

Social Services Regulation Taskforce

Communique

17 June 2022

Official communique from the Social Services Regulation
Taskforce meeting of 17 June 2022

Co-chairs:

Mr Josh Bull MP, Government Co-Chair

Ms Susan Pascoe AM, Independent Co-Chair

Communique from the Social Services Regulation Taskforce – Meeting of 17 June 2022

On 17 June 2022, the Social Services Regulation Taskforce (Taskforce) convened for its fourth meeting. The Taskforce membership is at Attachment 1.

The meeting agenda included a range of items for discussion including in relation to:

- Registration: requirements for providers to register as a social service provider
- Notifications: information that social service providers will be required to notify the regulator about.
- Fees: registration fees for providers of social services
- RIS: consultations on the Regulatory Impact Statement
 - *This is a document published by the Victorian Government that provides an analysis of the draft regulations. Stakeholders can provide a formal submission to the Government on the analysis in the Regulatory Impact Statement, the draft regulations that accompany it, or both. The document is intended to be published in October 2022.*
- Engagement: communication and engagement activities planned by the Victorian Government, social services sectors, and the consultant that is supporting development of the Regulatory Impact Statement.
- Accreditation and how to maintain a focus on quality and continuous improvement during transition.

The Co-chairs noted feedback by Taskforce members at previous meetings raising concerns about condensed timelines resulting in challenges for meaningful engagement with the sector, as well as the relatively short lead time to implement the new social services regulatory scheme.

[Note – the Victorian Government has proposed a legislative amendment to defer commencement of the scheme until 1 July 2024 – see further information on page 4.]

At the meeting the Taskforce members provided information and advice to the Co-chairs, including about the following matters:

- **Registration fees** for providers of social services, that will be prescribed in regulations. Taskforce members noted the critical role of providers in delivering social services to Victorians and a need to ensure that the level of fees set for registration, including any ongoing annual fees, do not impact continuity of these important services.

A range of proposals were discussed, including a request from the Taskforce that Government consider a moratorium on registration fees at the outset of the scheme, to be reviewed after a period of time, for example, as part of the statutory review of the first three years of the operation of the Act.

- **Registration requirements** that providers will be required to meet to register as a social service provider. As part of this item and in general discussion in the context of regulation, Taskforce members discussed the:
 - complexities of different cultures including First Nations cultures and the need for the Regulator to be sensitive to First Nations cultural considerations in its approach
 - value of lived experience;
 - the appropriate level of ‘burden’ of the registration criteria, given the powers available to the regulator to ensure compliance after a provider is registered.
- Potential for the **role of the Taskforce to continue** beyond 31 December 2022. Taskforce members again expressed concern about the absence of formal advice and consultation mechanisms in the scheme and noted there may be benefits in a continued role for the Taskforce beyond its term as set out in the Terms of Reference for the Taskforce. Possible options that Taskforce members discussed included:
 - whether the membership and role of the Taskforce would need to be varied
 - how the Taskforce could best ‘bridge the gap’ until such time as the regulator put in place its own consultation and advisory arrangements
- The need for further consideration of how the Social Services Regulation will interface with the national NDIS Quality and Safeguards framework and registration scheme, and potential impacts on both disability service providers and clients.
- The **next meeting** of the Taskforce will be held on Monday 15 August 2022. In addition, the Taskforce will convene shorter more targeted discussions in the coming months in relation to a range of topics including initially in relation to:
 - requirements that providers will be required to meet to register as a social service provider
 - ongoing obligations for accreditation by service providers and the interaction of accreditation with the new regulatory scheme
 - information that providers will be required to notify the Regulator of, including guidance to support information required to be notified under section 47 of the Act.

Details regarding a proposed change to the default commencement of the social services regulatory scheme is over the page.

Note regarding proposed change to commencement of the social services regulatory scheme:

The Victorian Government has introduced a Bill to Parliament proposing amendments to delay commencement of the Social Services regulatory scheme for 12 months, until 1 July 2024. The Bill is called the Residential Tenancies, Housing and Social Services Regulation Amendment (Administration and Other Matters) Bill 2022.

A copy of the Bill is available here: [Residential Tenancies, Housing and Social Services Regulation Amendment \(Administration and Other Matters\) Bill 2022 \(legislation.vic.gov.au\)](#). The second reading speech is available here: [Parliament of Victoria - Search Hansard](#).

The Bill is subject to Parliamentary processes, which involves consideration by both houses of Parliament. The outcome of Parliament's deliberations on the proposed amendment is unlikely to be known until late August / September 2022. The Victorian Government will provide further information once the outcome in relation to the proposed amendments are known.

If the proposed amendments are passed by Parliament, it is intended that all social services would come into the scope of the new regulatory scheme at the same time, on 1 July 2024.

Attachment 1: Taskforce Members

Co-chairs:

Mr Josh Bull MP
Government Co-Chair
Parliamentary Secretary for Health
Parliamentary Secretary for Carers and Volunteers

Ms Susan Pascoe AM
Independent Co-Chair

Taskforce members:

Colleen Pearce, The Public Advocate
David Tennant, CEO, FamilyCare
Deb Tsobaris, CEO, Centre for Excellence in Child and Family Welfare
Expert Advisory Panel Member, Safe+Equal
Jenny Smith, CEO Council to Homeless Persons
Kathleen Maltzahn, CEO, Sexual Assault Services Victoria
Linda Bamblett, CEO, Victorian Aboriginal Community Services Association Limited
Sarah Fordyce, State Manager National Disability Services Victoria
Simon Corden, Public Policy Expert
Sue Woodward AM, Chief Adviser, Not-for-Profit Law, Justice Connect
Tania Farha, CEO, Safe+Equal