

# *Social Services Regulation Taskforce*

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## **Communique**

Official communique from the Social Services Regulation  
Taskforce meeting of 13 October 2022

### **Co-chairs:**

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

*Adjunct Professor Susan Pascoe AM, Independent Co-Chair*

# Communique from the Social Services Regulation Taskforce – Meeting of 13 October 2022

On 13 October 2022, the Social Services Regulation Taskforce (Taskforce) convened its sixth meeting. The Taskforce membership is at **Attachment 1**.

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

1. Reflections from the co-chairs about the key achievements of the Taskforce to date
2. Other matters including a potential future role for the Taskforce
3. Discussion about the quality and safety safeguarding system, including accreditation requirements
4. Mapping of the requirements under the Human Services Standards against the Social Services Standards, noting similarities and differences
5. Most recent proposed changes to prescribed outcomes and service requirements corresponding to the six social service standards for the new regulatory scheme

## Content

At the beginning of the meeting the Parliamentary Secretary advised that the Government had agreed to extend the timeline for the implementation of the Social Services Regulation Act 2021, until 1 July 2024 to enable providers sufficient time to adjust to the changes.

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

### 1. Reflections from Taskforce co-chairs about the key achievements of the Taskforce to date

The Taskforce co-chairs, the Parliamentary Secretary for Health, Carers and Volunteers, Josh Bull and Adjunct Professor Susan Pascoe provided their reflections on the key achievements of the Taskforce, which has met six times since its first meeting in April 2022. The co-chairs noted the Taskforce's many achievements, consistent with its key purpose outlined in its terms of reference (<https://www.dffh.vic.gov.au/social-services-regulation-taskforce-terms-reference>), including:

- Active engagement and input to critical draft regulations that will underpin the new scheme, including in relation to:
  - scope of social services to be subject to the scheme
  - requirements that need to be met to be registered as a social service provider
  - outcomes and service requirements that sit under the social service standards
  - requirements that registered providers are required to notify the Regulator about
- Representing and reflecting the perspectives of providers and service users, and regulatory experts, by leading, supporting and participating in a range of consultation and engagement activities to inform the draft regulations and the

Regulatory Impact Statement. The co-chairs noted this level of commitment has been invaluable in supporting the department to engage and communicate with their respective sectors about the reforms.

- Actively contributing to a mapping exercise in respect of other schemes social service providers may already be covered by.
- Promoting transparency with their respective sectors, including through sector updates and contributing to and agreeing to publication of a communique of key issues discussed, after each Taskforce meeting.
- Input to a draft Ministerial Statement of Expectations for the Regulator, which will be developed and issued to the Regulator by the relevant Minister.

## **2. Other matters including a potential future role for the taskforce**

- The taskforce terms of reference note:

*the taskforce will operate until 31 December 2022, unless dissolved earlier by the department or the Minister. The critical period for developing the regulations will be the first six months of 2022, and it is anticipated that until late July, the Taskforce will be required to meet every three to four weeks.*

- Given the delayed commencement of the social services regulatory scheme until 1 July 2024, the Parliamentary Secretary noted the Government had agreed to extend the Taskforce until August 2023, with the current membership and terms of reference being unchanged.
- The Parliamentary Secretary noted the department would be pausing consultation and engagement from 6pm on 1st Nov 2022 in accordance with caretaker conventions associated with the Victorian election..

## **3. Update on the quality and safety safeguarding system, including accreditation**

- The Deputy Secretary of the department's System Reform and Workforce Division provided an update to the Taskforce about this item.
- The Deputy Secretary noted there has been no decision yet about what ongoing compliance evidence the Department will require, given that accreditation and independent audits will no longer be mandatory under the new regulatory scheme.
- The Deputy Secretary noted discussions about future requirements by the Department are ongoing and that an executive level advisory group has been established within the department to assist in resolving this issue.
- Taskforce members expressed concern and reinforced their strong desire to resolve matters as soon as possible in relation to this issue, to provide certainty and confidence to the social services sector.
- The department noted it:

- will need to significantly adjust its operations when the new regulatory framework takes effect, including in relation to:
  - the way it monitors the quality and safety of services it funds
  - how it shares and receives information and with whom.
- The Deputy Secretary acknowledged taskforce members concerns about these issues and committed to work towards resolving this issue and providing an update to members early in 2023.

#### **4. Mapping of Human Services Standards against Social Services Standards**

- Building on the mapping exercise presented at the last Taskforce meeting, the department presented a paper with detailed analysis of the Social Services Standards and proposed service requirements for the standards, against the current Human Services Standards.
- The analysis indicates that the Social Services Standards and service requirements are broadly aligned with the Human Services Standards, and that there are no significant gaps between the existing coverage of the Human Services Standards and the Social Services Standards.
- The paper will be made available to taskforce members to provide to their sectors.
- In summary some key differences that were highlighted in the paper include:
  - The proposed service requirements are generally drafted as more clear and concrete obligations than the current action areas under the Human Services Standards which are mostly outcome-based, and expressed in terms of the impact on service users – rather than as obligations on providers. This means the proposed service requirements should be more easily understood, implemented and complied with by providers.
  - Some of the requirements under the Social Services Standards include additional requirements, or more explicit requirements than the Human Services Standards, for example
    - Aboriginal cultural safety: the proposed service requirement explicitly requires services to be delivered in a culturally safe manner, and includes specific detailed requirements in relation to Aboriginal cultural safety, which are more detailed than the action areas under the Human Service Standards which requires providers to *‘maintain and strengthen*

*connection to their Aboriginal or Torres Strait Islander culture and community'*, but does not specify how a provider would do that.

- Safe service environment: the Human Services Standards require that services are provided in a safe environment for all people, free from abuse, neglect, violence and/or preventable injury. The proposed service requirements similarly provide for a safe service environment, but are more explicit in the steps providers must take to establish a safe service environment, and therefore broader than the Human services standards. For example, the service standards include requirements in relation to each of the physical premises, personal property, natural light, heating and cooling, and emergency management.

## 5. Updates to prescribed outcomes and service requirements

- Proposed updates have been made by the department to the outcomes and service requirements consultation paper in response to further feedback received from key stakeholders. These include:
  - Service requirements for the standard safe service delivery: in the proposed requirement for service user safety, requiring providers to implement and maintain practices that identify and reduce the risk of harm to service users in the delivery of **online services** – this is consistent with requirements under the child safe standards.
  - Service requirements for the standard service user dignity and agency: the proposed service requirement relating to dignity and respect now requires providers to implement and maintain practices to ensure service users are treated with dignity and respect, acknowledging their individual **diversity**, such as cultural and linguistic diversity and sexual orientation.
  - 'Evidence informed' replacing references to 'evidence based,' recognising that the existence of evidence to inform safe practice and continuous improvement should contemplate a range of evidence types.
- Comments from Taskforce members included the importance of minimising duplication across the Service Requirements, and clear and concise drafting to assist service providers to understand and comply with their responsibilities. It was noted that there will be a further opportunity to provide feedback on the service requirements as part of the Regulatory Impact Assessment process.

## ***Attachment 1: Taskforce Members***

### **Taskforce co-chairs:**

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, 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