

Social Services Regulation Taskforce

Communique

15 August 2022

Official communique from the Social Services Regulation
Taskforce meeting of 15 August 2022

Co-chairs:

Mr Josh Bull MP, Government Co-Chair

Adjunct Professor Susan Pascoe AM, Independent Co-Chair

Communique from the Social Services Regulation Taskforce – Meeting of 15 August 2022

On 15 August 2022, the Social Services Regulation Taskforce (Taskforce) convened its fifth meeting. The Taskforce membership is at **Attachment 1**.

A range of agenda items were discussed including in relation to:

1. The Timing of the Social Services Regulation Reform
2. The Social Services Regulatory scheme mapped against other relevant regulatory schemes, including mapping the existing Human Services Standards against the Social Services Standards.
3. The future of the quality and safety safeguarding system in the context of an independent regulator, and accreditation requirements

Content

1. The Timing of the Social Services Regulatory Scheme

- The Government introduced a Bill proposing amendments to delay the commencement of the social services regulatory scheme for 12 months, until 1 July 2024.
 - A copy of the Bill is available here: [Residential Tenancies, Housing and Social Services Regulation Amendment \(Administration and Other Matters\) Bill 2022 \(legislation.vic.gov.au\)](https://www.legislation.vic.gov.au/Residential-Tenancies-Housing-and-Social-Services-Regulation-Amendment-Administration-and-Other-Matters-Bill-2022)

Note – the Bill has now passed Parliament meaning providers of social services will be subject to the new regulatory scheme from 1 July 2024. Key stakeholders have been advised of this outcome.

- The Government co-chair advised that the Government’s intention is to commence the recruitment process to appoint the regulator in early 2023, with the view to making an appointment in the middle of 2023.

2. The Social Services Regulatory Scheme mapped with other relevant regulatory schemes

- A paper was brought to the Taskforce mapping existing regulatory schemes for social service providers against key regulatory requirements within the new social services regulatory scheme.
 - This work is consistent with the terms of reference for the Taskforce, which note: *the mapping exercise will compare the service standards with other schemes, and will consider both State and Commonwealth requirements that service providers are already subject to.*
 - The purpose of the work is to inform consideration of requirements under other regulatory schemes, given the Social Services Regulation Act (the Act) provides the capacity for the Regulator to recognise other regulatory obligations in some circumstances.
- The paper compares:

- the proposed requirements for registration under the Act against registration requirements under the National Disability Insurance Scheme (NDIS)
- requirements under the Act to notify the regulator about serious incidents against notification requirements under the NDIS, the reportable conduct scheme and the department's client incident management system
- the proposed service requirements that correspond to the Social Service Standards, against aspects of the community health integrated program guidelines, and the NDIS practice standards and quality indicators.
- This work may inform the Regulator's consideration of matters including the potential, in certain circumstances, for:
 - exemptions from particular registration requirements under the Act
 - exemptions from requirements under the Act to notify it about serious incidents or incidents that may pose a serious risk to service users.
- The Regulator may also develop compliance codes, which may recognise other regulatory requirements for the purpose of complying with certain aspects of the Act, such as the social service standards.
- Taskforce members agreed that a mapping of the existing Human Services Standards against the Social Services Standards would be very helpful for already regulated providers during transition.

3. The future of the Quality and Safety Safeguarding system and accreditation

- The Taskforce considered a paper outlining existing and future roles of the Department of Families, Fairness, and Housing (the department) in relation to social service providers now, and once the independent Social Services Regulator is established.
- The paper highlighted that in the future, the department will not have a regulatory role to monitor or enforce compliance with the Act, including the Social Services Standards. As a result, the department will need to consider what the new scheme will mean for policy frameworks and guidance documents; risk indicators; service agreements with providers; data analytics and planning; and best practice guidance for social service providers.
- The Taskforce was asked to consider a number of matters in relation to the shift in roles including:
 - How would the sector design their systems differently, to accommodate the changed arrangements whereby the Social Services Regulator can assess compliance with the social services standards at any time rather than on a fixed three year cycle.
- In respect of auditing requirements, the paper notes that for 2022/23, existing requirements regarding certification against the Human Services Standards, and existing funding arrangements, remain. This includes organisations having to complete their mid or end of certification cycle reviews as they become due. The department has provided further information on the funded agency channel for 2022/23 arrangements.

- Taskforce members reinforced their strong desire to resolve matters as soon as possible in relation to accreditation arrangements and audit requirements, and whether these will be required by the department once the new regulatory scheme is in place, to provide certainty and confidence to the social services sector.
- The independent co-chair noted the importance of these discussions continuing, and the need to revisit this matter at the next meeting, to be held on 13 October 2022.

Attachment 1: Taskforce Members

Co-chairs:

Mr Josh Bull MP

Government Co-Chair

Parliamentary Secretary for Health

Parliamentary Secretary for Carers and Volunteers

Adjunct Professor Susan Pascoe AM

Independent Co-Chair

Taskforce members:

Colleen Pearce, Office of the Public Advocate

David Tennant, CEO, FamilyCare, Shepparton

Member of Safe + Equal Expert Advisory Panel

Jenny Smith, CEO Council to the Homeless Persons

Kathleen Maltzahn, CEO Sexual Assault Services

Michele Lonsdale, Deputy CEO, Centre for Excellence in Child and Family Welfare

Simon Corden, Public policy expert (current: Commissioner, Essential Services Commission)

Sarah Fordyce, State Manager, National Disability Services

Sue Woodward, Chief Adviser Not-for-profit Law, Justice Connect

Tania Farha, CEO Safe + Equal

Linda Bamblett, CEO, Victorian Aboriginal Community Services Association Limited

For this meeting Linda's delegate was Damien Gray, Policy Officer, Victorian Aboriginal Community Services Association