plans.

**Mr LONGLEY:** Yes.

**The Hon. DANIEL MOOKHEY:** I just want to give you an opportunity to clarify what are the other learnings that you picked up from the Hunter trial that are adjusting your behaviour in the other regions?

**Mr LONGLEY:** I have to say that the really big learning is around the importance of preparation prior to the first plan. That has been most significant. A number of the other matters are really much more of operational arrangements so that they have informed discussions between ourselves and the National Disability Insurance Agency [NDIA] and there is a technical working group. Again, Ms Taylor is more familiar a lot of those more operational matters and indeed the interfaces between non-government organisations [NGOs], ourselves and the NDIA. As you can see, that three-way relationship is important to make sure that is managed well, to make sure that communications work well, and to make sure that local people are speaking locally and when issues are not adequately resolved that they get elevated in the correct fashion. Ms Taylor might like to make some more comments about particular learnings.

**Ms TAYLOR:** What Mr Longley has described is pretty well there. Information exchange is incredibly important. That includes good data exchange between ourselves and the National Disability Insurance Agency—so making sure that we have good information about the people that are within the existing service system who will participate automatically, if you like, into the scheme where they are within the specialist disability service system. Good local communication—we have set up a team whose job it is to interface with the National Disability Insurance Agency local teams and our own districts to manage issues of interpretation, if you like.

**The Hon. DANIEL MOOKHEY:** Where does that team sit?

**Ms TAYLOR:** Across the State. It is relatively small team that is located in each of the centres that the existing four National Disability Insurance Agency regions are located—for example, in Wollongong, in Newcastle and in Penrith.

**The Hon. DANIEL MOOKHEY:** Does that team have a name?

**Ms TAYLOR:** It is the National Disability Insurance Scheme [NDIS] engagement team, I think.

**The Hon. DANIEL MOOKHEY:** Thank you.

**Ms TAYLOR:** That is correct. It is a very small team. Basically, if you can imagine, the National Disability Insurance Agency, as its title suggests, is a national body and its remit is to implement a scheme which is agnostic to the way in which different jurisdictions operate. It is not setting up a New South Wales NDIS or a Victorian NDIS; it is setting up a national scheme. What its staff need to understand, though, is that some of the nuances within each jurisdiction, particularly how the current disability service system operates, so that in the translation of that current operation into the national scheme, nothing gets broken, if you like.

People have deep experience—people with disability and their families—with the existing arrangements, so being able to explain to them how things change and the new arrangements requires a degree of understanding about how we operate in New South Wales, for example. There is a bit of a translation between that team and the agency to ensure that they understand some of the things that individuals expect and understand with the current arrangements. There are also regional operational working groups that have been established by the agency, which include senior representation from other departments across New South Wales.

**The Hon. DANIEL MOOKHEY:** Thank you. You are pre-empting my very next question.

**Ms TAYLOR:** That includes Health, Justice of course, Education and Communities and also Transport. They are the principal agencies within New South Wales, along with the Department of Premier and Cabinet, of course.

**The CHAIR:** Without cutting across the discussion, I just want to ask a quick question: Is there somewhere we can go where there is an organisational chart that we can look at that actually places a name on all these various committees so that we can see what the structure currently is in New South Wales as we speak?

**Ms TAYLOR:** I am very happy to provide the governance structures to you.

**The CHAIR:** Yes.

**Ms TAYLOR:** There are high-level views of the governance arrangements on the [www.ndis.nsw.gov.au](http://www.ndis.nsw.gov.au) website, I understand. I will need to confirm that for the Committee. I am more than happy to provide the Committee with a more detailed structure about the local governance, which is very new. It was put in place from July, obviously, to manage full-scheme implementation. Those local committees feed into a New South Wales governance structure and then there is the capacity if, in the course of the deliberations of some of those local committees, they see issues arising with people or with service providers that suggest issues

with how the national policy is unfolding, and those issues can be escalated into national policy committees also.

**The CHAIR:** If you are able to provide the names of people on those committees, that would also be appreciated as well, if such names are available.

**Ms TAYLOR:** Yes. They are all officials within respective departments.

**The CHAIR:** Yes. If you could provide that, that would be good.

**Ms TAYLOR:** Certainly.

**The Hon. DANIEL MOOKHEY:** It is actually a nice segue to the next bit. Did you collectively have the opportunity to see answers to the questions on notice and the questions that were taken on notice at the previous hearings? Do you have that information available to you?

**Mr LONGLEY:** We have some of that information.

**The Hon. DANIEL MOOKHEY:** Great. That is okay. The only reason I was asking is that otherwise I would just read it to you to clarify some of the detail that has been provided for questions on notice. Specifically about these local interagency working groups, the Minister tells us continue to operate with the National Disability Insurance Agency meeting with Health on a regular basis and local issues are addressed as they arise. I do understand that this might be clarified in the information you will provide to the Committee through Mr Donnelly, but how many local interagency working groups exist currently?

**Ms TAYLOR:** There are four.

**The Hon. DANIEL MOOKHEY:** Where are they?

**Ms TAYLOR:** They are located around each of the four National Disability Insurance Agency regions. Those regions are extensive. I cannot tell the Committee off the top of my head what the boundaries are.

**The CHAIR:** We can get that on notice.

**Ms TAYLOR:** We are more than happy to provide the insurance agency's boundaries for their regions. For example, Penrith extends all the way to the Queensland border in the west of the State from the Penrith site, so they are large. Their membership will change as the transition moves from the first number of districts that Mr Longley described into the remainder of New South Wales so that they can draw in people who have that local expertise in the areas in which they are operating and working with individuals with disability.

**The Hon. DANIEL MOOKHEY:** These are the committees that include representatives of Family and Community Services [FACS], Health and Transport that you were alluding to.

**Ms TAYLOR:** That is correct.

**The Hon. DANIEL MOOKHEY:** There are four of them. So they are not modelled on the FACS districts?

**Ms TAYLOR:** No, because they are modelled on the National Disability Insurance Agency regions so that we can respond and work with the National Disability Insurance Agency in the areas that it is working, locally, to draw people into the scheme so that we can respond to those local issues. Obviously, each New South Wales department has slightly different boundary arrangements. The Department of Family and Community Services' boundaries align with the local health district boundaries. There are then networks within each of the departments to ensure that the local districts—

**The Hon. DANIEL MOOKHEY:** No. I just wanted clarification; it was nothing more than that. The Minister's answer made reference to the FACS districts. Given your clarification, I now understand how the two relate.

**Ms TAYLOR:** Our Department of Family and Community Services districts also deal directly with the National Disability Insurance Agency in supporting individuals with disability and their families to access the scheme.

**The Hon. DANIEL MOOKHEY:** What is the jurisdiction of the local interagency working groups, and what are their terms of reference?

**Ms TAYLOR:** I am happy to provide the terms of reference to the Committee.

**The Hon. DANIEL MOOKHEY:** Great. To whom do they report?



**Ms TAYLOR:** They report to the New South Wales NDIS Implementation Steering Committee, which I chair.

**The Hon. DANIEL MOOKHEY:** Which agencies are ultimately responsible for the transition to the NDIS?

**Ms TAYLOR:** A range of agencies are responsible. The Department of Family and Community Services is responsible for the transitioning of existing—

**Mr LONGLEY:** Disability specialist services and clients. That is ours. Of course, there is also a whole-of-government approach. There are governance structures to ensure that the interface is complete. It is person-centred, and that means we are focusing on individuals. People with a disability who are transitioning into the NDIS have not only disabilities specialist needs but they may also interface with NSW Health, Transport for NSW and so on. We are very cognisant of that and ensure that all the agencies are involved, hence your reference to local communities. That is why other departments are also involved.

**The Hon. DANIEL MOOKHEY:** The joy of supplementary estimates hearings is that we can get into the details. Feel free to explain the governance arrangements and interagency collaboration. Ms Taylor, you mentioned that these agencies report to a steering committee that you chair. Is that the central coordinating steering committee for the rollout of the NDIS?

**Ms TAYLOR:** On operational matters?

**The Hon. DANIEL MOOKHEY:** Yes.

**Ms TAYLOR:** That committee then refers matters—for example, issues of policy as they relate to the New South Wales agreement—to a New South Wales steering committee, which is chaired by the Department of Premier and Cabinet and comprises deputy secretaries and executive directors of the departments that we have mentioned. That committee in turn reports to a board, which is chaired by Michael Coutts-Trotter, our secretary. Its membership includes the secretaries of the Department of Premier and Cabinet, NSW Health, the Department of Justice, Transport for NSW, the Treasury—

**The CHAIR:** What is the name of that committee?

**Ms TAYLOR:** It is the New South Wales NDIS board. We also have a bilateral set of governance arrangements. It is probably one of the most complex governance structures in this State. The board comprises senior officials from the Department of Social Services, which is the coordinating body for the Commonwealth, and the NDIA. We deal with how the New South Wales agreement is progressing, issues of shared work, and how we are progressing on shared projects. There is then a national governance system, which reports to the Disability Reform Council, which in turn reports to the Council of Australian Governments.

**The Hon. DANIEL MOOKHEY:** I feel like asking you to explain that, but that could extend the bounds of what is possible in a supplementary estimates hearing.

**Ms TAYLOR:** It would take all the time we have.

**The Hon. DANIEL MOOKHEY:** To progress things, I will ask about some of the specific districts that I mentioned earlier. You said that there are people participating in the NDIS in northern Sydney. How many people have access to the NDIS in northern Sydney? Do you want to take that question on notice?

**Mr LONGLEY:** If you wish to deal with the district level, we would need to take the question on notice.

**Ms TAYLOR:** We do not have that data at present. The data we have relates to New South Wales in total. The actuaries' report for the end of the quarter, which we expect to receive in early November—as do all jurisdictions—will provide a breakdown. However, it will be a breakdown by the National Disability Insurance Agency boundaries, not our own. We will then make an assessment based on the individuals we are aware of with regard to the distribution across regions.

**The CHAIR:** Will that report be made publicly available?

**Ms TAYLOR:** Yes, the actuaries' report is publicly available. It is a quarterly report that gives an update of the scheme. New South Wales then publishes supplementary detail on a quarterly basis. Even though the rollout as we described it is based on FACS districts—that is, the first 50 per cent and the remaining 50 per cent in year two—the targets for New South Wales are on a whole-of-State level. There are no specific targets for each district in our bilateral agreement. However, the pace at which we now expect the rollout to occur will mean that on a cohort basis—which adds another layer of complexity—we would expect a very swift intake of individuals across all of those districts fairly equitably.

**The Hon. DANIEL MOOKHEY:** The point you are making is that you do not have the data now, but you anticipate having it.

**Mr LONGLEY:** Not by district. We have to interpolate, and we cannot do that until we get the NDIA quarterly report.

**The Hon. DANIEL MOOKHEY:** Of all the districts in which you are rolling it out, which do you anticipate will be in the top five in terms of the number of people participating?

**Ms TAYLOR:** In terms of existing clients?

**The Hon. DANIEL MOOKHEY:** Existing and projected.

**Ms TAYLOR:** We are happy to provide the anticipated breakdown of existing and new participants for each of the districts in New South Wales. That data is available, I simply do not have it with me today.

**The CHAIR:** Mr Longley, I refer to your comments about five minutes ago. Obviously we are at October 2016. We are taken through to the end of June 2017. I think you said—and please correct me if I am wrong—that there is a further 12 months to the end of June 2018.

**Mr LONGLEY:** Yes. The second year involves the second half of the State. The districts that are not done in the first year will be done in the second year.

**The CHAIR:** When we get to the end of June 2018, in effect the State will be—

**Mr LONGLEY:** Fully transitioned.

**The CHAIR:** What happens after that? Let us assume it all goes to plan, what happens after that? In effect, it has been opened up around the State, people have been invited to come in, and they have come in in large numbers, where are we at that point?

**Mr LONGLEY:** At that point, all existing disability clients in New South Wales will have transitioned and will no longer be our clients; they will be clients of the National Disability Insurance Agency

**The CHAIR:** And they will have a plan?

**Mr LONGLEY:** They will all have a plan. It will mean that all new clients, if they want a plan and support, will go to the NDIA. The plan is that by 30 June 2017 all existing clients in the first half of the State will be clients of the NDIA. All potential and new clients in that half of the State will no longer come to us; they will go to the NDIA if they want something.

**The CHAIR:** I refer to the cohort—and the question equally applies to the following year—who are not currently being serviced by the New South Wales agency. How accurate is our sense of the total number of people? Are we working with a reasonably clear figure, or are we guessing?

**Mr LONGLEY:** That is a really good question. That was one of the learnings from the Hunter, that whilst our estimate of numbers of new entrants are—the actuary and we are still confident that what it appears to be is that new people are coming in at a slightly slower rate than we expected. You will recollect when I was talking about the Hunter I said about 8,000 people had transitioned but the planning was for 10,000. We had expected out of 10,000 about two-thirds were existing clients, so about 6,500, and our estimate was about 3,500 would be new clients. So the new clients coming in have come in at a slower rate than we had expected. We are still confident that will be the case, it just has not happened in that first three-year period and obviously those people are still coming in. Our guess is also that as the full scheme rolls out, with publicity and word of mouth and so on, then again more people who are eligible will be able to do that. Remembering also with eligibility, one of the great advantages with the NDIS is that we are under the existing State-based scheme. It is resource-constrained so it means people who need a lot get a bit less than they need, and it also means that people who might only need a modest amount end up getting nothing.

We expect new entrants will be particularly these people. If their needs have been a bit more modest and they have been told for years, "Terribly sorry, we cannot give you"—they may have been dissuaded. Now, as they learn more about the NDIS, those people will come forward and we expect that will happen; it will take just a bit longer. Within the NDIS overall scheme, it is worthwhile remembering effectively it has three tiers to it. The intensive tier is the one that most people speak about but the second tier, the information linkages and capacity building, is, in my view, a particularly important part of the scheme because that is about helping particularly those people who have less needs, some of whom may not actually need any support from NDIA but, in fact, just need better access to community, and that is a good outcome. It also has a role—in fact, it was interesting reading the *Sydney Morning Herald* this morning. One of the roles of ILC is about—

**The CHAIR:** For Hansard, what does that acronym stand for?

**Mr LONGLEY:** Information linkages and capacity building. One of its other roles is this idea of capacity building in the broader community because the idea of the NDIS is not just to give people with disability more support but actually to have a bigger community impact, so we have a community transformation impact. Indeed, in that area—it is a separate matter and a later question if you want to—the development of Ability Links NSW is one of the great success stories; it is innovative, it is creative. It is a remarkable story and fits into this bigger picture of not only trying to create a much more inclusive community, but also empowering people with disability, and it is doing some tremendous work.

**The Hon. DANIEL MOOKHEY:** You mentioned ADHC. Will you explain to us the services that are currently provided by ADHC?

**Mr LONGLEY:** Ageing, Disability and Home Care?

**The Hon. DANIEL MOOKHEY:** Please.

**The Hon. BRONNIE TAYLOR:** Is that what ADHC stands for, just for Hansard?

**Mr LONGLEY:** Yes. Ageing, Disability and Home Care is—I suppose these days we tend to use the expression in two senses. There is a narrower sense, which is really oversighting the whole transition process to the NDIS, making sure that whole-of-government works well, making sure the interface with the Federal Government is going appropriately, making sure the services that we deliver—and we deliver about 40 per cent of disability services in New South Wales—is properly oversighted and then that second bigger element is, in fact, the delivery of those services through the districts and so on. Under our current arrangements, delivery of those services into the districts is principally worked through another deputy secretary to make sure that activity happens effectively and gets attention while we are doing this big transition exercise.

**The Hon. DANIEL MOOKHEY:** ADHC have divided their services into 26 blocks or lines is another way of putting it. Is that correct?

**Mr LONGLEY:** I would tend to think of it not quite in 26 lines. That is probably in respect of particular service deliveries that you are referring to.

**The Hon. DANIEL MOOKHEY:** That is what I am getting to. Is that correct—there are 26 of them?

**Mr LONGLEY:** I would not have thought of the number specifically off the top of my head.

**The Hon. DANIEL MOOKHEY:** Forgive me if I have that level of detail. I was going to ask you if you could explain what are the 26 service lines that are available through ADHC. You might wish to take that on notice.

**Mr LONGLEY:** I am very happy to take that on notice and put a brief descriptor on the lines of service that we deliver.

**The Hon. DANIEL MOOKHEY:** The reason it becomes important is in the process of transferring ADHC services to non-government organisations [NGOs]—into the non-profit sector—a whole series of expressions of interest [EOIs] have been run. Of those 26 blocks of services, how many have been subject to EOIs?

**Mr LONGLEY:** The EOI process and indeed the transfer process—and I will ask Ms Campbell to elucidate that more—the first big block of that, if you like, has already been undertaken and completed and that was the home care service. When you talk about ADHC—Ageing, Disability and Home Care—the home care part of that is the home care service. Hence when you are talking about 26 lines of service—

**The Hon. DANIEL MOOKHEY:** You are getting confused as to which ones I am talking about?

**Mr LONGLEY:** Some of those will have been in that and that was approximately 4,200 staff. That has been successfully transferred to Australian Unity and has been very successful—

**The Hon. DANIEL MOOKHEY:** We can put aside for the purpose of this question the home care aspect of it. I am more interested in the ageing and disability aspect of those 26 lines.

**Mr LONGLEY:** The ageing part was predominantly through that, though we have a number of clients over the age of 65 so they would technically fit that category. We tend not to separate them out, whereas the home care service actually delivered specifically aged care services because they were working also on behalf of the Federal Government in respect of the old Home and Community Care [HACC] program, which you would be familiar with, and so on. In terms of the rest of our services, which is whatever number is the rest of our services—all of them—we are going through an EOI process.

**The Hon. DANIEL MOOKHEY:** For all of them?

**Mr LONGLEY:** The transfer will be of all of our services, that is correct; all direct service delivery will be transferred to the NGO sector.

**The Hon. DANIEL MOOKHEY:** Has that been done through a single EOI or has it been split?

**Mr LONGLEY:** The EOI process is what we have gone through to this point of time; we will evaluate that and then go out with a select RFT process and then the sequencing and structure of—

**The CHAIR:** RFT being?

**Mr LONGLEY:** A request for tender, and EOI is expression of interest. That process then will be based on information we learnt from the EOI part of the process. That will be evaluated and the selection undertaken at that point.

**The Hon. DANIEL MOOKHEY:** Let me understand this. There is an EOI process?

**Mr LONGLEY:** Which has concluded and evaluation is—

**The Hon. DANIEL MOOKHEY:** Underway.

**Mr LONGLEY:** Underway and almost concluded.

**The Hon. DANIEL MOOKHEY:** Then the intent is to go to RFT out of a select number of people who provided an EOI?

**Mr LONGLEY:** Flowing out of the EOI, that is correct. In fact, I might ask Ms Campbell to intervene.

**Ms CAMPBELL:** The EOI, as Jim Longley said, was finished in June of this year and there has been a process to assess those particular proponents. About a week and a half ago we advised all of the people who put in tenders whether they were successful to go forward or not successful, so that process has been completed.

**The Hon. DANIEL MOOKHEY:** How many EOIs did you get?

**Ms CAMPBELL:** I am not sure I am allowed to disclose that.

**The Hon. DANIEL MOOKHEY:** Just a number; I am not asking for anything more.

**Ms CAMPBELL:** Over 100.

**The Hon. DANIEL MOOKHEY:** How many do you anticipate coming through to the next round, or can you not tell me?

**Ms CAMPBELL:** I cannot tell you at this point. In the next phase with the people who are successful in going through to what we call a binding proposal, we will be establishing a thing called a data room and all the commercial-in-confidence sorts of processes you have to put in place. They will then come back with a binding proposal that will be evaluated. Once that process is completed, we have also given an undertaking to clients, residents and families for them to have input into that selection process once we have assessed those particular proponents. The groups of services that are in there—

**The Hon. DANIEL MOOKHEY:** Before you go on, you say that you have a mechanism in place to make sure that people can have an input into the process. Can you elucidate what exactly is that mechanism?

**Ms CAMPBELL:** We are still working through that at the moment.

**Mr LONGLEY:** We have already held 150 consultations with disability services and families in part of this process.

**The Hon. DANIEL MOOKHEY:** When did that happen?

**Mr LONGLEY:** We can give you the detail of that, but that has happened the last six to eight months.

**Ms CAMPBELL:** Yes, March-April.

**The Hon. DANIEL MOOKHEY:** But you envisage an additional mechanism may take place?

**Ms CAMPBELL:** Yes.

**The Hon. DANIEL MOOKHEY:** And you will come back to us with details of what that is?

**Ms CAMPBELL:** Yes. As Mr Longley said, in the expression of interest we went out and consulted with over 1,000 residents, clients and families. That was then inputted into some of the selection criteria for the

EOI. What we will be looking at going back is a short list of proponents that we think have been assessed as meeting the requirements for input from residents and families, but we still need to tease through how best that is going to happen in the process.

**The CHAIR:** In regard to the organisations that can participate in the tender process and put forward a proposition, I presume what we understand as non-government organisations, without naming them, may have put themselves forward. What about for-profit organisations and corporations? Are they able to participate in the tender process?

**Ms CAMPBELL:** They would have been eligible through the EOI process.

**The CHAIR:** They are not excluded?

**Ms CAMPBELL:** No, not that I am aware of.

**The Hon. DANIEL MOOKHEY:** Are there any restrictions on a single provider providing all the services?

**Ms CAMPBELL:** Certainly, through the EOI we did not stipulate that. We are currently working through the evaluation criteria for this next phase. At this point, I do not think so.

**Mr LONGLEY:** It is a matter for consideration, but obviously potentially there would be some questions around that. It is a question that we are actively considering.

**The Hon. DANIEL MOOKHEY:** I now switch to aspects of the transition of the ADHC beyond the completion of the EOI and RFT processes. Has the department undertaken any preparation or any analysis in terms of removing the rights and responsibilities of family members and friends who have legal guardianship? Has any work been undertaken in that respect?

**Ms CAMPBELL:** Not that I am aware of.

**Mr LONGLEY:** What do you mean?

**The Hon. DANIEL MOOKHEY:** In respect of the transitions essentially to the private sector, or the non-government sector, of the ADHC, we are exploring the extent to which people's legal rights move with them. That is the premise of the question. When we are talking about people's access to guardianship protection and accommodation, I am wondering whether the department has prepared any analysis?

**Mr LONGLEY:** I would not anticipate any change to that.

**The Hon. DANIEL MOOKHEY:** That is the precise question. Please feel free to elaborate.

**Ms TAYLOR:** I am happy to respond to that. Ministers at the beginning of September considered a quality and guardian framework for the National Disability Insurance Scheme. The responsibilities of all jurisdictions around guardianship under the National Disability Insurance Scheme would remain as they are; there are no plans to remove or adjust any guardianship arrangements—

**The Hon. DANIEL MOOKHEY:** In the NDIS?

**Ms TAYLOR:** —under the NDIS.

**The Hon. DANIEL MOOKHEY:** I am asking about ADHC.

**Ms TAYLOR:** Any person with disability who is supported under the legislative provisions within New South Wales is entitled to guardianship regardless of the service provider, whether it be ADHC or a non-government organisation.

**Mr LONGLEY:** As would be the case for 60 per cent of services.

**The Hon. DANIEL MOOKHEY:** That is very helpful information. The reason we ask is that there are models overseas of such transfers in which people who wish to take up services ask for restrictions to be placed on guardianship. It is something you have to assess when you are buying an asset. Thank you for clarifying that.

**The CHAIR:** Is the framework that you referred to that is dealt with at the ministerial level still under development? It has not been settled yet?

**Ms TAYLOR:** It is. The main components have been agreed, but the Disability Reform Council will make recommendations to the Council of Australian Governments [COAG] at the end of this year around that framework. Technically it has not been finally settled, but we are working with the Commonwealth towards establishing the key components of that framework. In the meantime, over the two years for transition to 30

June 2018 the legislative provisions in total within New South Wales are retained for people with disability as they move from the State arrangement and become participants in the insurance scheme. We have preserved a range of protections for individuals, including the described guardianship and also the ability to make complaints through the Ombudsman and other provisions that we have to ensure the safety of people with disability and the quality of services during the transition period.

**The CHAIR:** With the preservation of those arrangements, is that done legislatively or essentially as a practical agreed to position for the State of New South Wales?

**Ms TAYLOR:** There have been some legislative amendments to expand the responsibilities of the NSW Ombudsman to enable the Ombudsman to follow individuals as they move out of the funding arrangements within State legislation under the arrangements within the scheme. That provision has been made also to enable the providers who deliver the supports under the scheme to be subject to review by the NSW Ombudsman. There is agreement between Ministers around the interpretation of the legislation in that regard.

**The CHAIR:** Have there been any discussions with the NSW Ombudsman about the resource capacity required by the Ombudsman to do this, as it appears he will have a greater role potentially and greater demand on his time to work arising from setting up the NDIS?

**Ms TAYLOR:** There have been exchanges between ourselves and the Ombudsman, and also through to the Treasury. The Department of Family and Community Services does not fund the Ombudsman.

**The CHAIR:** I appreciate that. In any discussions with the Ombudsman, has the Ombudsman made any comments about concerns about dealing with this workload as the scheme rolls out?

**Ms TAYLOR:** Yes, the Ombudsman has indicated that in the event that the workload does expand, which is not foreseeable at present, there may be supplementary resourcing required. As I say, that has been referred through to central agencies, as is appropriate.

**The CHAIR:** So it has been picked up in the to-ing and fro-ing.

**The Hon. DANIEL MOOKHEY:** Has it been referred to the central agencies by the Ombudsman or by the department?

**Ms TAYLOR:** I am not aware of whether that has happened. The department is not responsible for the NSW Ombudsman's budget.

**The CHAIR:** I understand that, but clearly you have had discussions with the Ombudsman who has a very important role in the scheme of things. I am trying to get a sense about whether he has indicated that he can see this coming down the track and he is getting himself geared up for it.

**Ms TAYLOR:** Definitely. Aside from my comments about the department not having responsibility for the Ombudsman's budget, we have recognised the need for additional resourcing in the past to support the Ombudsman's activities, particularly the role of the community visitors, and we have provided supplementary funding to support the expansion of that very valuable program. We will continue to monitor, along with the Ombudsman, the degree of activity that the Ombudsman may experience over and above the current capacity of the two years transition.

**The Hon. DANIEL MOOKHEY:** Does the Government propose to prevent a privatised service—whether an NGO or a for-profit operator—from moving residents from group homes in more expensive areas to cheaper premises? How much control is a private operator likely to have over premises?

**Mr LONGLEY:** Under the NDIS effectively the power resides with the resident. They are the ones who have the funding, they are the ones who will choose which provider provides their services. In terms of specialist disability accommodation, a lot of the issues around that and probably specifically the one you have raised really will be residing with the NDIA itself as the one who governs. They have released their major policy guidance document for specialist disability accommodation and that has a number of elements in that. One of the key areas, of course, is the relationship between all of the parties, including the relationship that you have identified there.

**The Hon. DANIEL MOOKHEY:** Thank you, but I was asking specifically about the ADHC aspect of it and not necessarily the NDIS aspect of it.

**Mr LONGLEY:** What we are trying to do with transition and transfer and the whole arrangement is to segue into as seamlessly as possible the NDIS world. Post 30 June 2018 that is the NDIS world. The NDIA is the key agency. The Federal Government may have some other bodies and so on with regard to, as we have just been talking about, quality and safeguards. They may or may not have others there. Everything that we are

doing is not about what ADHC is doing now or would even be doing in the transfer or transition process. It is actually all about how do we land things into this new world where the rules, the parameters and essentially everything is now set under the NDIS arrangements which are, as I have said, significantly empowering to the individual.

The plans are done individually. The funding goes to individuals, which is in contrast to the situation at the moment. At the moment the funding overwhelmingly does not go to the individual. It goes to the provider and the provider provides services. We have been increasing the number of individualisation packages, but that is still fairly small. Going to the NDIS, that is what it is all about, and the level of funding over the whole scheme more than doubles. It is a very powerful world that it is being developed into.

**The Hon. DANIEL MOOKHEY:** Do you foresee that there will be some people who would prefer to remain in the care of ADHC as opposed to going into the NDIS?

**Mr LONGLEY:** Some people have expressed that. It is a position I can well understand. Like all of us, we prefer things the way they are. When people see change, even good change, we all have a degree of reluctance and so on. But the reality is that the NDIS from the very earliest days—from the days of the public campaign and from the Productivity Commission report, which really established the credentialing of the scheme—has always been predicated on an NGO provider model, not a government provider model. Indeed, just asking about the accommodation question for instance, the NDIA in their document specifically say that where the accommodation is provided by the NGO sector there is a schedule of payments and where the accommodation is owned by a government there will be no payments. The clear direction is there and this is a direction that basically was set right from the beginning.

**The Hon. DANIEL MOOKHEY:** But does the Government intend to give people the option of staying post 2018 under the care of ADHC?

**Mr LONGLEY:** All of our services will be transferred to the NGO sector.

**The Hon. DANIEL MOOKHEY:** I understand you are saying that you are trying to ready people for the transition and you are operating under the rules that will apply, but what would stop a person after purchasing ADHC services or at least being able to operate them at the end of the request for tenders [RFT] process from selling the real estate and using the money for a purpose that their clients would not necessarily agree with and moving the residents to a cheaper premises as a cost-saving device, an opportunity to fund additional capital expenditure or whatever? What are the restrictions on their ability to do that?

**The CHAIR:** I think that is called colloquially "asset stripping".

**Mr LONGLEY:** That is an issue that we have done a lot of work on in terms of this whole transfer process, including its impacts on transition. It is important to distinguish the ownership of the asset from the delivery of the service. The service is there as an accommodation service and there is the provision of daily services. There are quite different things at stake here. The expression of interest [EOI] and RFT process that we are in at the moment is only about the services. We are not talking about the assets at all at this stage.

**The Hon. DANIEL MOOKHEY:** I accept the distinction but that does not necessarily negate the premise of the question. The question is if the marginal cost of delivering a service is at a different location from the one where it is currently being provided there is an incentive for whoever operates the service to move to the place with the lowest marginal cost. My question is what restrictions at an operational level will be put in place to ensure that the rights of a person currently under care are respected by the new operator?

**Mr LONGLEY:** There will be the terms of the agreements, which will have various notice periods and so on as you would expect. I have to say that is an interesting scenario that you raise, because you had originally been talking about selling the real estate whereas if the real estate is not able to be sold or not able to be sold for a period of time or whatever, then moving the service but actually still having the real estate there needing to be used for disability services would make that a less likely outcome but nonetheless, technically, as you phrase the question, possible.

You will have those two levels of protection and then ultimately, of course, under NDIS the resident is the one with the funding. If the resident does not like the services that the provider is offering they can go to another provider or they can collaborate with each other and set up something themselves. There is a lot more empowerment and they will have the funding to do that which will actually make that an economically viable model. The current system where it is resource constrained, where the funding goes to the provider and does not go to the individual—

**The Hon. DANIEL MOOKHEY:** Is it correct to conclude that the envisaged response to that scenario is that it would be a matter for the operator and the resident?

**Mr LONGLEY:** Ultimately, that is exactly where you want it.

**The Hon. DANIEL MOOKHEY:** Therefore, would you conclude that the Government does not necessarily consider it to be its role to otherwise intervene in that conversation?

**Mr LONGLEY:** It will be the role of the NDIA and the regime that the Federal Government sets up that will ultimately determine what the arrangements are. But at the end of the day what one does want is maximum empowerment of people with disability in this space. For the first time they are the ones receiving the money, not the provider. They are the ones who will be signatories to service arrangements and the amount of funding will be there to make it economically viable for them to receive those services as they want them.

**(Short adjournment)**



**The Hon. DANIEL MOOKHEY:** The Government's response to the 2013 report of the Legislative Assembly of New South Wales Committee on Community Services states that the New South Wales Government continues to provide human services directly in all cases where there is significant risk of service failure to individuals or communities if such services are contracted out to non-government providers and that Family and Community Services has implemented a range of strategies designed to mitigate the risk of failure. Does that ring a bell in general? What exactly are the strategies that Family and Community Services have implemented to mitigate the risk of service failure to people with particularly complex needs?

**Mr LONGLEY:** Effectively there are probably two elements to that. Essentially it is around "provider of last resort"; that is an area that we identified very early on as being very important. All people with disability in New South Wales who receive disability services are clients of the Government in that sense because we are the ones who either fund the non-government organisation [NGO] provider who provides the services to them or we fund our own services which provide the services to those people. So whether it is our service, obviously, or whether it is an NGO provider, if the placement or some problem arises then we will work to restore the working relationship that needs to be there, if it is possible to, or to ensure that that client is receiving services usually from another NGO. So we have response people who are overwhelmingly locally based. They will know the providers. They will often know the clients themselves, or the issues, particularly if the clients are at the complex end, because these are the people who will usually have multiple service requirements.

**The Hon. DANIEL MOOKHEY:** How many people have needed "provider of last resort" services in the last 12 months or 24 months or both?

**Mr LONGLEY:** It is not a big number. I do not know it off the top of my head but I am happy to provide that to the Committee. This is in the handfuls, typically. It is a matter of making sure that where these issues arise they are dealt with in a way that the needs of the client are always paramount, that they are always being satisfied to the best capability we have within the resources that we have, and that it is done at a local level rather than through reams of procedures and processes and so on. It is done with the providers and—

**The Hon. DANIEL MOOKHEY:** The data is recorded, is it?

**Mr LONGLEY:** I am sorry?

**The Hon. DANIEL MOOKHEY:** That data is recorded?

**Mr LONGLEY:** There will be some data around that. Oftentimes it will be a smooth transition from one provider to another. If there is an issue, sometimes those matters get escalated. What data we have, I am happy for us to provide to the Committee.

**The Hon. DANIEL MOOKHEY:** Is there an insurance framework currently in place in respect to service delivery by NGOs?

**Mr LONGLEY:** We have contracts. Our requirements of NGOs—because they are providing services to our clients—are listed in that. There is also the Disability Inclusion Act, which has a whole list of requirements, and of course there are other legislative requirements.

**The Hon. DANIEL MOOKHEY:** I am sorry, Mr Longley, forgive me for being technical here but I understand that the results of the insurance framework will be inserted into a contract, but that does not necessarily mean that that is the totality of the insurance framework.

**Mr LONGLEY:** I see what you mean. Yes, sorry.

**The Hon. DANIEL MOOKHEY:** I am asking: Is there an actual insurance framework? Is there a policy document? Is there a service standard? Is there a reporting mechanism? Is there an investigation mechanism or audit mechanisms, all of which generally get grouped under the main theme of insurance?

**Mr LONGLEY:** Yes, certainly. Samantha Taylor is probably best placed to talk about that.

**Ms TAYLOR:** There are all of those things in place at the moment in the specialist disability service system that you have just described. As Mr Longley alluded to, we have the Disability Inclusion Act, which has provisions for the funding of specialist disability support within New South Wales. There is a funding agreement which is allowed for under that particular Act, and that Act also sets out the provisions that would be incorporated into that funding agreement. With some of the key assurance activities in that agreement we have a requirement for organisations to meet prescribed standards of service delivery, which mirror the national disability service standards. We have a third party accreditation arrangement whereby every provider within a three-year funding cycle—our agreements are over a three-year period—is required to have third party verification of their compliance with those standards.

**The Hon. DANIEL MOOKHEY:** Who is the third party? Who undertakes the third party verification? Is it the Government?

**Ms TAYLOR:** No, an independent audit that is accredited by JAS-ANZ.

**The Hon. DANIEL MOOKHEY:** For Hansard, what is JAS-ANZ?

**The CHAIR:** You can take that on notice, if you like.

**Ms TAYLOR:** It is the Joint Accreditation System of Australia and New Zealand [JAS-ANZ].

**The CHAIR:** That is pretty close. Well done.

**Ms TAYLOR:** In New South Wales, the third party verification will look at the existing accreditation that a provider may have and the extent to which that existing accreditation—

**The Hon. DANIEL MOOKHEY:** Forgive me for being technical, but who accredits them for the purpose of receiving New South Wales government contracts, put it that way?

**Ms TAYLOR:** I will give you a scenario. We have a number of organisations that deliver both aged care under the Commonwealth program as well as specialist disability services. Some of the larger church organisations and other not-for-profit organisations deliver across both service systems. The Commonwealth has an aged care accreditation body, which will look at and has standards to which it does its own assurance. That is an independent body under Commonwealth legislation. In the State, if an organisation is funded by the Commonwealth and accredited by that body—

**The Hon. DANIEL MOOKHEY:** You will assume?

**Ms TAYLOR:** —we would assume a degree of compliance with the State disability standards. We have done through JAS-ANZ an assessment about any gaps or partial meeting of disability standards against, for example, the aged care accreditation. The third party verifier will come in and look at the gaps and any partial non-matching against the standards, against those two respective systems, to give us a whole picture about whether or not that organisation is meeting the New South Wales service delivery standards for disability.

**The Hon. DANIEL MOOKHEY:** With those New South Wales service standards for disability, what is the audit strategy? Is it an intelligence-based strategy? Is it 100 per cent? Is it a paperwork, compliance-based strategy? For example, what is the percentage of people who get contracts and would be audited by the New South Wales government for compliance?

**Ms TAYLOR:** One hundred per cent.

**The Hon. DANIEL MOOKHEY:** One hundred per cent?

**Ms TAYLOR:** One hundred per cent.

**The Hon. DANIEL MOOKHEY:** How often?

**Ms TAYLOR:** Every three years; every funding cycle.

**The Hon. DANIEL MOOKHEY:** So it is tied to the funding cycle?

**Ms TAYLOR:** That is right.

**The Hon. DANIEL MOOKHEY:** Does a resident have the ability to initiate a complaint or otherwise trigger the review—

**Ms TAYLOR:** Absolutely.

**The Hon. DANIEL MOOKHEY:** —in between that period of time?

**Ms TAYLOR:** Absolutely. The big point of difference—between the New South Wales standards and our assurance around those standards and just about any other jurisdiction, including the Commonwealth—is that the way in which compliance or assurance is determined is based on the experience of the consumer, not on whether or not a policy exists. That was the way that New South Wales looked at compliance previously. It is not an adequate measure of whether standards are being met. We require organisations to give us and the third party verifier evidence of consumer complaint. The third party verifier will talk to groups of consumers about their direct experience with the organisation. We look for things like client satisfaction surveys and mechanisms for direct engagement with consumer groups within an organisation to make an assessment about whether the standards are met.

**The Hon. DANIEL MOOKHEY:** How many contracts has the department terminated for breaching service delivery standards in the past three to five years?

**Ms TAYLOR:** I can give you those statistics. There are not many. Our focus is on remediating issues rather than ceasing funding, so our general rule is that our people—

**The Hon. DANIEL MOOKHEY:** I will ask you two questions: How many have been subject to remedial direction?

**Ms TAYLOR:** I will have to get those statistics for you out of session.

**The Hon. DANIEL MOOKHEY:** Feel free to take this out of session just to elaborate, but are you able to break that down by district as well, by FACS district?

**Ms TAYLOR:** I will have to advise the Committee out of session whether that is available. Can I just—

**The Hon. Dr PETER PHELPS:** You have a situation where particular providers might be cross-district.

**Ms TAYLOR:** Yes.

**Mr LONGLEY:** Yes, I was about to say so, multi-district. There are quite a lot of those.

**The Hon. DANIEL MOOKHEY:** Or perhaps we can clarify in which districts remedial action has been required to be taken. A provider may require remediation in one district or one premises in one district without necessarily having others. That is what I am more interested in.

**Ms TAYLOR:** As Mr Longley points out, a provider may deliver across a number of districts. They also might deliver a range of different service activities. Sometimes there can be the need for remediation in one particular service in a local area and there will be no issues in the other.

**The Hon. DANIEL MOOKHEY:** Of course.

**Ms TAYLOR:** We will advise the Committee about what data is available on a district level about those incidences.

**The Hon. DANIEL MOOKHEY:** But you will do your best to provide us with the data as well?

**Ms TAYLOR:** Yes.

**The Hon. DANIEL MOOKHEY:** In respect to the transition both into the NDIS and, incidentally, for Ageing, Disability and Home Care [ADHC] to transfer into the non-profit or not-for-profit sector—

**Mr LONGLEY:** The NGO sector.

**The Hon. DANIEL MOOKHEY:** The NGO sector, if that is the terminology, is it envisaged at all that the assurance framework will change as a result of any of those two things?

**Mr LONGLEY:** The assurance framework effectively becomes—

**The Hon. DANIEL MOOKHEY:** NDIA.

**Mr LONGLEY:** Yes, that is right. It becomes the NDIA as well, so that is the quality and assurance, which was a question asked earlier. That is where the quality and assurance framework is really a very important piece of work and where New South Wales is fortunate because the Disability Inclusion Act here has in many ways set a good benchmark for the country.

**The Hon. DANIEL MOOKHEY:** Which is exactly my next question.

**Mr LONGLEY:** The role of the Ombudsman is quite powerful.

**The Hon. DANIEL MOOKHEY:** Ms Taylor, given your previous comments or at least your argument in favour of the strength of New South Wales standards, do you envisage that in the transition to the NDIA those standards will have to lower in order to reach a common national position, or is it the case that we can assume that they are indeed the floor that will exist?

**Ms TAYLOR:** No, I do not anticipate that New South Wales assurance mechanisms will lower during the transition or post-transition. I think the strength of the New South Wales assurance arrangements and the focus on individual outcomes in service has been a key development for the sector in understanding the extent to which the consumer and the consumer's view of service quality will be a feature—

**Mr LONGLEY:** Paramount.

**Ms TAYLOR:** —in the National Disability Insurance Scheme. Effectively, our quality assurance policy has been a core part of our industry development strategy to try to assist the sector in adjusting its models of internal assurance as well as external assurance to position the New South Wales non-government sector well for the future under the National Disability Insurance Scheme.

**The Hon. DANIEL MOOKHEY:** Are any other State jurisdictions arguing for their arrangements to prevail at the expense of New South Wales?

**Ms TAYLOR:** As the communique from the Disability Reform Council indicates, all jurisdictions—with the exception of South Australia and the Northern Territory for their own reasons—have agreed to pursue a national quality and safeguards framework.

**The Hon. DANIEL MOOKHEY:** Akin to the New South Wales framework?

**Ms TAYLOR:** The components of what has been agreed to by Ministers are in line with the minimum, if not exceed, New South Wales arrangements. For example, one of the key aspects of the framework as identified in that communique—and in some previous communiques—is the agreement about a national registrar. That registrar would be similar to what I described with regard to aged care and would involve an independent, legislated entity that would manage national standards and assurance mechanisms.

**The Hon. DANIEL MOOKHEY:** How many vacancies exist in supported accommodation?

**Mr LONGLEY:** We will provide that information on notice.

**The Hon. DANIEL MOOKHEY:** How many clients are on the waiting list for supported accommodation?

**Mr LONGLEY:** We do not have a waiting list per se because supported accommodation is not like hospital beds. There is a matching process. I will use the example of a group home. A vacancy might arise in five-person, five-bedroom group home, but you cannot simply dump the next person on the list into that accommodation.

**The Hon. DANIEL MOOKHEY:** How many people have requested supported accommodation?

**Mr LONGLEY:** We are happy to provide that information. However, many people use the analogy of a hospital.

**The Hon. DANIEL MOOKHEY:** I am not doing that.

**Mr LONGLEY:** It is much more individualised. We are happy to provide that information.

**The Hon. DANIEL MOOKHEY:** I will clarify the question. How many clients have requested supported accommodation but are yet to have it provided as of today?

**Mr LONGLEY:** Again, it is not necessarily a time question. People might be requesting accommodation but in the future, not now.

**The Hon. DANIEL MOOKHEY:** Feel free to provide as much data as you want.

**Mr LONGLEY:** We are happy to do so.

**The Hon. Dr PETER PHELPS:** On the other hand, the Hon. Daniel Mookhey might like to clarify what information he wants.

**The Hon. DANIEL MOOKHEY:** I am interested in how many people have made requests for supported accommodation. I am not trying to feather or otherwise clarify it.

**Ms TAYLOR:** People in the State system may have sought supported accommodation or may be seeking it. The point Mr Longley made earlier is critical. We are talking about a rationed system in New South Wales, and the capacity for the State to provide supports to the maximum needs of every individual has been limited. The NDIA will assess the reasonable and necessary supports of every individual in the system. Very few of the people who have sought accommodation from us are not receiving other supports and therefore would not be prioritised into the scheme over these two transition years.

**The Hon. DANIEL MOOKHEY:** I accept the caveats you have attached. However, I simply want data about the number of outstanding requests for supported accommodation and how long they have been outstanding.

**Mr LONGLEY:** We will provide whatever information we are able to provide.

**The Hon. DANIEL MOOKHEY:** You may wish to take this question on notice. How many requests for supported accommodation have been made arising from an immediate crisis?

**Mr LONGLEY:** Again we are happy to provide that information to the Committee.

**The Hon. DANIEL MOOKHEY:** You may also wish to take this question on notice. How many clients have exited non-government organisation day placements in the past 12 months as a result of their inability to manage challenging behaviour?

**Mr LONGLEY:** I am not sure that we have that information, but we will provide what we have.

**The Hon. DANIEL MOOKHEY:** I would like the data for day placements and non-day placements.

**Mr LONGLEY:** We will see what information—

**The Hon. Dr PETER PHELPS:** Challenging behaviour, preferably split into those two categories?

**The Hon. DANIEL MOOKHEY:** Yes.

**The CHAIR:** I refer back to the 2 September meeting of the Disability Reform Council. You referred to remediation activity being undertaken by the Commonwealth Government to deal with the issues that gained some publicity a few weeks ago. What was the problem? Have the issues been identified? What is the strategy for addressing those issues?

**Ms TAYLOR:** As we understand it, the primary problem was with the rollout of the information and communications technology [ICT] that will support the National Disability Insurance Agency's delivery of transition.

**The CHAIR:** Was it a hardware problem or a software problem?

**Ms TAYLOR:** It was not a hardware problem. As we understand it, there were some issues with the functionality of the software. It was primarily about the user interface. It was about the ability of providers to utilise the software, which meant the agency had to take significant numbers of staff offline to support service providers in making claims. It exclusively involved those providers operating within trial sites across the country and assisting them in being reimbursed for the supports they provide to individuals who are participating in the scheme. As we understand it, that meant the individuals who were taken offline to assist providers to be paid could not work to commence planning activity with those who were due to transition into the scheme.

We have been assured by the NDIA and our Minister via the Commonwealth Minister that those issues with the ICT are resolved and that the staff who had been moved offline to work with those providers have now gone back to task. As a result, we are seeing a significant increase in activity locally to support people to participate in the scheme. As I alluded to earlier, the agency has given assurances to all jurisdictions, not only to New South Wales, that the first two-quarter targets in our bilateral agreements will be met; that is, by December they will be back on track.

**The CHAIR:** Your understanding is that the identified cause of the problem has been resolved?

**Ms TAYLOR:** That is the advice we have. A review was undertaken jointly by Minister Porter and Assistant Minister Prentice. They commissioned PricewaterhouseCoopers to undertake a review of the information and communications technology used by the agency. The report of that review is publicly available, and I am happy to furnish it to the Committee. It is a simple report. We have been assured that the issues have been resolved and that the agency is now getting back on track with the assistance of additional resources provided by the Commonwealth Minister.

**The CHAIR:** I refer to the work that will be done to support and encourage people with disability to pursue employment opportunities as they move to the National Disability Insurance Scheme. The NDIA is the agency at the macro level, and operatives at the State level will be interfacing with individuals. Will it be a priority to discuss the possibility and/or the value of having gainful, paid employment? If so, what assistance will be provided for individuals to search for jobs?

**Mr LONGLEY:** There are probably two main avenues here. The first and major one is the individual plan itself, so one of the key elements of individual plans is what is a person's life goal? For many people with disability a really high priority for them is to get a job. They want to work; they want to make an active contribution. They go into their interview and they say, "This is what I want to do. What are the ways of getting there?" They will have a conversation with the planner. Hopefully they will have had earlier conversations with other people, saying, "You need to do this bit of training, you need that bit of experience," and so on. That can then get built into the plan.

The plan now is funded. It is tailored so that those life goals include employment goals because, as we all know, employment ends up being a really big factor in people's self-esteem, and those sorts of things, so this is a big issue for people with disability. Australia does not have a good record in terms of its overall level of employment of people with disability. The NDIS should make a really big inroad into this space. That is the first big drive, the individual plan and the resourcing to go with that.

The second element is that because NDIS is now a national scheme and the department of employment and so on is also another Federal agency, for the first time you will have both elements within the same level of government. I would be very hopeful that there will be deep and significant conversations between those two and planning in respect of here we have a whole new cohort of people who are being made job-ready, who are keen to work, and there is the capacity to fund that and what can actually be done. I think there are some big opportunities in this whole space of employment for people with disability, again, with enormous dividends.

People forget that the NDIS is not just an extraordinarily good social reform; it also happens to be one of the biggest and best economic reforms that the country has undertaken. How many other reforms can Government point to that will add 1 per cent to gross domestic product [GDP]? That was the Productivity Commission's estimate. If you came out and said, "Here is an economic reform that is going to add 1 per cent to GDP", everybody would be saying, "That is a fantastic economic reform." Yet, here we have NDIS, and it is going to do that. It does that in a number of ways, but one of the ways is that you have a whole host of people who are keen to work who just need the enabling and the support, and it can happen.

**The CHAIR:** Regarding large residential centres that are left in New South Wales, and I have got the benefit of having the answers to questions on notice that you provided, which is useful information, the question was, "What is the status of the Government's move to close the remaining large residential centres?" The answer was, "I am advised that the department is continuing to work to the commitment of all large residential centres being redeveloped by June 2018." Does "redeveloped" mean closed? Is it code for something? Am I missing something? Does "redevelop" mean it will no longer operate beyond that date?

**Mr LONGLEY:** The goal is that people with disability currently living in large residential centres by that date will be living in group homes or other appropriate accommodation. The word "redevelop" is probably—

**The CHAIR:** I understand. I appreciate that response. What number of large residential centres are we talking about? Is there a list we could obtain on notice or can you rattle them off? Are we talking about half a dozen or 10?

**Ms CAMPBELL:** If we look in the Hunter residences, there are three large residential services. Currently there is about 405 residents there. We are in the process of going through the evaluation of tenders where we have purchased land for the development of 88 group homes, mostly around that area, but there are a number of residents who identified that they wanted to move closer to where their family and supports were, so there are some other houses that have been purchased across the State. The land has been purchased and we are currently in the process of determining which of the proponents that put in bids to redevelop the land—so this is land not on the large residential block but in the community—to build those group homes in time for us to transfer them across by June 2018.

**The CHAIR:** That was three in the Hunter and that was 400-odd?

**Ms CAMPBELL:** In Rydalmere there is currently 98 residents there. Again, properties have been purchased in the non-government sector. They are at various stages of transitioning across to those places. Probably by Christmas this year there will be 70 remaining residents with the rest to be moved by June 2017.

**The CHAIR:** That is 70 out of the 98?

**Ms CAMPBELL:** Yes. Marsden has closed. At Riverside at Orange there are—

**The CHAIR:** Sorry to interrupt, what is happening with the Marsden site? People are being moved into other accommodation arrangements. Is the physical site still owned by—

**Ms CAMPBELL:** That is part of the redevelopment with Westmead Hospital.

**Mr LONGLEY:** That will go through the normal Government disposal of property process. They are handled by ourselves or Government Property.

**The CHAIR:** The Minister for Finance.

**Ms CAMPBELL:** Yes.

**The CHAIR:** I interrupted you. You were going to say Orange after Marsden?

**Ms CAMPBELL:** Yes, at Riverside at Orange there are approximately two group homes to open. They should open later this year and then that place will be fully closed.

**The CHAIR:** What is the place at Orange called?

**Ms CAMPBELL:** Riverside.

**The CHAIR:** That completes the list. This was your response to question number 80. "How many residents currently remain in large residential centres?" "I am advised that there are currently 699", so that is almost 700. That list you have gone through gets us to or about that number of 699?

**Ms CAMPBELL:** That is right.

**The CHAIR:** With respect to the ageing question, how many times has the New South Wales standing committee on the prevention of abuse to older people met this year? If you do not know, could you take it on notice?

**Mr LONGLEY:** We are happy to take that on notice. I am not sure that is within our purview, but we will take it on notice and respond accordingly.

**The Hon. BRONNIE TAYLOR:** We asked that question about elder abuse.

**The CHAIR:** We are dealing with ageing.

**Mr LONGLEY:** Elder abuse is more within the Family and Community Services portfolio. We will respond accordingly in any case.

**The CHAIR:** I was not looking to bowl a curly.

**Mr LONGLEY:** Ageing, Disability and Home Care talks about ageing, but there are different elements to that.

**The CHAIR:** I understand that. You will take that question on notice and come back with an appropriate answer.

**The Hon. DANIEL MOOKHEY:** I want to turn to workforce planning with the NDIS specifically. Is the NDA undertaking the development of a workforce strategy?

**Mr LONGLEY:** The?

**The Hon. DANIEL MOOKHEY:** The development of a workforce strategy?

**Mr LONGLEY:** No, who?

**The Hon. DANIEL MOOKHEY:** The NDA

**Mr LONGLEY:** The NDIA?

**The Hon. DANIEL MOOKHEY:** Is anyone undertaking the development of a workforce strategy?

**Mr LONGLEY:** A lot of work has been devoted to the workforce question. Sam can talk in more detail, but it is worth noting that one of the great benefits of the NDIS for New South Wales is that there will be demand for 25,000, 30,000 or more new staff in New South Wales.

**The Hon. DANIEL MOOKHEY:** Hence why I am asking.

**Mr LONGLEY:** That is a significant increase in respect of employment in New South Wales.

**The Hon. DANIEL MOOKHEY:** Of course challenge.

**Mr LONGLEY:** Plus a challenge, absolutely. That is one of the reasons we are keen to make sure that in the transfer staff are retained in the sector. New South Wales has, for some years, funded the Industry Development Fund and Care Careers is one of those areas and that program has had well over 30,000—and the number is bigger than that—go through that in respect of people applying for jobs, jobs being advertised through that channel, and that is a very significant piece of work. Sam will make some further comments.

**The Hon. DANIEL MOOKHEY:** Has FACS or any other New South Wales government agency maintained data on workforce demographics of the relevant sectors?

**Mr LONGLEY:** Of our own employees we would obviously have that, but not for the employees of all of the NGOs out there.

**The Hon. DANIEL MOOKHEY:** Are you aware of any agency nationwide that maintains such data?

**Mr LONGLEY:** I think the NDIA has done some work in this space.

**Ms TAYLOR:** There are national surveys around community services delivery.

**The Hon. DANIEL MOOKHEY:** Do you know the percentage rate per year of the number of people who leave the industry?

**Ms TAYLOR:** I will have to take that on notice.

**Mr LONGLEY:** We would not per se, but there might be statistics in one of the studies.

**Ms TAYLOR:** As Mr Longley says, in our workforce we look at turnover and a range of other workforce indicators. The non-government workforce falls within New South Wales and the national award system, so most of the survey information about workforce exists on a national basis. There are breakdowns of those statistics at a jurisdictional level. I am unclear whether turnover rates are part of the collection. New South Wales has requested there be a greater depth in the questions collected through one of the national surveys that relates to the community services sector nationally for us to get a sense of workforce. We have in the past had some very in-depth research to feed into various reviews of the social and community services award about the workforce.

**The Hon. DANIEL MOOKHEY:** Would that research be contained in the submissions to Fair Work?

**Ms TAYLOR:** The New South Wales Government has not made any specific submissions to Fair Work.

**The Hon. DANIEL MOOKHEY:** Is that research publicly available?

**Ms TAYLOR:** Yes. I think the last round of research that we did on the workforce, which has formed the basis for the trends that we anticipate happening through the NDIS, was done in 2012<sup>1</sup>. Those trends are unlikely to have adjusted in any significant way, although there is a need to look at some of the workforce trends as we transition to the NDIS. As Mr Longley said, we did in response to work done on workforce movement in the sector, both attrition and the need to increase the workforce within New South Wales well ahead of the NDIS because of our own growth rollout—so significant levels of investment by the New South Wales Government through Stronger Together and now Ready Together policy platforms—realise that meant the need for significant investment by the Government in workforce attraction strategies and retention strategies. Care Careers and another piece of work, Project Able, are key. Mr Longley quoted some statistics—

**Mr LONGLEY:** Yes. Care Careers has carried over 47,000 job ads, received over 124,000 job applications and registered over 83,000 candidates. This actually tells you that we have a vibrant capability here.

**The Hon. DANIEL MOOKHEY:** Ms Taylor, are you able to provide that research to the Committee on notice?

**Ms TAYLOR:** Certainly. It is publicly available.

**The Hon. DANIEL MOOKHEY:** Is there a workforce development strategy for the NDIS? Who is undertaking it?

**Ms TAYLOR:** Yes. The Commonwealth is leading the delivery of an integrated market sector and workforce strategy for the NDIS.

**The Hon. DANIEL MOOKHEY:** Which Commonwealth agency is doing that?

**Ms TAYLOR:** The Department of Social Services is leading that work, but obviously it requires collaboration with a number of other Commonwealth bodies that hold a number of the levers to both develop and attract workforce across the country.

**The Hon. DANIEL MOOKHEY:** Is that a COAG process?

**Ms TAYLOR:** It is a piece of work that is reported to the Disability Reform Council and then forms part of the committee's report to COAG about progress on workforce strategies for the scheme.

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<sup>1</sup> [Correspondence](#) was received from the Hon John Ajaka MLC, Minister for Ageing, Minister for Disability Services providing a clarification to the evidence:

*Ms Sam Taylor, Executive Director NDIS Implementation has advised that the correction should be made on page 21... The year of 2012 should be changed to the year 2010.*



**The Hon. DANIEL MOOKHEY:** Is the Disability Reform Council the principal mechanism by which the New South Wales Government interfaces with that work?

**Ms TAYLOR:** It is a COAG subcommittee.

**The Hon. DANIEL MOOKHEY:** Is the actual committee charged with—

**Ms TAYLOR:** It is a Ministers Council charged with overseeing that work. The Commonwealth reports through to that council on progress against the development of that strategy.

**The Hon. DANIEL MOOKHEY:** When is that work meant to be completed at the Commonwealth level?

**Ms TAYLOR:** Through the course of the transition period.

**The Hon. DANIEL MOOKHEY:** Until 2018?

**Ms TAYLOR:** And ongoing. It is not anticipated that the full workforce growth will be required by 2018, the priority being to transition in all jurisdictions existing clients and therefore continuity of support and workforce in New South Wales is a large priority. There are also strategies that the New South Wales Government is pursuing through TAFE, for example, around increasing numbers of people to enable them to get certificates III and IV to work in the sector.

**The Hon. DANIEL MOOKHEY:** What are the consultation mechanisms available to the industry around the process you have described?

**Ms TAYLOR:** The Commonwealth has established to inform the work on this matter, which is then discussed with senior officials and Ministers, an independent industry advisory group.

**The Hon. DANIEL MOOKHEY:** Is that a stand-alone group or is it in general for the NDIS?

**Ms TAYLOR:** It is a stand-alone around the issue of market sector and workforce.

**The Hon. DANIEL MOOKHEY:** Is it administered by the Disability Reform Council?

**Ms TAYLOR:** No, it is convened by the Department of Social Services to inform the work that it then reports through to the Disability Reform Council.

**The CHAIR:** I turn to the issue of reviewable deaths in New South Wales. I understand from an answer to a question on notice that the NSW Ombudsman has been provided a status report. Are you familiar with the status report in regard to reviewable deaths?

**Mr LONGLEY:** A status report to the Ombudsman?

**The CHAIR:** Yes.

**Mr LONGLEY:** From?

**The CHAIR:** I am trying to establish that. If it does not jump out at you, do not worry.

**Mr LONGLEY:** The department does regularly monitor, as the answer says, the progress of actions responding to that and they appear to be on track.

**The CHAIR:** There are 10 recommendations, which were a feature of that report covering the years 2012 to 2013. The answer suggests that the recommendations have either been implemented or are on track. Which ones are on track and how are they progressing?

**Mr LONGLEY:** Given the time, my guess is it is probably better if we take that on notice.

**The CHAIR:** That is fine.

**Mr LONGLEY:** I can go through some of the recommendations and say that the Department of Premier and Cabinet have given responses to a number of the recommendations and I could go through some of those. But I think taking the question on notice would be more efficient.

**The CHAIR:** That is fine.

**The Hon. DANIEL MOOKHEY:** If a reportable incident occurs in a facility that is funded and operated by FACS and FACS is not the agency reporting it—

**Mr LONGLEY:** Sorry, did you say "is not"?

**The Hon. DANIEL MOOKHEY:** You are not the people who are making the report but it is a report that relates to a facility that you either fund or administer, going back to the framework you were describing earlier, can you explain to us the process by which FACS responds and is that process prescribed in policy?

**Mr LONGLEY:** If it is a service that is operated by FACS then, yes, we have internal notification processes and policies that would govern that. That would go into time frames, nature and so on and so forth, as well as having to be reported to the Ombudsman under the reportable incidents scheme.

**The Hon. DANIEL MOOKHEY:** Do you have your own investigators or people whose responsibility it is to investigate such incidents?

**Mr LONGLEY:** It depends on the nature of what has happened. If a staff member is involved in that incident then it would go through our professional conduct area as well as obviously those elements looking after the client. If they are purely client-on-client issues, which you would be aware are quite sensitive areas, then we have a team who investigates those and takes appropriate action there.

**The Hon. DANIEL MOOKHEY:** What is the name of the team?

**Mr LONGLEY:** It is a team; I am not sure it has a specific name. There is a group of people who look at those issues.

**The Hon. DANIEL MOOKHEY:** Is that their full-time job?

**Mr LONGLEY:** There is not a large number of these and, again, this is very much a local issue but they do need certain levels of—since establishing the reportable incidents scheme in 2014 we have implemented a number of strategies. Those include establishing a reportable incidents team. That is the name of the team. That is dedicated specifically to managing client-on-client matters, which is the one that I was particularly wanting to draw attention to. If there are unexplained serious injuries then that team also investigates that. As I indicated for employee-on-client matters, that is undertaken by the FACS Professional Conduct, Ethics and Performance unit that deals with those.

**The Hon. DANIEL MOOKHEY:** What is the full-time equivalent employment in each of those teams?

**Mr LONGLEY:** I do not know. I am happy to try to get back to you on that. The FACS Professional Conduct, Ethics and Performance [PCEP] unit is a FACS-wide body, so I am not sure the number will be separable there but we will try to get that information for you.

**The Hon. DANIEL MOOKHEY:** You were making reference to an internal policy procedure document presumably that covers their work in this area. Does that policy have a name and is it publicly available?

**Mr LONGLEY:** I will take that on notice and come back to you with what is the appropriate documentation around those processes.

**The Hon. DANIEL MOOKHEY:** In respect specifically to the scenario where the Ombudsman is reporting it to FACS—as in, they are informing you that a complaint has been received by them—is there a formal mechanism by which that communication takes place?

**Ms TAYLOR:** Yes, usually the Ombudsman will write to the department indicating that it has received a complaint and that the Ombudsman may be—

**The CHAIR:** Issue by issue, as it arises?

**Ms TAYLOR:** As it arises that they may be undertaking a particular investigation to alert us to the fact that they are undertaking an investigation.

**The Hon. DANIEL MOOKHEY:** Is there a standing body or a standing committee of any form inside FACS that has the responsibility to respond to that?

**Ms TAYLOR:** That would go through to the reportable incidents team, who would then coordinate a response to the Ombudsman's correspondence and any recommendations or requests for information that the Ombudsman may have. Obviously, it is a very large department. As we were describing before, if the complaint relates to an organisation or a part of our service which spans a number of operational areas, then that coordination needs to be done centrally through that particular team.

**Mr LONGLEY:** Worthwhile noting that Deputy Secretary Leach would typically be the deputy secretary responsible for working through these operational matters.

**The Hon. DANIEL MOOKHEY:** In addition to the individual complaints that will be transmitted via the mechanism you have described, is there a formal or informal mechanism through which the Ombudsman exchanges information with FACS on an intelligence-based level or a group level or takes a risk-based approach?

**Mr LONGLEY:** Yes, we have a very valuable working relationship with the Ombudsman, so the Ombudsman and the Ombudsman's office meets with different people within the organisation quite regularly. In terms of formal processes—

**The Hon. DANIEL MOOKHEY:** Or even a systemic process?

**Mr LONGLEY:** There are his reports. That is really quite a key part of his systemic approach. There is the Community Visitor Scheme and we get reports from that. That is a regular and systemic approach to these issues.

**Ms TAYLOR:** We do, as Mr Longley described, have a very strong working relationship with the Ombudsman. There are regular discussions, as Mr Longley described, with the operational area of FACS that oversees the reportable incidents scheme. My understanding is that they are not ad hoc in response to particular instances but are just regular information coming from the Ombudsman to FACS as well as more regular discussions between our secretary and that office.

**The Hon. DANIEL MOOKHEY:** Forgive me for wanting to go into the weeds on this but this is supplementary budget estimates. When you say "regular", I am trying to understand, does someone pick up the phone, is there a standing meeting with the Ombudsman's staff, is there a formal exchange of minutes in meetings?

**Ms TAYLOR:** All of those.

**Mr LONGLEY:** All of those. We value the work of the Ombudsman very highly so you will find it at different levels of the organisation. I will pick up the phone to the Deputy Ombudsman or he to me, I suppose, once every couple of months. We will meet occasionally as well. He will meet more frequently with the Deputy Secretary of Operations, so that is at that level, and other officers at different levels on different occasions.

**The CHAIR:** Is that the Mr Leach you referred to earlier?

**Mr LONGLEY:** Deputy Secretary Leach. There is a multilevel, highly professional formal and informal process. We are very, very committed to the wellbeing of our clients. The Ombudsman is very critical in that process.

**The Hon. DANIEL MOOKHEY:** I think we learnt either in the hearings or in the questions on notice that there have been 878 reportable incidents since the scheme's inception in 2014.

**Mr LONGLEY:** Yes, as a result of the Disability Inclusion Act being established that set up this whole process. There is now, thankfully, an increase in community awareness of the importance of actually reporting incidents. That is a really valuable part of this process.

**The Hon. DANIEL MOOKHEY:** Of those 878 incidents, how many have been referred to the police? Incidentally, who makes the decision to refer them to the police?

**Mr LONGLEY:** Police referrals are the obligation of the individuals concerned or the relevant organisation.

**The Hon. DANIEL MOOKHEY:** When you say the individuals concerned, do you mean the people who—

**Mr LONGLEY:** If it is a FACS-operated service our people are under instructions. Indeed, any citizen is obliged to report criminal offences to the police.

**The Hon. DANIEL MOOKHEY:** Have all 878 been reported?

**Mr LONGLEY:** In terms of the numbers around that I am happy to take that on notice because I am not sure of the statistic that you are referring to there. It would be better if we can get the actual correct information.

**The Hon. DANIEL MOOKHEY:** If you are going to take it on notice, of all the incidents that have been reported under the Disability Reportable Incidents Scheme how many have been received by month and how many have been reported to police by month? That would be ideal.

**Mr LONGLEY:** We will get you the information that is relevant and appropriate for that.

**The CHAIR:** Thank you. This may be the final question. We understand that the next reviewable deaths report is due in the not-too-distant future; is that your understanding?

**Mr LONGLEY:** Yes.

**The CHAIR:** When are we likely to expect that? Is there anything clearer in terms of a month, for instance?

**Mr LONGLEY:** I must admit I had been working on the basis of it being about the right time sometime in the next several months, but I had not got more precise than that, to be honest.

**The CHAIR:** That is fine. If you can come back with a month, after reflecting, that would be great.

**Mr LONGLEY:** Well, to the extent we know. It is not our report.

**The CHAIR:** That is fine. Any information you can provide we will be grateful. On that basis, we will conclude the hearing. I sincerely thank you all for coming again today. It has been a very useful two hours that have provided us with the opportunity to ask a range of questions. I appreciate the frankness and the clarity with which you have been able to answer the questions presented to you and to the extent that you were not able to do so that you have taken them on notice and will come back to us. The Committee has resolved that there be 21 days to answer questions on notice, which should be enough time, and the secretariat will liaise with you about those. Once again, thank you very much for coming along. I know your time is valuable. We all wish you and all your colleagues, officers and indeed the Minister very well.

**The Hon. Dr PETER PHELPS:** An excellent Minister.

**The CHAIR:** The NDIS has been described as an A380 taking off from the runway. It is obviously going to be a transformative program for so many people.

**Mr LONGLEY:** Indeed.

**The Hon. Dr PETER PHELPS:** I would think it was a Boeing.

**The CHAIR:** Thank you very much.

**Mr LONGLEY:** Thank you.

**(The witnesses withdrew)**

**The Committee proceeded to deliberate.**