



Our ref: DHS/20/06765
Your ref: 8343702

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Mr Chris Picton MP
Member for Kurna
9/760 Grand Boulevard
SEAFORD MEADOWS SA 5169

Sent by email: shadowhealth@parliament.sa.gov.au

Dear Mr Picton

I refer to your application under the *Freedom of Information Act 1991* (the FOI Act), received by the Department of Human Services (DHS) on 22 June 2020, seeking access to:

Any emails sent or received by Lois Boswell (Chief Executive), Kim Summers (A/Deputy Chief Executive), Gerrie Mitra (Group Executive Director, Disability and Reform Services) and Joe Young (Executive Director) containing (either in their content or subject title) the words 'Safeguarding Task Force', 'Taskforce Report' and/or 'Draft Taskforce Report'.

Timeframe: 1/06/2020 – 22/06/2020

On 30 July 2020, it was agreed with your Adviser, Gemma Paech, that media monitoring emails would not be considered for this FOI application.

I apologise that DHS did not make a determination within 30 days as required by the FOI Act. However, we have continued to process your application and the determination to release documents outside this timeframe is a determination made under section 19(2a) of the FOI Act.

Sixty documents were located that fit within the scope of your request and I have determined as follows:

- 19 documents are to be released in full
- 27 documents are to be released in part, and
- access is refused to 14 documents.

Please find enclosed a copy of the documents released, and a document schedule containing a brief description of each document and determination in summary form.

Released in full

The following documents do not contain information that I consider to be exempt and are being released to you in full: documents 1, 2, 4, 17, 20, 22-30, 34, 43, 45, 47 and 50.

Released in part

Documents 3, 5-7, 10-16, 32, 36, 38, 41, 42, 48, 49, 51-56 and 58-60 contain information relating to the personal affairs of third parties, including contact details and details of employment terms. I consider that it would be unreasonable to disclose this information, and determine the information exempt pursuant to clause 6(1) of Schedule 1 of the FOI Act.

Document 41 contains information that if released into the public domain at this stage could prejudice an ongoing police investigation. I have determined that this would, on balance, be contrary to the public interest and have determined the information exempt pursuant to clause 4(2)(a)(i) of Schedule 1 of the FOI Act.

I have determined that document 55 also contains information that is exempt under clause 1(1)(e) of Schedule 1 of the FOI Act as the release of this information would disclose a deliberation or decision of Cabinet.

I consider that you would want access to these documents after exempt information is removed, so I am releasing them to you in part in accordance with section 20(4) of the FOI Act.

Refused in full

The disclosure of document 8 would reveal decisions of Cabinet and I have therefore determined the document to be exempt under clause 1(1)(e) of Schedule 1 of the FOI Act.

Document 9 is a Cabinet note prepared specifically for Cabinet and is therefore exempt under clause 1(1)(a) of Schedule 1 of the FOI Act.

Documents 19, 31, 33 and 37 are all drafts of the Safeguarding Taskforce Interim Report, a document specifically prepared for Cabinet and I have determined that these documents are exempt under clause 1(1)(b) of Schedule 1 of the FOI Act.

Under section 20(1)(b) of the FOI Act, access can be refused to a document if that document is available for inspection elsewhere. As documents 18, 21, 35, 39, 40 and 46 are all publicly available on the internet, I am refusing access to these documents under this section.

Document 44 is a draft ministerial statement, the release of which would infringe the privilege of Parliament. I have determined this document to be exempt under clause 17(c) of Schedule 1 of the FOI Act.

Document 57 is a detailed quote submitted by a private business to undertake work to convert the Safeguarding Taskforce Report into an accessible version. I consider that the document contains information that is important to the profitability of the operation of this business, and that this commercial value is likely to be diminished were the document to be released and made freely available to competitors. Although I believe that there is a public interest in fulfilling the objects of the FOI Act, particularly the public interest in promoting openness and accountability of government agencies and the expenditure of public money, in this instance I consider that the public interest in ensuring that businesses are not disadvantaged when providing quotes for the government carries the greater weight. I have therefore determined this document to be exempt pursuant to clause 7(1)(b) of Schedule 1 of the FOI Act.

Exemption clauses

Clause 1 – Cabinet documents

(1) A document is an exempt document –

- (a) if it is a document that has been specifically prepared for submission to Cabinet (whether or not it has been so submitted); or*
- (b) if it is a preliminary draft of a document referred to in paragraph (a); or*
- (e) if it contains matter the disclosure of which would disclose information concerning any deliberation or decision of Cabinet; or*

Clause 4 – Documents affecting law enforcement and public safety

(2) A document is an exempt document if it contains matter the disclosure of which—

- (a) could reasonably be expected—*
 - (i) to prejudice the investigation of any contravention or possible contravention of the law (including any revenue law) whether generally or in a particular case; or*

Clause 6 – Documents affecting personal affairs

(1) A document is an exempt document if it contains matter the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

Clause 7 – Documents affecting business affairs

(1) A document is an exempt document—

- (b) if it contains matter—*
 - (i) consisting of information (other than trade secrets) that has a commercial value to any agency or any other person; and*
 - (ii) the disclosure of which—*
 - (A) could reasonably be expected to destroy or diminish the commercial value of the information; and*
 - (B) would, on balance, be contrary to the public interest;*

Clause 17 – Documents subject to contempt etc

A document is an exempt document if it contains matter the public disclosure of which would, but for any immunity of the Crown—

- (c) infringe the privilege of Parliament*

Review rights

If you are dissatisfied with my determination, you can seek an internal review by writing to the Chief Executive, DHS, as the Principal Officer of the agency. Your request should be sent within 30 days of your receipt of this letter.

In accordance with the requirements of Premier and Cabinet Circular PC045, details of your FOI application, and the documents to which you are given access, may/will be published on the agency's disclosure log. A copy of PC045 can be found at <https://www.dpc.sa.gov.au/resources-and-publications/premier-and-cabinet-circulars>

If you have any questions in relation to this matter, please contact Fiona Braendler, Senior FOI Officer, on telephone 8413 9094 or by email at DHSFreedomofInformation@sa.gov.au. If you disagree with publication, you will need to advise the Senior FOI Officer within two weeks of the date of this determination.

Yours sincerely



Sally McInnes
ACCREDITED FOI OFFICER

9 / 10 / 2020

SCHEDULE OF DOCUMENTS – DHS/20/06765

Freedom of information application from Chris Picton MP seeking access to:

Any emails sent or received by Lois Boswell (Chief Executive), Kim Summers (A/Deputy Chief Executive), Gerrie Mitra (Group Executive Director, Disability and Reform Services) and Joe Young (Executive Director) containing (either in their content or subject title) the words 'Safeguarding Task Force', 'Taskforce Report' and/or 'Draft Taskforce Report'.

TIMEFRAME – 1/06/2020 – 22/06/2020

| No | Author | Date | Description of document | Determination | Exemption clause |
|-----|---|------------|---|------------------|---|
| 1. | Diane Holty Principal Project Officer Office of the Public Advocate | 01/06/2020 | Email - Safeguarding Task Force – Draft Minutes and Terms of Reference | Released in full | No exempt material |
| 2. | | | Attachment 1 to document 1 Draft terms of Reference | Released in full | No exempt material |
| 3. | | | Attachment 2 to document 1 Distribution List | Released in part | Clause 6(1) – personal affairs |
| 4. | | | Attachment 3 to document 1 Meeting minutes | Released in full | No exempt material |
| 5. | Nancy Rogers Director Office of the Chief Executive, Department of Human Services (DHS) | 03/06/2020 | Email – Safeguarding Task Force Terms of Reference (For attachment to email at 8:23am refer to document 2) | Released in part | Clause 6(1) – personal affairs |
| 6. | | | Attachment to email at 8:47am in document 5 Minute to Minister for Human Services | Released in part | Clause 6(1) – personal affairs |
| 7. | Kelly Vincent Disability Rights Advocate | 03/06/2020 | Email – Safeguarding Task Force – Draft Minutes and Terms of Reference | Released in part | Clause 6(1) – personal affairs |
| 8. | Nancy Rogers Director Office of the Chief Executive, DHS | 04/06/2020 | Email – DHSCN20012 – Lodged | Refused in full | Clause 1(1)(e) – Disclose deliberation or decision of Cabinet |
| 9. | | | Attachment to document 8 Cabinet note | Refused in full | Clause 1(1)(a) – Cabinet document |
| 10. | Jacky Chant Disability Advocate | 04/06/2020 | Email – Safeguarding Task Force – Draft Minutes and Terms of Reference | Released in part | Clause 6(1) – personal affairs |
| 11. | Kim-Sherie Summers Executive Director People, Strategy and Systems Services, DHS | 05/06/2020 | Email – Support for the Disability Taskforce and contact details | Released in part | Clause 6(1) – personal affairs |

SCHEDULE OF DOCUMENTS – DHS/20/06765

| No | Author | Date | Description of document | Determination | Exemption clause |
|-----|--|------------|---|------------------|---------------------------------------|
| 12. | David Caudrey Disability Advocate | 05/06/2020 | Email – Support for the Disability Taskforce and contact details | Released in part | Clause 6(1) – personal affairs |
| 13. | David Caudrey | 05/06/2020 | Email – Support for the Disability Taskforce | Released in part | Clause 6(1) – personal affairs |
| 14. | Kim-Sherie Summers | 05/06/2020 | Email – Support for the Disability Taskforce | Released in part | Clause 6(1) – personal affairs |
| 15. | David Caudrey | 05/06/2020 | Email – Support for the Disability Taskforce | Released in part | Clause 6(1) – personal affairs |
| 16. | Lois Boswell Acting Chief Executive, DHS | 09/06/2020 | Email - Meeting Papers - Safeguarding Task Force Meeting - 10/6/2020 (Previous meeting minutes attached – refer to document 4) | Released in part | Clause 6(1) – personal affairs |
| 17. | | | Attachment 1 to document 16 Meeting agenda | Released in full | No exempt material |
| 18. | | | Attachment 2 to document 16 Terms of Reference | Refused in full | Section 20(1)(b) |
| 19. | | | Attachment 3 to document 16 Draft Interim Report | Refused in full | Clause 1(1)(b) – Cabinet document |
| 20. | | | Attachment 4 to document 16 Letter from Nat Cook MP to Safeguarding Taskforce | Released in full | No exempt material |
| 21. | | | Attachment 5 to document 16 Community Visitor Schemes Review Report | Refused in full | Section 20(1)(b) - Publicly available |
| 22. | | | Attachment 6 to document 16 Disability Inclusion (Community Visitor Scheme) Amendment Bill 2020 | Released in full | No exempt material |
| 23. | | | Attachment 7 to document 16 Letter from NDIS Commissioner to Nat Cook MP | Released in full | No exempt material |
| 24. | | | Attachment 8 to document 16 Some suggestions for Safeguarding Task Force | Released in full | No exempt material |
| 25. | | | Attachment 9 to document 16 Where a person is vulnerable | Released in full | No exempt material |
| 26. | | | Attachment 10 to document 16 EAP Program Brochure | Released in full | No exempt material |
| 27. | | | Attachment 11 to document 16 EAP Poster | Released in full | No exempt material |
| 28. | Lois Boswell | 09/06/2020 | Email – Safeguarding Task Force (Terms of reference attached – refer to document 18) | Released in full | No exempt material |
| 29. | | | Attachment to document 28 Letter from Minister for Human Services | Released in full | No exempt material |

SCHEDULE OF DOCUMENTS – DHS/20/06765

| No | Author | Date | Description of document | Determination | Exemption clause |
|-----|--|------------|---|------------------|--|
| 30. | Sandra Wallis Principal Policy Officer Office of the Public Advocate | 12/06/2020 | Email – Safeguarding Task Force – Draft Taskforce Report | Released in full | No exempt material |
| 31. | | | Attachment to document 30 Draft Taskforce Interim Report | Refused in full | Clause 1(1)(b) – Cabinet document |
| 32. | Sam Paior Founder and Director The Growing Space | 12/06/2020 | Email – Edits to draft report and some extra suggestions and papers | Released in part | Clause 6(1) – personal affairs |
| 33. | | | Attachment 1 to document 32 Safeguarding Task Force – Draft Interim Report | Refused in full | Clause 1(1)(b) – Cabinet document |
| 34. | | | Attachment 2 to document 32 Compilation of grassroots comments | Released in full | No exempt material |
| 35. | | | Attachment 3 to document 33 Statement to the Disability Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability – Professor Sally Robinson | Refused in full | Section 20(1)(b) - Publicly available |
| 36. | Lois Boswell | 14/06/2020 | Email – Safeguarding Task Force – Draft Taskforce Report | Released in part | Clause 6(1) – personal affairs |
| 37. | | | Attachment to 3:55pm email in document 36 Draft Taskforce Interim Report | Refused in full | Clause 1(1)(b) – Cabinet document |
| 38. | Lois Boswell | 15/06/2020 | Email – Gaps in safeguarding arrangements for people with disabilities in South Australia | Released in part | Clause 6(1) – personal affairs |
| 39. | | | Attachment 1 to 2:21pm email in document 39 Letter from Law Society to Safeguarding Task Force | Refused in full | Section 20(1)(b) - Publicly available |
| 40. | | | Attachment 2 to 2:21pm email in document 39 Letter from Law Society to Nat Cook MP | Refused in full | Section 20(1)(b) - Publicly available |
| 41. | Lois Boswell | 15/06/2020 | Email – Draft words for letter to Minister Roberts | Released in part | Clause 4(2)(a)(i) – Prejudice an investigation Clause 6(1) – personal affairs |
| 42. | Nancy Rogers | 15/06/2020 | Email – Safeguarding Task Force – Draft Taskforce Report (for attachment to this email refer to document 31) | Released in part | Clause 6(1) – personal affairs |
| 43. | Lois Boswell | 16/06/2020 | Email – 150620 Ministerial Statement Taskforce | Released in full | No exempt material |
| 44. | | | Attachment to document 43 Draft Ministerial Statement | Refused in full | Clause 17(c) – Parliamentary privilege |
| 45. | Nancy Rogers | 16/06/2020 | Email – Report | Released in full | No exempt material |
| 46. | | | Attachment to document 46 Final Safeguarding Task Force Interim Report | Refused in full | Section 20(1)(b) - Publicly available |

SCHEDULE OF DOCUMENTS – DHS/20/06765

| No | Author | Date | Description of document | Determination | Exemption clause |
|-----|--|------------|--|------------------|---|
| 47. | Nancy Rogers | 16/06/2020 | Email – Taskforce Report for DHS Website (for attachment to this email refer to document 46) | Released in full | No exempt material |
| 48. | Lois Boswell | 16/06/2020 | Email – SA Taskforce re Ms Smith | Released in part | Clause 6(1) – personal affairs |
| 49. | Ksharmra Brandon Director Disability Access and Inclusion, DHS | 16/06/2020 | Email – Taskforce report | Released in part | Clause 6(1) – personal affairs |
| 50. | Lisa Cox Communication and Engagement, DHS | 16/06/2020 | Email – Taskforce Report for DHS website | Released in full | No exempt material |
| 51. | Jacky Chant | 16/06/2020 | Email – Safeguarding Task Force – Draft Taskforce Report | Released in part | Clause 6(1) – personal affairs |
| 52. | David Caudrey | 17/06/2020 | Email – Report feedback/taskforce contact graphic | Released in part | Clause 6(1) – personal affairs |
| 53. | David Caudrey | 17/06/2020 | Email – Feedback on Safeguarding Task Force – Draft Taskforce Report | Released in part | Clause 6(1) – personal affairs |
| 54. | Karen Chee Principal Advisor Office of the Chief Executive, DHS | 18/06/2020 | Email – For approval – 20TDHS/602 – Safeguarding Taskforce – Appointment of Members | Released in part | Clause 6(1) – personal affairs |
| 55. | | | Attachment to document 54 Draft briefing to Acting Chief Executive – Appointment of Members | Released in part | Clause 1(1)(e) – disclose deliberation or decision of Cabinet Clause 6(1) – personal affairs |
| 56. | Ksharmra Brandon | 19/06/2020 | Email – Task Force Interim Report Conversion | Released in part | Clause 6(1) – personal affairs |
| 57. | | | Attachment to 3:59pm email in document 56 Safeguarding Task Force Interim Report – Conversion quote | Refused in full | Clause 7(1)(c) – business affairs |
| 58. | Laura Hofman Principal Media and Communications Coordinator Communication and Engagement, DHS | 19/06/2020 | Email – Report feedback / taskforce contact graphic | Released in part | Clause 6(1) – personal affairs |
| 59. | Karen Rogers | 20/06/2020 | Email – Safeguarding Task Force – moving forward | Released in part | Clause 6(1) – personal affairs |
| 60. | Lois Boswell | 22/06/2020 | Email – Safeguarding Task Force – moving forward | Released in part | Clause 6(1) – personal affairs |

Braendler, Fiona (DHS)

From: Holty, Diane (AGD)
Sent: Monday, 1 June 2020 2:04 PM
To: Boswell, Lois (DHS); Bruggemann, Richard (AGD); Caudrey, David (AGD); Gale, Anne (AGD); Holty, Diane (AGD); Jacky Chant; Karen Rogers; Kelly Vincent ; Kilvert, Adam (AGD); Marj Ellis; Mason, Cassie (Health); Richard Bruggemann 2; Sam Paior; Trevor Harrison ; Trevor Harrison 2; Wallis, Sandra (AGD)
Subject: Safeguarding Task Force - Draft Minutes and Terms of Reference
Attachments: Safeguarding Task Group - Terms of Reference v.2.pdf; Safeguarding Task Force - Distribution list; 2020-05-27 -Minutes - Safeguarding Task Force Meeting.pdf

Hello Safeguarding Task Force members,
 I hope you are all well. Please find attached the draft minutes and revised Terms of Reference for your consideration and feedback. Please let me know if there are any changes required.

The Terms of Reference and minutes will remain draft until the next meeting where members can approve them.

You are welcome to share the draft Terms of Reference with others if you like.

I have also attached a distribution list containing all members for ease if you need to communicate within the group to everyone. You should be able to open this and save it into your contacts on your computer. If at any time you need your email address updated or changed please let me know and I will redistribute a new distribution list.

Kind regards
 Di

Diane Holty

Principal Project Officer

Office of the Public Advocate
 GPO Box 464
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SAFEGUARDING TASK FORCE

TERMS OF REFERENCE

Purpose

The Safeguarding Task Force, is a taskforce to examine the current gaps in oversight and safeguarding for people living with disability in South Australia.

The taskforce is co-chaired by Disability Advocate Dr David Caudrey and Disability Rights Advocate Kelly Vincent. Membership will include people with lived experience of disability, family members, a service provider as well as relevant government agencies, including the acting Principal Community Visitor Anne Gale.

The Task Force will consider gaps in safeguarding arrangement for people with disabilities in South Australia arising from the policies and practices of:

- the National Disability Insurance Agency
- the NDIS Quality and Safeguards Commission
- State government instrumentalities

The Task Force seeks to consider the gaps from a developmental, preventative and reactive perspective.

The task force will provide written reports including recommendations to the State Government regarding areas that need to be addressed urgently in order to safeguard South Australian citizens with a disability.

Methodology

- Brief task force members prior to the first scheduled meeting.
- Seek information and advice from task force members, their networks and from other people who contribute to the task force deliberations
- Collate all information received and identify themes for rectifying policy and procedures for safeguarding
- Prepare and submit an interim report with urgent recommendations by 15 June 2020
- Prepare and submit a final report with full recommendations by 31 July 2020.

Membership

The Safeguarding Task Force is comprised of:

- David Caudrey, Disability Advocate (Co-chair)
- Kelly Vincent, Disability Rights Advocate (Co-chair)
- Sam Paor, Founder and Director, The Growing Space
- Trevor Harrison, Disability Advocate
- Jacky Chant, Disability Advocate
- Karen Rogers, Project Lead, Our Voice

- Marj Ellis, Chief Executive Officer, Lighthouse Disability
- Richard Bruggemann, Authorising Officer, Attorney-General's Department
- Anne Gale, Public Advocate and Acting Principal Community Visitor
- Adam Kilvert, Executive Director, Attorney-General's Department
- Cassie Mason, Director, Office for Ageing Well, SA Health
- Lois Boswell, Acting Chief Executive Department of Human Services

Meeting Frequency

The meetings will be held via Microsoft Teams on:

- Wednesday 27 May 2020 at 4:30 pm
- Wednesday 10 June 2020 at 4:30pm
- Wednesday 15 July 2020 at 4:30pm

Agenda and Papers

The Safeguarding Task Force agenda, with attached meeting papers, will be distributed at least 5 days prior to each scheduled meeting.

Minutes and Actions

The minutes of each Safeguarding Task Force meeting will be prepared by the Secretariat which will comprise Diane Holty and Sandra Wallis from the Office of the Public Advocate.

Minutes will be circulated in draft to each member of the task force prior to the next meeting and approved at that meeting subject to any modifications deemed necessary.

Reporting

The Co-chairs are required to provide a preliminary report to Cabinet by 15 June 2020 and a final report to Cabinet by 31 July 2020. A draft of the preliminary report will be prepared for the task force meeting on 10 June 2020 and a draft of the final report on 15 July 2020.

Approval

David Caudrey, Disability Advocate

Kelly Vincent, Disability Rights Advocate

Date: 27/5/2020

Braendler, Fiona (DHS)

Contact Group Name: Safeguarding Task Force - Distribution list

Members:

Boswell, Lois (DHS)
Bruggemann, Richard (AGD)
Caudrey, David (AGD)
Gale, Anne (AGD)
Holty, Diane (AGD)
Jacky Chant
Karen Rogers
Kelly Vincent
Kilvert, Adam (AGD)
Marj Ellis
Mason, Cassie (Health)
Richard Bruggemann 2
Sam Paor
Trevor Harrison
Trevor Harrison 2
Wallis, Sandra (AGD)

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Sandra.Wallis2@sa.gov.au



Government of
South Australia

SAFEGUARDING TASK FORCE MEETING

MINUTES

| | |
|---------------------|---|
| Date/Time | Wednesday 27 May 2020, 4:30 – 6:00pm |
| Location | Via Microsoft Teams |
| Chairperson | Kelly Vincent |
| Minute Taker | Diane Holty |
| Attendees | Kelly Vincent (Co-chair), Dr David Caudrey (Co-chair), Trevor Harrison, Jacky Chant, Sam Paor, Karen Rogers, Marj Ellis, Richard Bruggemann, Anne Gale, Adam Kilvert, Cassie Mason, Lois Boswell, Sandra Wallis (executive officer), Diane Holty (executive officer). |
| Apologies | None |

We would like to acknowledge this land that we meet on today is the traditional lands for the Kurna people and we respect their spiritual relationship with their country. We also acknowledge the Kurna people as the custodians of the greater Adelaide region and that their cultural and heritage beliefs are still as important to the living Kurna people today.

1) Welcome & Introductions

Minister Lensink attended the opening of the meeting and thanked everyone for coming together in light of the terrible circumstances of the passing of Ms Ann-Marie Smith.

Attendees observed a minutes silence in honour of Ann-Marie Smith.

Kelly (chairperson) thanked members for their attendance and contribution thus far.

Members were reminded:

- That we will be recording this meeting for the minutes.
- That this Task Force is not an investigation of the circumstances of Ann Marie Smith's death
 - a number of investigations are currently being conducted by SAPOL, the Coroner and the NDIS Q & S Commission.
 - the Disability Royal Commission has also released a statement that it is not appropriate for them to conduct an investigation at this time, as they do not wish to prejudice any ongoing investigations, but they will follow progress of other investigations and undertake an inquiry at a later stage.

We also need to be mindful that the work that we are doing and when we are engaging with our networks that we do not to prejudice any legal proceedings by speculating about the specifics of Ann Marie's lack of care and death.

2) Membership

Kelly provided an overview of the membership of the Task Force which comprises people with lived experience of disability, family members, service providers, relevant government agencies and the acting principal community visitor (Anne Gale)

There have been a number of requests from individuals and organisations to be a part of the Safeguarding Task Force and whilst not everyone can be a member of the group, David and Kelly are meeting with these people. We are also accepting written feedback which we will distribute to this Task Force. This feedback along with deliberations of the Task Force will assist with the formation of the reports to be submitted to the Minister on 15 June (interim) and 31 July (final).

Please feel free to share the contact details for the Disability Advocate email address disability.advocate@sa.gov.au and the phone number for the Office of the Public Advocate who will take a message for the Task Force to return a call. The number is **(08) 8342 8200**.

3) Overview/ Background/ Timelines

David advised that we are here to consider where there are current gaps in oversight and safeguarding of people in South Australia with disability. This could include gaps that arise from the following areas:

- The National Disability Insurance Agency
- The NDIS Quality and Safeguards Commission
- The State Government.

The taskforce will meet on:

- 27th of May
- 10th of June
- 15th of July

An interim report to the Minister is due on 15 June 2020 with urgent recommendations and a full report will follow on 31 July 2020. We want to use the wisdom available to us to form the recommendations to the Minister.

Minister Lensink announced that she would leave the meeting given that the reports would be submitted to her and that she would not want to prejudice the discussions. Minister Lensink thanked everyone again and left the meeting.

4) Terms of Reference

The terms of Reference were circulated prior to this meeting. Amendments recommended included:

- Removal of words such as “severe” and “profound” as they may narrow the scope and may sound diagnostic.
- Outline the three areas the taskforce will consider when exploring the gaps. These include developmental, preventative and reactive strategies.
- Remove ‘small’ in the introductory paragraph.
- Remove OPA logo as this is an across government group.

The discussion point contributed by a Task Force member regarding the Community Visitor Scheme (CVS) was included on the meeting invitation (below) and was briefly explored:

- *Reinstate (and expand) the Community Visitor Scheme for South Australia to any home of a person with an NDIS plan with more than a certain amount of hours of funded core supports, and who has been flagged as having certain vulnerabilities.*

This point could be addressed in the report rather than the Terms of Reference (see later in minutes).

Consideration should be given to what might be indicators that a person is “vulnerable”. There could be particular flags for vulnerability rather than using terms “severe” and “profound”.

The definition in the [Ageing and Adult Safeguarding Act 1995](#) (below) could be given consideration. This definition was consulted widely on:

For the purposes of this Act, a reference to a vulnerable adult will be taken to be a reference to an adult person who, by reason of age, ill health, disability, social isolation, dependence on others or other disadvantage, is vulnerable to abuse.

([Ageing and Adult Safeguarding Act 1995](#))

5) Initial issues

5.1 Trevor Harrison's issues

Trevor raised a number of key points including:

- The minefield a person with disability has to think about before going out and living by themselves. For example houses are not provided in an accessible manner etc. When you do get out there it is not too hard to build rapport with people.
- The more disabled a person is, the more accessibility and assistive technology (AT) they need.
- It appears that there were so many questions that were not explored by the service supporting Ann-Marie.
- If neighbours knew someone was living there, why had they not asked questions. It shows that people are not geared to this type of thinking in the community.
- Allowing people to do what they can, independent living skills training and technology are essential.
- All of this was all taken away on the basis that "normalisation" was going to be the be-all and end-all.
- We have a person with a severe disability. Why were more questions not asked about what they wanted to do and when it did not happen (i.e. going to community activities), why were questions not asked.

In summary there is frustration that the focus is on what people cannot do rather than what they can do with the right supports and AT. The reaction of the community and the importance of welfare checks from community networks.

It appears that this may have happened over many years wrapped in the guise of a very private person. It was a long and slow form of social isolation.

Social connection is essential. If it is a situation of abuse the person may be made to feel that the abuser is a support or friend. What is the trigger that indicates that something unhealthy is happening? This is a common pattern which may have occurred here. What was missed was that there was only one social connection.

The idea that no-one else can work with a person is often elevated to hero status rather than being seen as a red flag.

When her parents passed away she may have been grateful for any support she could get? Where were her peers? Peers and education can bring confidence to a person that they can do something.

Did she know what was possible? Did she practice being assertive? All of these things could have made a difference in her life. How you are treated is how you become and possibly she became less and less involved in her life.

Having only one carer is stupid and dangerous.

5.2 Richard Bruggemann's issues

Richard provided some background on his more recent work which included four major service reviews and he has met with over 80 people.

Ann-Marie's situation is just the tip of the iceberg. Often workers do not know the policies and procedures of their agencies and there is a lack of supervision.

Richard shared vignettes of stories of situations where people with disability have been inadequately supported.

Looking at annual reports from organisations they might have a story about a star person doing something great. There is never anything in these reports about quality of life and how this is measured.

The NDIS Quality and Safeguards Commission look at outright overt abuse, rather than the people who spend their day to day in 'bat shit' boring day programs day-in and day-out.

With the NDIS we have no locus of responsibility. The NDIS just gives money out.

Secondly, This is not just happening in disability, it is also happening in aged-care. There is no supervision, no reporting or accountability.

Richard provided the example of a woman in a nursing home who could not give herself a drink and had been admitted to hospital three times for dehydration. The manager just taps out an email to the supervisor who then just tells the staff and the story repeats. There is no accountability.

There is a strong case in South Australia for Safeguarding of Vulnerable Citizens Act.

Note: Cassie briefly discussed the Adult Safeguarding Act which has been in place since October 2018 and currently covers vulnerable adults over 65, with a view to a staged approach to eventually cover all vulnerable adults by 2022.

ACTION: Cassie to provide information on the Adult Safeguarding Act 2018 to the Task Force members.

The CVS and oversight in aged care services should be modified to opt-out rather than opt-in.

Services such as Red Cross undertakes welfare checks on the vulnerable and elderly during times of natural disaster or heat waves but this is reliant on the person registering with this service.

Community inclusion for people with disability such as Action Clubs folded due to a lack of funding. The Commonwealth Department of Social Services staff involved in the Disability Services Act 1986 played a large part in implementing social role valorisation. What we have now is a market. There is a lot to fix.

The key thing is to address accountability and safeguards.

5.3 Sam Paior's issues

Sam undertook research over the last week. She met with Sally Robinson from Flinders University and also put some information up on Facebook. She collected comments from participants, parents and care providers and sorted them into the following three categories.

- **Developmental**

- Future planning, there is no capacity for this. There are a few organisations that make this a real focus. NDIS has been resistant to this (Circles of Support is a great initiative).
- Advocacy and self-advocacy skills. There are no programs. Why don't special schools teach self-advocacy skills.
- Isolation and segregation. The social skills need to be taught, as many have attended segregated settings i.e. special schools.

- **Preventative**

- NDIS Quality and Safeguards Commission – The focus is on provider failures etc. There is no consideration of quality in the audits and audits are open to manipulation.
- NDIS solution – There are people who need ongoing case management not just support coordination. There is no provision for this in the scheme
- Support Coordination and Core supports should not be provided by the same provider. One stop shops are dangerous.
- Guardianship responsibility. Who is monitoring the private guardians? They are often totally disconnected.
- Access to advocacy – Advocacy services are not well-funded or resource rich.
- Community Visitors – There should be an opt-out and a process for that and supported decision making must be part of this process and part of paid service provision.
- NDIS and Local Area Coordinator (LAC) role in giving people funding for planning for circles and for plan implementation.

- NDIA and LAC need better risk assessment processes.
- **Reactive**
 - External reporting – Commission only want to hear about providers not families. There is nothing that can be done when there is family coercion. If Support Coordinator call it out we get the sack as the family are often the nominee.
 - People's fear around the loss of privacy and how do you balance this with choice and control. We need to find the balance.
 - Education is so important. Having that in schools. Julia Farr Association (JFA) Inclusive schools program is excellent.

It was noted that, for people who come under guardianship, service coordination is a big gap.

The skills of NDIA Planners need to be high so that they can ask the right questions and get appropriate responses. The scheme has seen some improvements with the Complex Support Needs Pathway.

Supported Decision Making (SDM) is not legislated. It takes time and needs to be invested in properly.

ACTION: Anne will provide some points about guardianship, SDM and the CVS to share with the group.

Case management is so missing. Many people are not aware they can get support coordination in their plan. Even then, that is not going to fill the gap in case management.

The agency (NDIA) will not release the matrix on how they determine who gets Support Coordination and people aren't advised that it is available. This is why people have not used a lot of their NDIS plan. Information about how these agencies operation are not transparent enough

When we talk about Case Managers, Support Coordinators or Community Visitors. It needs to be personalised so that they get to know the person and over time develop rapport.

.Key Points posed to the Task Force:

- That this cohort of vulnerable [people with disabilities must also always be assigned support coordination.

In agreement. As long as it does not turn into a form of case management that becomes maternalistic.

- That support coordination MUST NOT be allowed to be delivered by a person or company delivering any other supports. The conflicts of interest are enormous and dangerous. From the Joint Standing Committee it appears that 40% of participants with Supported Independent Living (SIL) have their Support Coordination delivered by their SIL provider.

In agreement. But with exceptions for people in rural and remote areas.

- People with disability are often given their services all by one provider

Delineation is really important. Further discussion is needed.

- Reinstate (and expand) the Community Visitor Scheme for South Australia to any home of a person with an NDIS plan with more than a certain amount of hours of funded core supports, and who has been flagged as having certain vulnerabilities.

This topic requires further discussion. CVS has never gone into individuals' homes and caution needs to be taken about what authority is given to the CVS. Going into someone's home is quite a step. No jurisdiction has done this. It is another matter if they are invited. It is a complex topic to be teased out before a decision is made tonight.

There is an issue too, if there is an expansion of the scheme and there is a legal responsibility. There has to be clarity about what the state is responsible for in Commonwealth jurisdiction. The Commonwealth may need to come to the party with funding and agreed operation of a CVS.

Legal advice says South Australia cannot legislate for a community visitor as it is a constitutional conflict.

There is a role for CVS but it should be a nationally consistent role as it should feed to the NDIS Q&S Commission. The State Guardian should have a role in this and there is also a role for volunteers.

Any CVS would need to be separate from aged care as the needs of people with disability are different to those in aged care.

Once you have the power to go into someone's home you don't know where that could go.

We need to work further on this.

Other points of discussion

- Increasingly, services are being provided in the homes of the person with a disability by support staff who do not have day-to-day supervision of their work. How can this be addressed?

It needs to be address as support is being provided in a range of other settings not just the home. How does the service provider supervise this work. There are emerging technologies and this is an area we have to explore. An example provided was body-worn cameras.

People could take this away to think about this topic.

- Where a person is determined to be vulnerable, a risk mitigation plan should be included as an integral part of the individual's NDIS plan and, if determined necessary, funding provided for increased supervision, augmentative communication equipment, independent monitoring, and other prevention strategies.

Sensitivity would need to be exercised when discussing this with people with disability.

- Health supports and how they interface with the NDIS

This is one of a suite of measures that could be implemented.

- Expansion of the South Australian Adult Safeguarding Unit to under 65.

There may already be discussion about this. It is worth us thinking about the government bringing the expansion of the scheme forward.

Structure of the report

Next meeting we will discuss the draft report. We will attempt to get draft to everyone by end of next week

Please advise your networks to forward any thoughts or information to the contact details above.

We aim to have an interim report to submit to the Minister by 15 June 2020.

Questions

None.

Other Business

Kelly acknowledge that the subject may cause distress for some people. Please look after yourselves. If you have concerns please discuss them with David or Kelly. Alternatively the contact numbers for services that can also assist are:

- o Lifeline 13 11 14
- o Beyond Blue 1300 22 4636

Next Meeting: Wednesday 10 June 2020 at 4:30 by telepresence (MS Teams)

DRAFT

Braendler, Fiona (DHS)

From: Rogers, Nancy (DHS)
Sent: Wednesday, 3 June 2020 8:50 AM
To: Brougham, Michael (DPC)
Cc: Ambler, Ruth (DPC); Boswell, Lois (DHS); Kilvert, Adam (AGD); Butler, Gareth (DPC); O'Keeffe, Alex (DPC)
Subject: Re: Safeguarding Task Force Terms of Reference

Thank you so much for your prompt attention to this Nancy

Sent from my iPhone

> On 3 Jun 2020, at 8:47 am, Brougham, Michael (DPC) <Michael.Brougham@sa.gov.au> wrote:
 >
 > For Official Use Only
 >
 > Hi Nancy,
 >
 > Please find attached a minute to the Minister for Human Services from the Executive Director, Cabinet Office and Aboriginal Affairs and Reconciliation, regarding remuneration for the taskforce. We agree that remuneration at category 2 level 2 would be appropriate.
 >
 > Kind regards,
 > Michael
 >
 > -----Original Message-----
 > From: Rogers, Nancy (DHS) <Nancy.Rogers@sa.gov.au>
 > Sent: Wednesday, 3 June 2020 8:23 AM
 > To: Brougham, Michael (DPC) <Michael.Brougham@sa.gov.au>
 > Cc: Ambler, Ruth (DPC) <Ruth.Ambler@sa.gov.au>; Boswell, Lois (DHS) <Lois.Boswell@sa.gov.au>; Kilvert, Adam (AGD) <Adam.Kilvert@sa.gov.au>
 > Subject: FW: Safeguarding Task Force Terms of Reference
 >
 > Hi Michael
 > As you are aware, a Disability Taskforce has appointed to look into current gaps in oversight and safeguarding for people living with disability in South Australia. I have attached the Terms of Reference.
 > After considering the DPC guidelines we are proposing remuneration as a Category 2, Level 2 Committee, with rates at \$64.50 for chair and \$51.50 per member. Can you provide advice re these rates and assessment of level?
 > The committee includes public servants who will not receive remuneration.
 > The Minister wants to issue the letters of appointment this morning so your quick response would be appreciated.
 > Regards and thank you again
 > Nancy
 >
 > -----Original Message-----
 > From: Hancock, Janette (DHS) <Janette.Hancock@sa.gov.au>
 > Sent: Wednesday, 3 June 2020 8:16 AM
 > To: Rogers, Nancy (DHS) <Nancy.Rogers@sa.gov.au>
 > Subject: FW: Safeguarding Task Force Terms of Reference
 >
 >
 >
 > -----Original Message-----
 > From: Caudrey, David (AGD) <David.Caudrey@sa.gov.au>

> Sent: Tuesday, 2 June 2020 3:00 PM
> To: Lensink, Michelle <Michelle.Lensink@parliament.sa.gov.au>
> Cc: Hancock, Janette (DHS) <Janette.Hancock@sa.gov.au>
> Subject: FW: Safeguarding Task Force Terms of Reference
>
> Hello Minister,
>
> The first meeting of the Safeguarding Task Force occurred on Wednesday 27 May.
>
> The first item on the agenda was consideration of the draft terms of reference.
>
> Some amendments to the draft were agreed and have been signed off by the co-chairs of the Task Force.
>
> These agreed Terms of Reference are attached for your consideration and for the attention of Cabinet.
>
> The next meeting of the Task Force will be on Wednesday 10 June to discuss the draft Interim Report of the Task Force prior to submission of the finalised Interim Report to you on 15 June.
>
> David Caudrey
> Disability Advocate
> Office of the Public Advocate
> Phone Clause 6(1)
>
>
>
> <Minute - remuneration for the Safeguarding Taskforce.pdf>

MINUTE

Document Ref: B
File number: DPC19/
PCU reference (if applicable): B

**Government of South Australia**

Department of the Premier
and Cabinet

TO: MINISTER FOR HUMAN SERVICES

RE: REMUNERATION FOR THE SAFEGUARDING TASKFORCE

Critical Date: N/A

PURPOSE

To recommend appropriate remuneration for the Safeguarding Taskforce.

DISCUSSION

Your A/Chief Executive has sought advice on the remuneration that ought to be paid to the Safeguarding Taskforce.

According to its terms of reference, the taskforce will consider gaps in safeguarding for people with disabilities in South Australia arising from the policies and practices of the National Disability Insurance Agency, the NDIS Quality and Safeguards Commission, and state government instrumentalities. The taskforce is co-chaired by the Disability Advocate and Ms Kelly Vincent and includes a range of government and non-government stakeholders.

I understand that you are seeking an hourly rate for the taskforce. With this in mind, I recommend that the taskforce be classified at category 2 level 2 under the Cabinet-approved remuneration framework for government boards. This classification includes bodies providing advice to a minister on important matters which impact on the wellbeing of the South Australian community.

Classification at category 2 level 2 would entitle the co-chair to \$64.50 an hour (noting that the Disability Advocate would not be eligible for remuneration) and eligible members to \$51.50 per hour.

BUDGET

N/A

RECOMMENDATIONS

It is recommended that you:

1. Approve remuneration for the Safeguarding Taskforce at category 2 level 2, entitling the co-chair to \$64.50 per hour and members to \$51.50 per hour.

Approved/Not Approved

(signature) _____
Minister for Human Services

(date) ____ / ____ / 2020



Ruth Ambler
EXECUTIVE DIRECTOR, CABINET OFFICE AND ABORIGINAL AFFAIRS AND RECONCILIATION

3 / 6 / 2020

Attachments:

- Nil

Contact person: Michael Brougham

Contact number: Clause 6(1)

Braendler, Fiona (DHS)

From: Kelly Vincent Clause 6(1)
Sent: Wednesday, 3 June 2020 9:34 AM
To: Sam Paor | The Growing Space
Cc: Holty, Diane (AGD); Boswell, Lois (DHS); Bruggemann, Richard (AGD); Caudrey, David (AGD); Gale, Anne (AGD); Jacky Chant; Karen Rogers; Kilvert, Adam (AGD); Marj Ellis; Mason, Cassie (Health); Richard Bruggemann 2; Trevor Harrison; Trevor Harrison 2; Wallis, Sandra (AGD)
Subject: Re: Safeguarding Task Force - Draft Minutes and Terms of Reference

Thanks Sam. I am going to contact Daniel Wills (and the people deliberately giving him this misinformation for political gain) after our meetings today.

You're all doing such important work. Take care.

Sent from my iPhone

On 3 Jun 2020, at 7:50 am, Sam Paor | The Growing Space wrote:

I've been contacted by ABC Radio this morning regarding the article in The Advertiser. I was unaware of the stuff in parliament yesterday and this (what feels like an awful beat up) article.
<https://www.adelaidenow.com.au/news/south-australia/taskforce-investigating-disability-services-after-ann-marie-smiths-death-has-no-formal-instructions-just-two-weeks-from-first-report/news-story/3bb23aa6c6b4a5c4d4620e92d8de9259>

I have forwarded the producer a copy of the Draft Terms for transparency.

Taskforce investigating disability services after Ann Marie Smith's death has no formal instructions, just two weeks from first report

A minister has been brought close to tears while talking about Ann Marie Smith – as it's revealed no formal terms of reference have been given for an inquiry into the case.

Daniel Wills, State Political Editor, The Advertiser

Subscriber only

|

June 2, 2020 9:44pm

An emotional Human Services Minister Michelle Lensink has been brought to the edge of tears while speaking in State Parliament about the shocking death of Ann Marie Smith, as it also emerges the state taskforce looking into the case has no formal terms of reference.

Ms Lensink's speech came ahead of a Question Time where she was grilled about what could have been done to prevent the [death of the disabled Kensington Park woman](#).

Police are [investigating the death](#), which they say occurred in "disgusting and degrading" circumstances that include Ms Smith allegedly spending her final year in a cane chair.

Premier Steven Marshall launched the [taskforce](#) amid widespread shock and outrage to examine gaps between state services and the federally-run National Disability Insurance Scheme, of which Ms Smith was a client.

Ann Marie Smith, a cerebral palsy sufferer, died after spending a year in a chair in horrific conditions. Human Services Minister Michelle Lensink. Picture: Brenton Edwards

However, the Government has now confirmed to *The Advertiser* that official terms of reference for the state taskforce do not exist.

Terms of reference are official instructions to guide the focus of investigations. The taskforce is due to deliver an interim report on June 15, and a final report at the end of next month.

A Government spokeswoman said the terms of reference were still being finalised and “they will be made publicly available” when complete.

Opposition Leader Peter Malinauskas said the taskforce was becoming a “whitewash” and it was incredible that the group had not been given clear instruction.

“We have bureaucrats investigating themselves,” he said. “There is no evidence that this taskforce is a serious exercise in trying to get to the bottom of how this tragedy occurred. There can be no thorough investigation in just two weeks without terms of reference.”

Cheers,
--Sam

Clause 6(1)

Sam@thegrowingspace.com.au

TheGrowingSpace.com.au 1300 4769 77 (1300 GROW SP) Facebook.com/TheGrowingSpaceAustralia

FREE: SA Health COVID19 Mental Health Hotline 8am-8pm every day ph: 1800 632 753

FREE: Daily Check-in phone calls from the Red Cross - ph: 1800 188 071 to register

FREE: COVID-19 resources in Easy English and more for disabled people and families at

TheGrowingSpace.com.au/covid19

NDIS Plan CORE support funding can now be used for Support Coordination needs, even if there's no Support Coordination in the plan.

Our website has loads of useful NDIS info at www.TheGrowingSpace.com.au/library (subscription can usually be claimed from NDIS plans)

ABN: 83125164114

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Ms Lensink’s voice broke while telling Parliament: “As a minister, and a mother. I’m personally horrified by what has happened to Ann Marie.

“Ann Marie Smith, however, was more than the name we’ve heard repeated many times over the past few weeks.

“She was more than the photo that we’ve seen on our television screens and across printed and social media. Ann Marie was a daughter, a sister, a friend, a neighbour.

“Ann Marie should have been living a happy, healthy and safe life as independently as possible without fear of neglect. It is clear that was not the case. She should have had choice and control over her life. She should have been visiting friends or libraries or local cafes.”

From: Holty, Diane (AGD)

Sent: Monday, 1 June 2020 2:04 PM

To: Boswell, Lois (DHS) ; Bruggemann, Richard (AGD) ; Caudrey, David (AGD) ; Gale, Anne (AGD) ; Holty, Diane (AGD) ; Jacky Chant ; Karen Rogers ; Kelly Vincent ; Kilvert, Adam (AGD) ; Marj Ellis ; Mason, Cassie (Health) ; Richard Bruggemann 2 ; Sam Paior | The Growing Space ; Trevor Harrison ; Trevor Harrison 2 ; Wallis, Sandra (AGD)

Subject: Safeguarding Task Force - Draft Minutes and Terms of Reference

Hello Safeguarding Task Force members,

I hope you are all well. Please find attached the draft minutes and revised Terms of Reference for your consideration and feedback. Please let me know if there are any changes required.

The Terms of Reference and minutes will remain draft until the next meeting where members can approve them.

You are welcome to share the draft Terms of Reference with others if you like.

I have also attached a distribution list containing all members for ease if you need to communicate within the group to everyone. You should be able to open this and save it into your contacts on your computer. If at any time you need your email address updated or changed please let me know and I will redistribute a new distribution list.

Kind regards

Di

Diane Holty

Principal Project Officer

Office of the Public Advocate

GPO Box 464

ADELAIDE SA 5000

T 08 8207 8706 | F 08 8429 6121 | E diane.holty3@sa.gov.au |

P GPO Box 464 Adelaide SA 5000 | www.opa.sa.gov.au

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Braendler, Fiona (DHS)

From: jackych Clause 6(1)
Sent: Thursday, 4 June 2020 5:58 PM
To: Sam Paior | The Growing Space; Holty, Diane (AGD); Boswell, Lois (DHS); Bruggemann, Richard (AGD); Caudrey, David (AGD); Gale, Anne (AGD); Karen Rogers; Kelly Vincent; Kilvert, Adam (AGD); Marj Ellis; Mason, Cassie (Health); Richard Bruggemann 2; Trevor Harrison; Trevor Harrison 2; Wallis, Sandra (AGD)
Subject: RE: Safeguarding Task Force - Draft Minutes and Terms of Reference

Thanks Sam.
 Received just now and noted.

Cheers
 Jacky

----- Original message -----

From: Sam Paior | The Growing Space
 Date: 4/6/20 5:41 pm (GMT+09:30)
 To: "Holty, Diane (AGD)" , "Boswell, Lois (DHS)" , "Bruggemann, Richard (AGD)" , "Caudrey, David (AGD)" , "Gale, Anne (AGD)" , Jacky Chant , Karen Rogers , Kelly Vincent , "Kilvert, Adam (AGD)" , Marj Ellis , "Mason, Cassie (Health)" , Richard Bruggemann 2 , Trevor Harrison , Trevor Harrison 2 , "Wallis, Sandra (AGD)"
 Subject: RE: Safeguarding Task Force - Draft Minutes and Terms of Reference

ARGH – while looking for another file I notice this was not sent – I did wonder why it had been ignored!! (of course it wasn't ignored as it wasn't sent!)

The term 'Reactive' in the TOR should read "Corrective"

Cheers,
 --Sam

Clause 6(1)

Sam@thegrowingspace.com.au
TheGrowingSpace.com.au 1300 4769 77 (1300 GROW SP) Facebook.com/TheGrowingSpaceAustralia

FREE: SA Health COVID19 Mental Health Hotline 8am-8pm every day ph: 1800 632 753

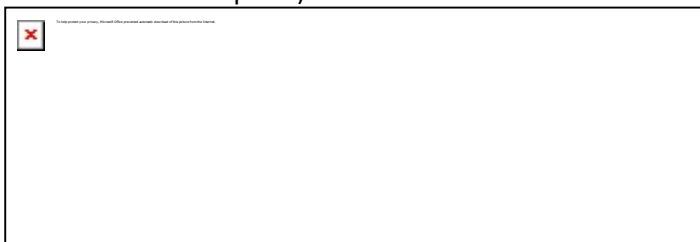
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Sent: Monday, 1 June 2020 2:04 PM

To: Boswell, Lois (DHS) ; Bruggemann, Richard (AGD) ; Caudrey, David (AGD) ; Gale, Anne (AGD) ; Holty, Diane (AGD) ; Jacky Chant ; Karen Rogers ; Kelly Vincent ; Kilvert, Adam (AGD) ; Marj Ellis ; Mason, Cassie (Health) ; Richard Bruggemann 2 ; Sam Paor | The Growing Space ; Trevor Harrison ; Trevor Harrison 2 ; Wallis, Sandra (AGD)

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Kind regards

Di

Diane Holty

Principal Project Officer

Office of the Public Advocate

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Braendler, Fiona (DHS)

From: Charlton, Trudi (DHS) on behalf of Summers, Kim-Sherie (DHS)
Sent: Wednesday, 29 July 2020 10:02 AM
To: Charlton, Trudi (DHS)
Subject: FW: Support for the Disability Taskforce

From: Summers, Kim-Sherie (DHS)
Sent: Friday, 5 June 2020 9:36 AM
To: Deacon, Nicole (DHS)
Cc: Voice, Natasha (DHS)
Subject: Re: Support for the Disability Taskforce

Thanks I wondered if that could be the case

Kim
 Clause 6(1)

On 5 Jun 2020, at 9:34 am, Deacon, Nicole (DHS) <Nicole.Deacon@sa.gov.au> wrote:

Hi

Natasha is on a flex so I will do this today. Cheers

From: Summers, Kim-Sherie (DHS) <Kim-Sherie.Summers@sa.gov.au>
Sent: Friday, 5 June 2020 9:11 AM
To: Voice, Natasha (DHS) <Natasha.Voice@sa.gov.au>; Deacon, Nicole (DHS) <Nicole.Deacon@sa.gov.au>
Subject: Fwd: Support for the Disability Taskforce

Natasha

Can you please provide to Diane Holty the details of EAP. Taskforce participants are going to be afforded EAP support if they require.

Can you ask Diane for the names as we will need to advise EAP they may receive a call and that sessions will be covered.

Could this please be done today.

Thanks

Kim
 Clause 6(1)

Begin forwarded message:

From: "Holty, Diane (AGD)" <Diane.Holty3@sa.gov.au>
Date: 5 June 2020 at 8:45:03 am ACST
To: "Summers, Kim-Sherie (DHS)" <Kim-Sherie.Summers@sa.gov.au>, "Caudrey, David (AGD)" <David.Caudrey@sa.gov.au>
Cc: "Rogers, Nancy (DHS)" <Nancy.Rogers@sa.gov.au>, "Ashley, Nick (DHS)" <Nick.Ashley@sa.gov.au>, "Wallis, Sandra (AGD)" <Sandra.Wallis2@sa.gov.au>, "Willson, Megan (DHS)" <Megan.Willson@sa.gov.au>
Subject: RE: Support for the Disability Taskforce

Hello Kim,
Are you able to please forward the contact details for the EAP so that I can include them when I send meeting papers out a bit later today?
Thankyou
Kind regards
Di

Diane Holty

Principal Project Officer
Office of the Public Advocate

Ph: 08 8207 8706
diane.holty3@sa.gov.au

From: Summers, Kim-Sherie (DHS) <Kim-Sherie.Summers@sa.gov.au>
Sent: Friday, 5 June 2020 7:13 AM
To: Caudrey, David (AGD) <David.Caudrey@sa.gov.au>
Cc: Rogers, Nancy (DHS) <Nancy.Rogers@sa.gov.au>; Ashley, Nick (DHS) <Nick.Ashley@sa.gov.au>; Holty, Diane (AGD) <Diane.Holty3@sa.gov.au>; Wallis, Sandra (AGD) <Sandra.Wallis2@sa.gov.au>; Willson, Megan (DHS) <Megan.Willson@sa.gov.au>
Subject: Re: Support for the Disability Taskforce

Hi David

I will arrange today for EAP to be advised that they may receive calls from Taskforce members and will forward to you the contact details of the EAP.

Nancy can you provide the details for the members?

Thanks

Kim

Clause 6(1)

On 4 Jun 2020, at 10:16 pm, Caudrey, David (AGD) <David.Caudrey@sa.gov.au> wrote:

Thanks, Nancy – much appreciated.

David

From: Rogers, Nancy (DHS) <Nancy.Rogers@sa.gov.au>
Sent: Thursday, 4 June 2020 6:02 PM
To: Caudrey, David (AGD) <David.Caudrey@sa.gov.au>
Cc: Ashley, Nick (DHS) <Nick.Ashley@sa.gov.au>; Holty, Diane (AGD) <Diane.Holty3@sa.gov.au>; Wallis, Sandra (AGD) <Sandra.Wallis2@sa.gov.au>; Willson, Megan (DHS) <Megan.Willson@sa.gov.au>; Summers, Kim-Sherie (DHS) <Kim-Sherie.Summers@sa.gov.au>
Subject: Re: Support for the Disability Taskforce

Hi David, Kim will arrange that through our EAP provider and can provide the details

Regards

Nancy

Sent from my iPhone

On 4 Jun 2020, at 5:59 pm, Caudrey, David (AGD)
<David.Caudrey@sa.gov.au> wrote:

Thanks, folks.

I have also been approached for access to EAP for Task Force members (it is quite a harrowing Task Force in view of the topic).

I discussed it with Lois.

We only need worry about the non-government members who will also receive sitting fees (and the Minister has now told them in her letter).

David

From: Rogers, Nancy (DHS)
<Nancy.Rogers@sa.gov.au>
Sent: Wednesday, 3 June 2020 11:42 AM
To: Ashley, Nick (DHS) <Nick.Ashley@sa.gov.au>
Cc: Holty, Diane (AGD) <Diane.Holty3@sa.gov.au>;
Wallis, Sandra (AGD) <Sandra.Wallis2@sa.gov.au>;
Caudrey, David (AGD) <David.Caudrey@sa.gov.au>;
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Thank you all

Nancy Rogers
Director, Office of the Chief Executive
Department of Human Services

Phone 841 38125

Mobile Clause 6(1)

Braendler, Fiona (DHS)

From: Charlton, Trudi (DHS) on behalf of Summers, Kim-Sherie (DHS)
Sent: Wednesday, 29 July 2020 9:55 AM
To: Charlton, Trudi (DHS)
Subject: FW: Support for the Disability Taskforce and contact details

From: Caudrey, David (AGD)
Sent: Friday, 5 June 2020 10:34 AM
To: Rogers, Nancy (DHS)
Cc: Summers, Kim-Sherie (DHS) ; Ashley, Nick (DHS) ; Holty, Diane (AGD) ; Wallis, Sandra (AGD) ; Willson, Megan (DHS) ; Cox, Lisa (DHS)
Subject: Re: Support for the Disability Taskforce and contact details

We use disability.advocate@sa.gov.au. If you could proselytise than contact email we would be delighted. David

Sent from my iPhone

On 5 Jun 2020, at 9:27 am, Rogers, Nancy (DHS) <Nancy.Rogers@sa.gov.au> wrote:

Kim, NGO members are:
 Richard Bruggermann
 Sam Paior
 Kelly Vincent
 Trevor Harrison
 Jacky Chant
 Karen Rogers
 Marj Ellis

Also **David**, we have had enquiries about how to contact the Taskforce – do you want us to create a special email address or how do you want to manage it? Details of the taskforce are on the DHS website and it would be sensible to have contact info as well [DHS - Safeguarding Task Force](#)

Let us know what you want to do

Nancy Rogers
Director, Office of the Chief Executive
Department of Human Services

Phone 841 38125
 Mobile Clause 6(1)

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Sent: Friday, 5 June 2020 7:13 AM
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Cc: Rogers, Nancy (DHS) <Nancy.Rogers@sa.gov.au>; Ashley, Nick (DHS) <Nick.Ashley@sa.gov.au>; Holty, Diane (AGD) <Diane.Holty3@sa.gov.au>; Wallis, Sandra (AGD) <Sandra.Wallis2@sa.gov.au>;

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Clause 6(1)

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Cc: Ashley, Nick (DHS) <Nick.Ashley@sa.gov.au>; Holty, Diane (AGD) <Diane.Holty3@sa.gov.au>; Wallis, Sandra (AGD) <Sandra.Wallis2@sa.gov.au>; Willson, Megan (DHS) <Megan.Willson@sa.gov.au>; Summers, Kim-Sherie (DHS) <Kim-Sherie.Summers@sa.gov.au>
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Director, Office of the Chief Executive
Department of Human Services

Phone 841 38125

Mobile Clause 6(1)

Braendler, Fiona (DHS)

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Sent: Wednesday, 29 July 2020 9:55 AM
To: Charlton, Trudi (DHS)
Subject: FW: Support for the Disability Taskforce

From: Caudrey, David (AGD)
Sent: Friday, 5 June 2020 10:41 AM
To: Summers, Kim-Sherie (DHS)
Subject: Re: Support for the Disability Taskforce

Thanks, Kim. Much appreciated. David

Sent from my iPhone

On 5 Jun 2020, at 10:40 am, Summers, Kim-Sherie (DHS) <Kim-Sherie.Summers@sa.gov.au> wrote:

Hi David
 Nicole Deacon will advise EAP details and will advise EAP the details of the Taskforce.
 Regards

Kim
 Clause 6(1)

On 5 Jun 2020, at 10:34 am, Caudrey, David (AGD) <David.Caudrey@sa.gov.au> wrote:

Sent from my iPhone

On 5 Jun 2020, at 8:45 am, Holty, Diane (AGD) <Diane.Holty3@sa.gov.au> wrote:

Hello Kim,
 Are you able to please forward the contact details for the EAP so
 that I can include them when I send meeting papers out a bit later
 today?
 Thankyou
 Kind regards
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Diane Holty
 Principal Project Officer
 Office of the Public Advocate

Ph: 08 8207 8706
diane.holty3@sa.gov.au

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Cc: Rogers, Nancy (DHS) <Nancy.Rogers@sa.gov.au>; Ashley, Nick

(DHS) <Nick.Ashley@sa.gov.au>; Holty, Diane (AGD)
<Diane.Holty3@sa.gov.au>; Wallis, Sandra (AGD)
<Sandra.Wallis2@sa.gov.au>; Willson, Megan (DHS)
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Kim

Clause 6(1)

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<David.Caudrey@sa.gov.au>

Cc: Ashley, Nick (DHS) <Nick.Ashley@sa.gov.au>;

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Sent from my iPhone

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Thank you all

Nancy Rogers
Director, Office of the Chief Executive
Department of Human Services

Phone 841 38125
Mobile Clause 6(1)

Braendler, Fiona (DHS)

From: Charlton, Trudi (DHS) on behalf of Summers, Kim-Sherie (DHS)
Sent: Wednesday, 29 July 2020 10:03 AM
To: Charlton, Trudi (DHS)
Subject: FW: Support for the Disability Taskforce

From: Summers, Kim-Sherie (DHS)
Sent: Friday, 5 June 2020 12:23 PM
To: Deacon, Nicole (DHS)
Subject: Re: Support for the Disability Taskforce

Thanks

Kim
 Clause 6(1)

On 5 Jun 2020, at 11:47 am, Deacon, Nicole (DHS) <Nicole.Deacon@sa.gov.au> wrote:

This is completed

From: Holty, Diane (AGD) <Diane.Holty3@sa.gov.au>
Sent: Friday, 5 June 2020 10:29 AM
To: Deacon, Nicole (DHS) <Nicole.Deacon@sa.gov.au>
Cc: Voice, Natasha (DHS) <Natasha.Voice@sa.gov.au>
Subject: RE: Support for the Disability Taskforce

Hi Nicole,

Thank you so much for this information.

Below is a list of members and their positions. I would think that employees of other departments such as AGD would use their own EAP services.

| | |
|--------------------|--|
| David Caudrey | Disability Advocate Chair of the Task Force |
| Anne Gale | Public Advocate Office of the Public Advocate |
| Adam Kilvert | Executive Director Attorney General's Department |
| Cassie Mason | Director, Office for Ageing Wellbeing, SA Health |
| Sam Paor | Founder and Director The Growing Space |
| Kelly Vincent | Disability Rights Advocate |
| Richard Bruggemann | Authorising Officer Attorney General's Department |
| Marj Ellis | Chief Executive Officer Lighthouse Disability |
| Lois Boswell | Act/ Chief Executive Department of Human Services |
| Karen Rogers | Project Lead, Our Voice |

| | |
|-----------------|---------------------|
| Trevor Harrison | Disability Advocate |
| Jacky Chant | Disability Advocate |

Diane Holty

Principal Project Officer
Office of the Public Advocate

Ph: 08 8207 8706

diane.holty3@sa.gov.au

From: Deacon, Nicole (DHS) <Nicole.Deacon@sa.gov.au>

Sent: Friday, 5 June 2020 9:56 AM

To: Holty, Diane (AGD) <Diane.Holty3@sa.gov.au>

Cc: Voice, Natasha (DHS) <Natasha.Voice@sa.gov.au>

Subject: Support for the Disability Taskforce

Hi Diane

Kim Summers has asked that I provide you with the DHS EAP program details. Please find the details below, I have also attached a couple of brochures that we have on our website.

We require the names of the people being provided access to the EAP services as we will need to liaise with the provider to ensure they are covered. I currently have the following names:

David Caudrey
Richard Bruggermann
Sam Paior
Kelly Vincent
Trevor Harrison
Jacky Chant
Karen Rogers
Marj Ellis

Could you confirm whether this list is correct and if I have missed anyone?

Natasha Voice is our Manager, Wellbeing and Safety however she is on leave today. Should you have any further queries please let me know.

Kind regards,

Nicole Deacon | Director, Human Resources, Wellbeing and Safety

p: (08) 8207 0614 | m: [Clause 6\(1\)](#) f: (08) 8115 1395

Department of Human Services | South Australian Government | www.dhs.sa.gov.au

Location: Level 1 West, Riverside Building, North Tce, ADELAIDE SA 5000 | Postal Address: GPO Box 292

DHS Employee Assistance Program (EAP)

The Employee Assistance Program (EAP) offers timely intervention through counselling and support services, to all DHS employees or members of their immediate family. Whether there is a challenging work or personal issue or just wanting to improve health and wellbeing, they can help

you deal effectively with any difficulties and can assist with referral to other professionals or agencies if longer-term assistance is needed.

DHS EAP SERVICE PROVIDER

Corporate Health Group

EAP Services: 08 8352 9898

Critical Incident Response (CIR):

0418 883 855 (After hours)

Toll free from landline for EAP / CIR services: 1800 870 147

Clinic locations:

Mile End - 103 Henley Beach Road

Gilman - 136 Eastern Parade

Elizabeth Vale - 44 John Rice Avenue

Begin forwarded message:

From: "Holty, Diane (AGD)" <Diane.Holty3@sa.gov.au>
Date: 5 June 2020 at 8:45:03 am ACST
To: "Summers, Kim-Sherie (DHS)" <Kim-Sherie.Summers@sa.gov.au>, "Caudrey, David (AGD)" <David.Caudrey@sa.gov.au>
Cc: "Rogers, Nancy (DHS)" <Nancy.Rogers@sa.gov.au>, "Ashley, Nick (DHS)" <Nick.Ashley@sa.gov.au>, "Wallis, Sandra (AGD)" <Sandra.Wallis2@sa.gov.au>, "Willson, Megan (DHS)" <Megan.Willson@sa.gov.au>
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Cc: Rogers, Nancy (DHS) <Nancy.Rogers@sa.gov.au>; Ashley, Nick (DHS) <Nick.Ashley@sa.gov.au>; Holty, Diane (AGD) <Diane.Holty3@sa.gov.au>; Wallis, Sandra (AGD) <Sandra.Wallis2@sa.gov.au>; Willson, Megan (DHS) <Megan.Willson@sa.gov.au>
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Clause 6(1)

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Thanks, Nancy – much appreciated.

David

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Sent: Thursday, 4 June 2020 6:02 PM
To: Caudrey, David (AGD) <David.Caudrey@sa.gov.au>
Cc: Ashley, Nick (DHS) <Nick.Ashley@sa.gov.au>; Holty, Diane (AGD) <Diane.Holty3@sa.gov.au>; Wallis, Sandra (AGD) <Sandra.Wallis2@sa.gov.au>; Willson, Megan (DHS) <Megan.Willson@sa.gov.au>; Summers, Kim-Sherie (DHS) <Kim-Sherie.Summers@sa.gov.au>
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Phone 841 38125

Mobile Clause 6(1)

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Sent: Wednesday, 29 July 2020 9:56 AM
To: Charlton, Trudi (DHS)
Subject: FW: Support for the Disability Taskforce

From: Caudrey, David (AGD)
Sent: Friday, 5 June 2020 9:12 PM
To: Summers, Kim-Sherie (DHS)
Cc: Rogers, Nancy (DHS) ; Ashley, Nick (DHS) ; Holty, Diane (AGD) ; Wallis, Sandra (AGD) ; Willson, Megan (DHS)
Subject: RE: Support for the Disability Taskforce

Thanks, Kim.

David

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Nancy Rogers
Director, Office of the Chief Executive
Department of Human Services

Phone 841 38125
Mobile Clause 6(1)

Braendler, Fiona (DHS)

From: Boswell, Lois (DHS)
Sent: Tuesday, 9 June 2020 1:42 PM
To: Rogers, Nancy (DHS); Chee, Karen (DHS)
Subject: FW: Meeting Papers - Safeguarding Task Force Meeting - 10/6/2020
Attachments: 2020-06-10 - Agenda - Safeguarding Task Force Meeting.docx; Attachment 1 - Previous Minutes - Safeguarding Task Force Meeting.docx; Attachment 2 - Safeguarding Task Force -Terms of Reference.pdf; Attachment 3 - Confidential Draft - Interim Report V1.1.doc; Attachment 4.1 - Community Visitor Bill - Disability Taskforce - 03062020.pdf; Attachment 4.2 - Community Visitor Scheme Review Report.pdf; Attachment 4.3 - Disability Inclusion (Community Visitor Scheme) Amendment Bill 2020 - Explanation of Clauses.pdf; Attachment 4.4 - NDIS Commissioner Letter.pdf; Attachment 5.1 - Some Suggestions for the Safeguarding Task Force.docx; Attachment 5.2 - Where a person is vulnerable because of health issues.docx; Employee Assistance Program Brochure.pdf; Employee Assistance Program Poster.pdf

Ms Lois Boswell LLB MAppSci GAICD

Acting Chief Executive

Department of Human Services | Government of South Australia
 Level 8 Riverside Centre, North Terrace, Adelaide SA 5000 |
 GPO Box 292, Adelaide SA 5001
 Ph: (08) 841 54306 Mob : [Clause 6\(1\)](#) | lois.boswell@sa.gov.au

I recognise I live and work on Kaurna country. I pay my respects to elders past, present and emerging. I acknowledge the long history and enduring connection Aboriginal people have with this land.



From: Holty, Diane (AGD)
Sent: Friday, 5 June 2020 4:44 PM
To: Boswell, Lois (DHS) ; Bruggemann, Richard (AGD) ; Caudrey, David (AGD) ; Gale, Anne (AGD) ; Holty, Diane (AGD) ; Jacky Chant ; Karen Rogers ; Kelly Vincent ; Kilvert, Adam (AGD) ; Marj Ellis ; Mason, Cassie (Health) ; Richard Bruggemann 2 ; Sam Paor ; Trevor Harrison ; Trevor Harrison 2 ; Wallis, Sandra (AGD)
Cc: Willson, Megan (DHS)
Subject: Meeting Papers - Safeguarding Task Force Meeting - 10/6/2020

Hello Safeguarding Task Force members,
 I hope you are all well.

Please find attached the meeting papers for the next Safeguarding Task Force meeting. These will also be attached to the meeting invitation in outlook so you can find them easily on the day.

Meeting details

Date Wednesday 10 June 2020

Time: 4:30 – 6:00pm
Location: Via MS Teams

Meeting papers attached:

- Agenda
- Attachment 1 - Minutes from previous meeting
- Attachment 2 - Terms of Reference
- Attachment 3 - Confidential draft – Safeguarding Task Force Interim Report
- Attachments 4.1 -4.4 - Submission from Shadow Minister for Human Services Nat Cook including:
 - 4.1 Community Visitor Bill – Disability Taskforce 03062020
 - 4.2 Disability Inclusion (Community Visitor Scheme) Amendment Bill 2020 – Explanation and Clauses
 - 4.3 NDIS Commissioner Letter
 - 4.4 Community Visitor Scheme Review Report.
- Attachment 5 -Where a person is vulnerable because of health issues
- Information about the Department of Human Service Employee Assistance Program.

Please note the Employee Assistance Program (EAP) is open to all members of the Task Force. They have been provided with the names of members of the Task Force so that they will be aware of you if you call. This is a free confidential service to members offered by the Department of Human Services and the number is **1800 870 147**. Please feel free to call if you need or discuss your concerns with either David or Kelly.

I will log in 10 minutes before the meeting so you are welcome to log in early to make sure you are all set up with your technology in preparedness for the meeting.

I look forward to seeing you all then.

Kind regards
Di

Diane Holty

Principal Project Officer

Office of the Public Advocate
GPO Box 464
ADELAIDE SA 5000

T 08 8207 8706 | **F** 08 8429 6121 | **E** diane.holty3@sa.gov.au |
P GPO Box 464 Adelaide SA 5000 | www.opa.sa.gov.au

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SAFEGUARDING TASK FORCE MEETING

AGENDA

| | |
|---------------------|---|
| Date/Time | Wednesday 10 June 2020, 4:30 – 6:00pm |
| Location | Via Microsoft Teams |
| Chairperson | Kelly Vincent/David Caudrey |
| Minute Taker | Diane Holty |
| Attendees | Kelly Vincent (Co-chair), Dr David Caudrey (Co-chair), Trevor Harrison, Jacky Chant, Sam Paor, Karen Rogers, Marj Ellis, Richard Bruggemann, Anne Gale, Adam Kilvert, Cassie Mason, Lois Boswell, Sandra Wallis, Diane Holty. |
| Apologies | |

We would like to acknowledge this land that we meet on today is the traditional lands for the Kurna people and we respect their spiritual relationship with their country. We also acknowledge the Kurna people as the custodians of the greater Adelaide region and that their cultural and heritage beliefs are still as important to the living Kurna people today.

| | | |
|-----|--|---------------|
| 1. | Welcome & Introductions | Kelly |
| 2. | Acceptance of the previous minutes (attachment 1) | Kelly |
| 3. | Noting of the Terms of Reference (attachment 2) | Kelly |
| 4. | Discussion and feedback on Draft Interim Report (attachment 3) | David/ All |
| 5. | Community Visitor Scheme Bill – Shadow Minister (attachment 4.1, 4.2, 4.3 & 4.4) | Kelly |
| 6. | Further input from Task Group members (attachment 5.1 and 5.2) | Marj /Richard |
| 7. | Adult Safeguarding Unit role | Cassie |
| 8. | Co-chairs meetings with stakeholders | David/ Kelly |
| 9. | Correspondence and media | Kelly |
| 10. | Timelines | David/Kelly |
| 11. | Questions | All |

| | | |
|-----|---|-----|
| 12. | Other Business | All |
| 13. | Next Meeting: 15 July 2020 at 4:30 | |

Nat Cook MP

*A strong voice for
our Community*



Dr David Caudrey and Ms Kelly Vincent
Co-Chairs, Safeguarding Taskforce
disability.advocate@sa.gov.au

Dear Co-Chairs

As you may be aware, yesterday in Parliament I introduced a Bill which would see the Community Visitor Scheme re-extended to those who 'fell off' during transition to the National Disability Insurance Scheme.

I have attached the following documents:

- Copy of my Bill and its introductory Hansard;
- Explanation of Clauses;
- Community Visitor Scheme Report (Commonwealth);
- Letter from NDIS Quality and Safeguards Commissioner, Graeme Head.

The Attorney General, the Hon Vickie Chapman MP, suggested that we send this Bill for the taskforce's inclusion in its investigation into 'gaps' in the system.

I would appreciate the taskforce investigating whether the reduction in scope of the Community Visitor Scheme is acknowledged as a gap since the introduction of the NDIS, and whether this Bill would sufficiently and expediently fill those gaps.

Yours sincerely

Nat Cook MP
Shadow Minister for Human Services
Member for Hurtle Vale

3 June 2020

CC: Peter Malinauskas MP, Leader of the Opposition

Shop 2, 185-191 Bains Rd, Woodcroft Town Centre, Morphett Vale

PO Box 158 Woodcroft (08) 8325 0719 @NatCookMP

South Australia 5162 hurtlevale@parliament.sa.gov.au

Disability Inclusion (Community Visitor Scheme) Amendment Bill 2020

Explanation of Clauses

Part 1 – Preliminary

- 1 – Short title
 - 2 – Commencement
 - 3 – Amendment provisions
- These clauses are formal

Part 2 – Amendment of *Disability Inclusion Act 2018*

- 4 – Amendment of section – Interpretation
- 5 – Substitution of section 24

This clause inserts a new interpretation

4 – Amendment of section 3 – Interpretation

Section 3(1)

Delete interpretation of *Community Visitor* to be consistent with amendments to section 24

This clause replaces the current section 24

5 – Substitution of section 24

24 – Interpretation

Inserts the following interpretations:

day options program means a daytime program provided by a disability services provider to an eligible person at premises other than the person's usual place of residence for the purpose of developing life-skills, further learning or recreation;

day options program premises means any premises at which a day options program is provided;

disability accommodation premises means any premises at which a disability services provider provides accommodation services to people with disability (including short term accommodation, for example for respite care);

disability services provider means a person who provides supports and services for people with disability (whether those supports and services are NDIS-funded supports and services or mainstream supports and services);

eligible person means an adult person with disability who has, in connection with a funding arrangement under a law of this State or the Commonwealth, been assessed as unable to work or undertake formal study;

resident means a person with disability who resides at disability accommodation premises or supported independent living premises;

supported independent living premises means premises at which a disability services provider provides supported independent living assistance to a person with disability, being the person's private place of residence.

24 A – Community visitors

Outlines the method a Principal Community Visitor and Community Visitors will be appointed, length of term of appointment, removal and removal procedures, causes of vacancy of office and acting appointments to the role of Principal Community Visitor.

24 B – Functions of community visitors

Outlines the role and functions in which a Community Visitor can act, including the types of accommodation, facilities and service supports they may enter, the matters in which they may seek to investigate.

This clause also outlines the requirement for the Community Visitor to refer matters of concern relating to the organisation or delivery of supports and services for people with disability to the Minister.

Furthermore, the clause allows the Community Visitor to act as an advocate for residents and persons attending day options programs.

24 C – Powers of community visitors

Allows the Community Visitor to enter disability accommodation premises, supported independent living premises or day options program premises at any reasonable time (with or without any previous notice), this include private residences where services are provided as outlined in the interpretation provided, a request to see a community visitor has been made by the resident; or a warrant is issued by a magistrate where circumstances require it. Failure allow entry for the community visitor carries a maximum penalty of \$10,000.

This clause also gives the Minister the power to direct the Community Visitor to visit premises at their discretion.

24 D – Obligations of service provider and staff

Compels service providers and staff to provide the community visitor with such reasonable assistance as the community visitor requires to perform or exercise that power, duty or function effectively, including answering questions asked by the community visitor in full and truthfully. Failure to do so carries a maximum penalty of \$10,000.

24 E – Requests to see community visitors

Allows a resident, person attending day options, guardian, agent or other person as outlined to seek the assistance of the community visitor and to seek their attendance at accommodation of day option premises. If a request is made to the manager or other person of authority within accommodation, day options premises or to a disability service provider, they must inform the community visitor within two days. Failure to do so carries a maximum penalty of \$10,000.

24 F – Delegation by Principal Community Visitor

Gives authority to the Principal Community Visitor to delegate their powers and functions to another community visitor, either absolute or conditional.

24 G – Reports by community visitors

Requires the Community Visitor to prepare a report to the Principal Community visitor following a visit. Requires the Principal Community Visitor to prepare an Annual Report to the Minister, who must table the report before both Houses of Parliament within 6 sitting days of receiving it.

This clause also allows the Principal Community Visitor to prepare special reports from time to time as they see fit.



**NDIS Quality
and Safeguards
Commission**

EC19-000077

Ms Nat Cook MP
Shadow Minister for Human Services
Member for Hurtle Vale
PO Box 158
WOODCROFT SA 5162

Dear Ms Cook

Thank you for your letter of 29 May 2019 about the South Australian Community Visitor Scheme.

As the new independent regulator for the National Disability Insurance Scheme (NDIS), the NDIS Quality and Safeguards Commission (NDIS Commission) is responsible for ensuring that NDIS providers comply with new regulatory standards and the NDIS Code of Conduct in the course of delivering supports and services to NDIS participants.

The NDIS Commission is responsible for a range of functions under the *National Disability Insurance Scheme Act 2013* (NDIS Act) as agreed by the Disability Reform Council (DRC) in February 2017 under the NDIS Quality and Safeguarding Framework.

The core functions of the NDIS Commission are centred around regulating the quality and safety of supports and services delivered by NDIS providers to NDIS participants. The NDIS Act provides the NDIS Commission with a range of monitoring, compliance and enforcement powers, commensurate to the vulnerability of some participants within the NDIS, and the community's expectations about the protection of people with disability.

The Community Visitor Schemes are functions of state and territory governments. An independent review of Community Visitors Schemes commenced in September 2018 as agreed by DRC in the NDIS Quality and Safeguarding Framework. Governments are currently considering the outcomes of that review but decisions relating to the future of individual Community Visitor Schemes remain a state and territory responsibility, including funding and alignment between jurisdictional schemes to achieve national consistency.

The NDIS Commission has established relationships with Community Visitor Schemes in New South Wales and South Australia, including information sharing arrangements. The NDIS Act does not prevent community visitors from accessing environments in which NDIS participants receive supports and services.

I welcome the opportunity to continue working with the South Australian Community Visitor Scheme.

Yours sincerely

Graeme Head AO
Commissioner

28 June 2019

T 1800 035 544
E contactcentre@ndiscommission.gov.au

PO Box 210
Penrith NSW 2750

www.ndiscommission.gov.au

Some Suggestions for Safeguarding Task Force

Following the first meeting of the Task force, we have tried to identify a number of issues that might have contributed, in varying degrees, to the tragic death of Ms Anne Marie Smith. It is important that some of these are addressed immediately; others might take more time and might be the subject of research and development.

ISSUES WITH NDIS PROCESSES

Current situation

The nature of Ms Smith's disabilities and the subsequent risk of abuse and neglect should have been detected through the NDIS planning process.

Either it wasn't or, if it were, there was no plan to deal with safeguarding her wellbeing. The same analysis could be applied to her health issues. Were they detected and, if so, what was put in place to ensure ongoing medical supervision? How often did the NDIA review Ms Smith's plan! And how? By email or phone call? Did NDIA staff understand her vulnerability? How is this achieved in the current template-orientated approach?

We contend that the NDIS assumes that all people living with disability can exercise 'choice and control'. While not wanting to compromise this principle for those who can exercise it, the very nature of some disabilities (and the families involved) sometimes means that there is no one who can exercise that choice and control to protect the person living with disability.

This is a serious flaw in the construct of the administration of the NDIS program for some very vulnerable people. Unless this is addressed, it is hard to see how people like Anne Marie Smith and others like her can be protected (and there are already other examples of people who have died – apparently on the premise that the individual with the disability could exercise 'choice and control' or had families who could do so.)

In short, 'one size does not fit all'. It is important to acknowledge that within the term 'disability' there are several different cohorts, and this is an important opportunity to review the administration of NDIS so that flawed assumptions are addressed.

Possible solutions

The NDIA needs to better understand the complexities of people with disabilities – and it follows that it needs to have specific staff and procedures to assist in the development of plans for vulnerable people.

Every NDIS plan should have an abuse and neglect risk identification and prevention plan. The level of vulnerability would depend on such factors as:

- Location of house
- Isolation
- Cognitive ability
- Physical ability
- Health
- Communication skills
- Family
- Social networks
- GP and health contacts

Where a person is determined to be vulnerable, a risk mitigation plan should be included as an integral part of the individual's NDIS plan and, if determined necessary, funding provided for increased supervision, augmentative communication equipment, independent monitoring, and other prevention strategies.

Where an individual is deemed at risk, NDIA should conduct planning sessions with the individual in person and the frequency of these should be increased.

SAFEGUARDING OF VULNERABLE PEOPLE

Safeguarding issues

It is argued that the more isolated the person living with disabilities, the greater the risk. Therefore, processes/mechanisms to provide many eyes on the wellbeing of people deemed to be at risk must be considered.

Although the programme would not have assisted to detect the issues that led to Ms Smith's death, the Community Visitor Programme is one of the

important safeguards for people with disabilities. It is currently not available for many people with disabilities funded by the NDIS.

Again, although it would not presently have supported Ms Smith, the government created the Adult Safeguarding Unit (ASU) which became operational on 1 October 2019. It is located in the Office for Ageing Well and has a strong focus on safeguarding the rights of adults at risk of abuse.

Key functions of the ASU includes:

- responding to reports of suspected or actual abuse of adults who may be vulnerable
- providing support to safeguard the rights of adults experiencing abuse, tailored to their needs, wishes and circumstances
- raising community awareness of strategies to safeguard the rights of adults who may be at risk of abuse.

Reporting suspected or actual abuse to the ASU is voluntary. Once a report has been made, the ASU will assess the report to determine the most appropriate action. These actions are known as safeguarding actions. Actions may include:

- referring the matter to another more relevant service
- gathering more information about the situation to develop a safeguarding plan.

In providing a safeguarding response, the ASU will complement the role of other organisations and government bodies, rather than duplicate services.

The ASU will work positively with and for the adult at risk of abuse, to preserve relationships that are important to them. At all times, the ASU will balance the need to intervene, with the adult's right to autonomy and self-determination. In most cases, consent of the adult at risk will be sought before any safeguarding action is taken.

For the first three years of operation, the Unit will respond to reports or concerns of abuse or neglect in relation to people aged 65 years and over, and 50 years and over for Aboriginal or Torres Strait Islander people. From 2022, the Unit will work with all adults who may be vulnerable to abuse, regardless of age. (Taken from website)

The Unit does not have a proactive focus like the Community Visitor Programme but rather responds to reports.

Possible safeguarding solutions

South Australia could bring forward the application of the ASU to all vulnerable citizens and the Legislation could be expanded to include a range of strategies including:

- A reinstated Community Visitor Scheme extended to include all vulnerable people in residential services.
- A Modified CVS for all vulnerable people living in their own homes who were not receiving service coordination and who opt in to have visits, or who are deemed at risk (refer to 'Possible Solutions' above re assessment of risk)
- Check-up services like the one provided by Red Cross to older people during heatwaves
- Government sponsorship and support for developing community initiatives such as those described by Trevor.
- Promotion and support of community inclusion which is a key safeguard.

ISSUES OF NATIONAL LEADERSHIP

After the implementation of the 1986 Disability Services Act, leadership was provided by the DSS, led by its senior staff, to promote a service philosophy based on Social Role Valorisation. Although the NDIS Act espouses principles, there has been no leadership from the NDIA. The principles of market forces and choice and control do not recognise the complexity of the disabilities of some people and the potential for exploitation, abuse and neglect.

The NDIA could promote ethical practice requiring organisations to work in ways that:

- Promote maximum independence
- Promote skill building
- Promote maximum personal choice
- Promote dignity
- Promote inclusion
- Respect the people they serve

- Acknowledge and respect the ongoing involvements of families
- Prevent the devaluing of the people they serve
- Put the interests of the people they serve before the organisation's interests
- Ensure that the person has an independent advocate when matters of conflict of interest arise
- Recognise that new and beneficial initiatives may sometimes have unintended consequences that might be harmful to some of the people they serve
- Recognise the need to monitor, measure and report on outcomes for the people they serve
- Recognise that, on occasions, there will be contradictions, for example there might be some people who choose to be more dependent
- Acknowledge, record, and have treatment plans for mistakes and shortcomings

STAFFING

Current Issues

From our observation, and from comments from many sources including the Independent Commissioner against Corruption, the inadequate care that led to Marie Smith's death was not an isolated incident. This inadequate care often results in a range of poor outcomes for people with disability.

A 2017 survey by the US Gallup organisation, [State of the Global Workplace Research](#), found that, in 142 countries, "only 15 per cent of workers globally, or roughly one in eight are psychologically committed to their jobs and likely to be making a positive contribution to their organisations" or "showing up with the enthusiasm and motivation to be highly productive". The remainder were described as either 'disengaged or actively disengaged'. In Australia, 76 per cent of the workforce, "self-nominates as disengaged and lacking almost anything resembling commitment".

There is no apparent data about the level of "engagement" of people working in the disability sector in Australia, and it would be difficult to make assumptions about whether it would be better or worse than the workforce generally. Even were we to assume that it was three times better than the

workforce generally, that would still mean that around 25 per cent of people with disabilities are being supported by people who have little interest in their work. Furthermore, it is a sector that is more dependent on casual staff (41 per cent of the workforce) than the workforce generally (20.6 per cent).

The inadequate/disengaged care is exacerbated by inadequate supervision and support for workers. It has been our observation that many boards/CEOs have no idea what happens in their organisations and that generally it is a sector that monitors, measures, and reports nothing- except the financials! Inadequate supervision/support is in turn exacerbated by the reality that, increasingly, care occurs in the home of the person with a disability or in other venues where there is no direct supervision.

The above information provides a very important context to the introduction of the NDIS. The sector has been impoverished since its inception, and it is unrealistic to assume that historic and current systemic issues can be addressed simply by the introduction of the NDIS without taking into account the service delivery/sector context; Where are the NDIS supports to promote good practice and assist providers attain these milestones? Where is the acknowledgement about the nature of the workforce and associated implications (as outlined above)?

The Quality and Safeguarding Commission is diligent in assessing providers against practice standards which is important. However, organisational culture, based on service delivery values is key to the wellbeing of people living with disabilities. What recognition/support is given to this?

We contend that an understanding of what creates a safe environment for people living with disability does not take account of some key factors as outlined above.

The rights and needs of people living with disability need to be understood in the context of how the system/s have operated.

We accept that this is not a 'quick fix' and strongly urge that attention be directed to this in the longer term as it is hard to see how the sector can

provide safe services unless these matters are understood – as well as the implications for service delivery.

Some solutions for staffing/ supervision issues

Accountability of service providers

It is the responsibility of service providers to ensure that people whom they support are not only safe but also receiving the support that has been detailed in their support plan.

Service providers should have management and reporting mechanisms to ensure safety and implementation of agreed outcomes.

Service providers cannot claim they did not know of shortcomings; there is a duty to know.

Providers should report all adverse outcomes and the corrective action taken, in their annual reports.

At the same time, some service providers find that they have all responsibility and little authority over decisions that are made concerning a person living with disability when the nominee is the decision maker in all aspects of the life of the person with the disability. (This is worthy of detailed exploration as another important topic).

Standards for use of remote workers

Increasingly, services are being provided in the homes of the person with a disability by support staff who do not have day-to-day supervision

Service providers should develop strategies to provide supervision to remote workers.

This might include the use of emerging technology.

It should also include occasional face-to-face supervision.

Notwithstanding what mechanism of supervision are used, the service provider remains responsible for the individual's safety and the quality of the service they receive.

Workforce development

This is a huge topic especially when conflated with the increasing reliance on casual staff. The data above that indicates a lack of commitment of a

significant part of the service provider workforce needs to be acknowledged. It is doubtful that for those who don't have a commitment, development opportunities will make any difference.

However, the significant challenges of recruiting adequate numbers of people for the disability workforce also need to be noted.

The implications of the reality that front line workers are not paid well and many work on a 24/7 roster needs careful analysis. Many staff are required to pay for and undertake training in their own time. What message is this sending to these workers?

When training is provided, it is important to assess how this is applied. Historically, there has been limited funding for the supervision of workers, and this is still clearly not a priority given the funding structure of services in NDIS.

Given the high number of one person/short time frame services funded in NDIS, the management of supervision of staff needs careful review.

THE NDIS QUALITY AND SAFEGUARDS COMMISSION

Current situation

Currently, the Commission is reactive, dealing with complaints and the use of restrictive practices and undertaking investigations. Unlike the Aged Care quality and Safety Commission, it does not conduct unannounced reaccreditation audits of services funded by the NDIS.

Possible solutions

The Commission should develop a capacity undertake proactive investigations as a part of the accreditation/reaccreditation process

It should have protocols with existing state-based community visitor programmes.

CASE MANAGEMENT AND SUPPORT COORDINATION

Current situation

The NDIS has made it clear that case management is not part of the role of Support Coordinator. As such, there is no provider or person with designated responsibility for ensuring that the services provided are working in the interests of people living with disabilities, except perhaps the nominee. For people living with complex disabilities where a nominee exists, they often will not have the knowledge, skill or confidence to advocate for the person with the disability. While some Support Coordinators do provide additional services that are not billable, this is not a sustainable position.

Possible solutions

We suggest that when the risk analysis highlights a high degree of vulnerability (referred to above) that instead of Support Coordination that the participant should be eligible for a case management service (defined to preclude paternalistic practices) which should be provided by suitably qualified people and who are supervised such that there are clear accountabilities that are also reported in the Annual Report.

OTHER ISSUES

There is a range of other issues that could be addressed to enhance the service system and the reduction/elimination of abuse and neglect. These could be the subject of further research or development and without being exhaustive might include:

- Understanding the often complex relationships between abuser and victim. We urge an analysis of the variations on these and the implications for the service recipient. Such an analysis is likely to enable generation of ideas about how to mitigate some of these.
- The role of community members, neighbours, and volunteers
- The development of organisational culture that values openness and accountability
- Empowering people through education and the use of technology so they are less vulnerable
- Understanding the ramifications of market forces and choice and control on vulnerable people

- Education programmes for people with disabilities that move them from “gratitude” relationship to being in a contracted partnership.
- Engaging families in ways that they feel able to contribute. In current circumstances, many feel overwhelmed
- Technological adaptations that support safety

There is credible local and international research (refer to Fran Baum) about the significance of people being connected to others in a myriad of ways in community settings. If a community is to be judged on its capacity to care for it’s vulnerable, this is a huge area that could be developed in the interests of not only people living with a disability, but others who are also vulnerable.

SUMMARY

The death of Anne Marie Smith has exposed multiple system failures. There will never be a perfect system, however we believe that some short term responses can make an immediate difference to the safety of people who are living in high risk disability situations. A number of topics requiring careful and detailed analysis have also been named – which if addressed over time will result in increased safety for people who are deemed to be high risk.

See attachment for a list of short term responses and those regarded as needing a long term approach.

Attachment

Issues requiring urgent action:

- NDIA to have a system that identifies people at risk of abuse and neglect and develops treatment plans for them
- South Australian Community Visitor Scheme to be reinstated and expanded
- Case management to be available for vulnerable people

Issues for research, development and future Implementation:

- Developing programmes to empower people with disability to prevent abuse and neglect
- Developing a system of accountability and reporting for disability services
- Developing the disability workforce and in particular motivation and commitment
- Developing standards for the supervision and support for stand-alone workers
- Developing enforceable standards on organisations for reporting on outcomes.
- Research into social capital and how communities can be galvanised to support people with disability
- Research into the often complex relationships between abuser and victim in the disability context
- Research into the use of technology to reduce abuse and neglect
- Developing education programmes for people with disabilities that move them from “gratitude” relationship to being in a contracted partnership.
- Engaging families in ways that they feel able to contribute.
- Research to understand the ramifications of market forces and choice and control on vulnerable people

- Ensuring that the Community Visitor Scheme integrates with the work of NDIS Quality and Safeguards Commission and the Adult Safeguarding Unit when its mandate expands in 2022

Where a person is vulnerable because of health issues, their NDIS plan should include coordination (not provision) of their health care. There is a need for our health system, both medical services, funded by the Commonwealth and hospital services, provided by state governments, to improve their access for people with disabilities. This has recently been the focus of work undertaken by the Department of Health and Wellbeing and the Health Performance Council.

At present, the lack of coordinated health supports means that some health interventions for people with disabilities occur as crises undertaken by the South Australian Ambulance Service. Its CEO, David Place, is reported to have said (Advertiser 3rd June) that “one-third of calls involved chronic complex cases responsible for two-thirds of ramping time.” This is not only a highly inefficient way to provide health care; it is demeaning and life-threatening for the individual. A highly qualified retired health professional, reports that, in the absence of coordinated health care, her niece has to regularly attend hospital by ambulance to receive even basic health services.

Suggestion

Where an NDIS participant is vulnerable because of health issues, their NDIS plan should include coordination of their health care.

How to access the service?

Appointments can be made by contacting CHG, see below for contact details.

The service is funded by DHS but the service is provided independent of your employer and coordinated and delivered by CHG.

of counselling services provided through the EAP is paramount and a founding element of the CHG approach to Employee Assistance Programs.

Who can access this service?

This service is available to employees of DHS and their immediate family. Up to three (3) visits (per matter) are paid for you by DHS. If you require additional sessions, you will be responsible for the cost.

EAP Bookings & Enquiries

Please contact CHG, to request an appointment.

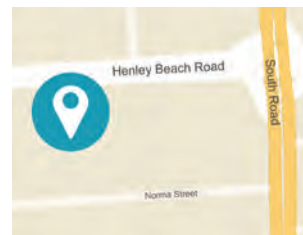
T 1800 870 147 TOLL FREE

E eap@chg.net.au

CHG Clinics Locations

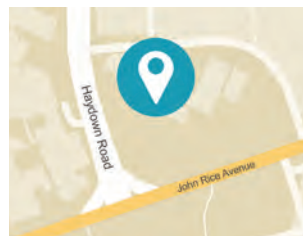
CHG @ 103

103 Henley Beach Road
MILE END SA 5031



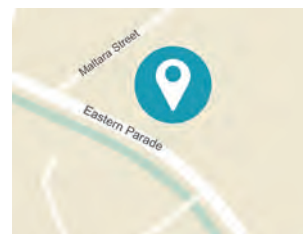
CHG @ Elizabeth Vale

44 John Rice Avenue
ELIZABETH VALE SA 5112



CHG @ Gillman

136 Eastern Parade
GILLMAN SA 5013



Document 26

EMPLOYEE ASSISTANCE PROGRAM (EAP) & CRITICAL INCIDENT RESPONSE (CIR)



Employee Assistance Program

DHS is committed to supporting your overall wellbeing and offers you an Employee Assistance Program (EAP) with CHG.

Through the EAP program you have access to

This service is delivered away from your workplace, where you can discuss your personal or work related issues in private.

The EAP

- ✓ W
- ✓ Grief counselling
- ✓
- ✓ Stress management
- ✓ Anger management
- ✓ Anxiety and post-traumatic stress disorder
- ✓ Alcohol and substance dependence
- ✓ Fatigue and perceived inability to cope with work demands
- ✓ Emotional and mental health issues



Manager Assist

Are you a Manager requiring support?

Request a 'Manager Assist' service for a telephone based advisory consult - designed to assist managers, supervisors and team leaders in managing situations such as:

- ✓
- ✓
- ✓ A distressed or unhappy employee
- ✓ Assisting an employee or team to deal with change

Colleague Assist

Are you concerned about a Colleague?

Request a 'Colleague Assist' service for a telephone-based advisory service to assist a work colleague with strategies to deal with a range of issues including:

- ✓ Personal issues or non work related stress
- ✓ Work-related stress
- ✓
- ✓ W
- ✓

Critical Incident Response

CHG maintains a Critical Incident Response (CIR) telephone service that provides access to our 24-hours per day 365 days per year. The telephone is answered at all times by a CHG employee and an appropriate triage process occurs based on best practice approaches and the nature of the incident.

24 hour / 7 days a week service

M 1800 870 147 TOLL FREE

How can this assist you?

- ✓ Openly discuss concerns and events with a
- ✓ Develop a management plan to positively move forward
- ✓ Understand emotions and feelings relating to experiences

Feedback

Your feedback is important to enable CHG to continually improve our services and meet your needs.

Please feel free to talk to any of our or complete a 'Satisfaction Survey' following each appointment (available from reception).

About CHG

CHG has been creating and maintaining safe and healthy workplaces in South Australia since 1976. Over this time we have evolved our services to meet the changing needs of businesses.

CHG has extensive experience and capability in providing professional psychology services to help people in the workforce maintain or regain psychological health.

Our Registered Psychologists and counsellors are passionate about their work and are at the forefront of clinical best practice and research.

Our Registered Psychologists and counsellors have a detailed understanding of organisations and workplaces and the potential impacts that work and work injury can have on mental health.

DHS recognises that our staff are our most valuable asset

Do you have any concerns which are affecting your day to day life?

Do you think you may benefit from having a chat to a
Registered Psychologist or counsellor?

We are pleased to offer you and your immediate family members
access to three EAP sessions (per matter) with a Registered Psychologist
or counsellor, to support and assist you through difficult times.

*An entirely confidential service, with no details
provided to your employer*



Work Related Stress
Dealing with Change
Depression & Anxiety
Marital or Family Problems

Bereavement
Trauma Counselling
Interpersonal Conflict
Alcohol & Drug Abuse

1800 870 147

TOLL FREE

EAP Bookings and Enquiries

1800 870 147

TOLL FREE

CIR Services

CHG PSYCHOLOGIST LOCATIONS:

CHG @ 103 103 Henley Beach Road MILE END SA 5031
CHG @ Elizabeth Vale 44 John Rice Avenue ELIZABETH VALE SA 5112
CHG @ Gillman 136 Eastern Parade GILLMAN SA 5013

Braendler, Fiona (DHS)

From: Boswell, Lois (DHS)
Sent: Tuesday, 9 June 2020 5:26 AM
To: McInnes, Sally (DHS)
Subject: FW: Safeguarding Task Force
Attachments: 20MDIS_0252 - Safeguarding Task Force -Terms of Reference#8.pdf; 20MDIS_0252 - Letter to Lois Boswell.pdf

For registration please

Ms Lois Boswell *LLB MAppSci GAICD*

Acting Chief Executive

Department of Human Services | Government of South Australia
 Level 8 Riverside Centre, North Terrace, Adelaide SA 5000 |
 GPO Box 292, Adelaide SA 5001
 Ph: (08) 841 54306 Mob : [Clause 6\(1\)](#) | lois.boswell@sa.gov.au

I recognise I live and work on Kurna country. I pay my respects to elders past, present and emerging. I acknowledge the long history and enduring connection Aboriginal people have with this land.



From: DHS:Minister for Human Services
Sent: Wednesday, 3 June 2020 2:00 PM
To: Boswell, Lois (DHS)
Subject: Safeguarding Task Force

Dear Ms Boswell,

Please find attached correspondence from the Minister for Human Services regarding your membership on the Task Force and Terms of Reference.

Kind Regards,

Correspondence Team
Minister for Human Services
 Department of Human Services



Government of South Australia
 Department of Human Services

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**Government
of South Australia****Minister for Human Services**

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Adelaide SA 5000
GPO Box 2832
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Tel 08 8463 6560
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20MDIS/0252

Ms Lois Boswell
A/g Chief Executive
Department of Human Services

Email: Lois.boswell@sa.gov.au

Dear Ms Boswell

I would like to thank you again for agreeing to be a member of the Safeguarding Taskforce.

As I expressed at the taskforce's first meeting on 27 May, it is imperative that we find ways to strengthen the existing safeguards for South Australians living with disability. Your presence on the taskforce will help ensure we find timely and tangible solutions to some very complex issues.

I have received a copy of the Terms of Reference from Dr Caudrey and Ms Vincent that were considered at your first meeting and since agreed to by the Taskforce. As you are aware, the public are very interested in the work of the taskforce and as such I am pleased to inform you that the Terms of Reference will be made public on 3 June 2020. A copy of the final Terms of Reference has been attached to this letter.

I look forward to receiving the Taskforce's interim report on 15 June 2020 and final report on 31 July 2020.

Again, thank you for your commitment and contribution to the Taskforce over the next 2 months. Together we will close the gaps in oversight and safeguarding for people in South Australia who are living with a disability or who have a loved one with a disability.

Yours sincerely

Hon Michelle Lensink MLC
MINISTER FOR HUMAN SERVICES

316 / 2020

Encl Safeguarding Task Force – Terms of Reference



Braendler, Fiona (DHS)

From: Wallis, Sandra (AGD)
Sent: Friday, 12 June 2020 7:00 PM
To: Holty, Diane (AGD); Boswell, Lois (DHS); Bruggemann, Richard (AGD); Caudrey, David (AGD); Gale, Anne (AGD); Jacky Chant; Karen Rogers; Kelly Vincent ; Kilvert, Adam (AGD); Marj Ellis; Mason, Cassie (Health); Richard Bruggemann 2; Sam Paor; Trevor Harrison ; Trevor Harrison 2
Subject: RE: Safeguarding Task Force - Draft Taskforce Report
Attachments: Task Force Report Version 2.5.doc

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Good evening Safeguarding Task Force members,

I have enclosed the confidential draft Interim Report for your consideration. Thank you for your feedback on the report to date and we have incorporated many of your comments into this version.

We request any final feedback to be sent directly to Di Holty- dianne.holty3@sa.gov.au and Sandra Wallis - sandra.wallis2@sa.gov.au by 10am Monday 15th June 2020 to enable us to provide the report to Minister Lensink by close of business Monday.

Regards Sandra

Sandra Wallis

Sandra Wallis

Principal Policy Officer

Office of the Public Advocate
 GPO Box 464
 ADELAIDE SA 5000

T 08 8207 8708 | **F** 08 8429 6121 | **E** Sandra.Wallis2@sa.gov.au |
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Braendler, Fiona (DHS)

From: Sam Paior | The Growing Space <Sam@thegrowingspace.com.au>
Sent: Friday, 12 June 2020 12:12 AM
To: Holty, Diane (AGD); Boswell, Lois (DHS); Bruggemann, Richard (AGD); Caudrey, David (AGD); Gale, Anne (AGD); Jacky Chant; Karen Rogers; Kelly Vincent ; Kilvert, Adam (AGD); Marj Ellis; Mason, Cassie (Health); Richard Bruggemann 2; Trevor Harrison ; Trevor Harrison 2; Wallis, Sandra (AGD)
Cc: Willson, Megan (DHS)
Subject: Edits to draft report and some extra suggestions and papers...
Attachments: Attachment 3 - Confidential Draft - Interim Report V1.1 Sam Edits.doc; Compilation of Grassroots Comments May 2020.docx; DRC - OSA 20191128 Statement of Sally Robinson (Final-signed).pdf

Hi All,

I've attached some (fairly significant) edits to the draft report.

A few key points (on top of the edits):

1. We need to provide a copy of the final report in Easy English, Auslan and spoken word (and the draft should acknowledge that this will be provided with final report).
2. The report needs to add a whole section around developmental gap – including gaps in the Education system, and in health and abuse/neglect literacy. I've not added this in so as not to double up on Kelly's work.
3. I believe the report should be "illustrated" (in both words and with images) by real (deidentified) stories, as examples of the gaps we have identified in the report – this will bring life to the report, make it relatable and "real" and also provide evidence that this taskforce is seriously listening and presenting the perspectives of disabled people. Of course, this would not be able to be done until after the draft report, but I think it should somehow be flagged in the draft that the final report will include these real stories.
4. I've attached a submission made to the Royal Commission from Prof Sally Robinson which has a number of excellent recommendations in plain English. It's a document that I stringly suggest taskforce members read if they are able to.
5. I've also attached a word document with most of those comments from Facebook – some of these may form the basis of the "stories" from point #3. They are not edited for typos etc and are reproduced as published at the time, with names removed. I have not yet completed the task of categorising and compiling the comments I have collected from a provider group, but hope to get to that this weekend. These comments might also provide a rich source of quotes that could be used throughout the report to further illustrate our points.

Thanks everyone!

Cheers,
 --Sam

Clause 6(1)

Sam@thegrowingspace.com.au

TheGrowingSpace.com.au 1300 4769 77 (1300 GROW SP) Facebook.com/TheGrowingSpaceAustralia

FREE: SA Health COVID19 Mental Health Hotline 8am-8pm every day ph: 1800 632 753

FREE: Daily Check-in phone calls from the Red Cross - ph: 1800 188 071 to register

FREE: COVID-19 resources in Easy English and more for disabled people and families at

TheGrowingSpace.com.au/covid19

NDIS Plan CORE support funding can now be used for Support Coordination needs, even if there's no Support Coordination in the plan.

Our website has loads of useful NDIS info at www.TheGrowingSpace.com.au/library (subscription can usually be claimed from NDIS plans)



ABN: 83125164114

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1. Worries about loss of privacy

1. No camera's in my home! I'm not comfortable with randoms turning up to my home, but that seems to be a solution....
2. I'm also worried about the people saying that a neighbour should have some responsibility. I don't want to be reliant on a neighbour!! I also don't particularly want neighbours knowing I have a disability and am home alone.
3. I agree that we need not take choice away from PWD if they have that functioning. Yes I agree what best for the family maybe in contrast to PWD at times/all the time. The same goes for institution as well. Information can be used against PWD. Creating new roles and responsibility creates more people involved that increase the risk of victimization. The balance of privacy and isolation is the challenge.
4. Concerns about invasion of privacy is important for some people - participants/family/next of kin and home sharers - that is where a professional relationship should have strong boundaries and responsibilities easing some concerns. People might not want to go to hospital if the need arises - that's might be where the professional can call it - more than a support worker
5. I'm concerned about the suggestions that a neighbour should have some responsibility to check. As a single female on my own I don't want neighbours knowing that I am on my own and have a disability. What happens if that neighbour isn't trustworthy? Or if the neighbour tells others, or sells and tells the next person who buys their home? Our safety has to be a concern.
6. my neighbours are addicts. I do my best to completely avoid all contact with them.
7. Would be good if it was so straight forward but lets not forget these are peoples private homes, not institutions or aged care facilities. While it may work for some, in other cases it could be deemed a gross invasion of ones right to privacy, especially if not given notice and if sharing with others. Even housing inspections require a certain amount of notice of visit.
8. Any checks & balances need to be safe, minimally intrusive & manageable for the person in light of their disability. We have enough bureaucracy to deal with so the balance must be found between safeguarding and burdening.
9. What role does the wider community play? How do we get the wider community to participate in checks on neighbours? How do we balance that with being intrusive and unwanted interference.
10. and what about privacy? I do not want workers reporting on the details of my life after every shift thank you very much! Here's one example: Once I cancelled a service for an unscheduled attendance at my local hospital. The worker turned up as I was leaving and then reported to their agency that I was going to hospital - this was totally outside the worker's jurisdiction and they had not been instructed to do so. That service contacted another of my service agents which then promptly cancelled ALL of my support services on the assumption that I was at the hospital for a stay which I wasn't - home the same day after a treatment that I could not receive in the community/local GP clinic. My privacy was not only breached but my supports disappeared. That agency was so out of line and at no time did the second agency try to check with me or my emergency contacts at the time to confirm or notify about the cancellations of services. This is the

ableist attitude that takes the word of a service provider before the word of people with disabilities. The notion that disabled people can't use their own voices...ableist and dangerous.

11. I have mixed feelings about all of this. Privacy is so important yet so is ensuring that a person receives adequate care particularly when level 3 type supports are provided. Perhaps it is about another level of safeguards
12. love that question about privacy. It's hard enough having people coming and going and wanting to know all your ins and outs in order to deliver a service in the first place...
13. Start early
14. Start when pwd are a lot younger, teach them advocacy skills, that they have a right to speak up, give them access to the right vocab, build self esteem. Provide support to learn how to interview and choose their own support, starting in their teens, and demonstrate how to make a complaint.

2. Key worker/Case worker/Support Coordination

1. Ideally too, a key worker and a committed team of PAs supporting individuals with more complex needs would be good. But I'm well aware of how hard that is to achieve.
2. In my opinion there needs to be case workers who aren't contractors like LACs and are provided in addition to support coordination. The current system doesn't provide for people who can't advocate for themselves and who don't have any friends or family I ho understand the system well enough to advocate for them either. When Disability SA's services were removed, it left a huge gap in SA.
3. Exactly what I have been thinking for 3 years. When I pass away, my intellectually disabled son will be at the mercy of this flawed system. There needs to be independent case workers or community visitors.
4. absolutely - case management is vital. Support Coordinators can only do so much.
5. There should be case workers/managers - those with allied health experience - OT's, Physio, Social workers, someone who's qualifications, registration and professional indemnity insurance is on the line - nurses too - these professionals might be part timers/semi retired etc who are paid appropriately and have a manageable case load per client/participant. A phone call a week for many, a home visit per week for others.
6. I don't like the idea of there only being one support worker, especially for someone with complex needs. If there is at least two support workers there is some accountability. SC - not suitable in my opinion - many are not qualified in anything that has standards.
7. I'm sure its been suggested but if not - a client whom has no informal supports or carer / next of kin etc, and the provider / independent care worker is their only care and contact then this needs to be alerted to a governed register (eg the NDIA or local community services would govern this) where there is a system of checking and ensuring that the care being provided is of quality etc. When Case Management was removed from and not included in NDIS supports many lives have suffered at the hands of care workers whom are not governed correctly by providers. Perhaps all participants should have a Support coordinator type role appointed as the central point of care and

governing the care being delivered. Perhaps the care provider and the Case Manger need to be two separate providers? .

8. there is currently no place for case coordination in the currentt system. not everyone needs it, but some do. support coordination doesnt come close to what some need. have health professionals involved in the plan meeting / allocation of funds.... eg how was there only 6hr a day for someone with such high needs. providers must have scheduled check in.... they have a duty of care to, but maybe it has to be mandated at a minimum schedule
9. support coordination should be offered to everyone instead of being'denied' so often. offered to everyone
10. Specialise support coordination comes closer, in that you're coordinating mainstream and NDIS supports. If it's done well, it seems the closest to case management. I'm currently waiting for the Commission to process my registration and really hope to approach all cos work with a decent case management approach.
11. at my work we have a number of people who need specialist sc but have been denied it. As our work values a holistic approach so allows us some wiggle room for highly vulnerable clients. Organisations no longer get block funding for standard case management as they previously did. I wonder if giving NDIS services a small amount of block funding for case management could help them in filling this gap.
12. It needs to be available to people with psychosocial disabilities as well as physical.
13. I know I've asked them for help when it was 10 months without proper support coordination to put urgent supports in place and they refused (multiple depts). I've practically lost my job as a result, and have gone backwards with my disability.
14. Why are people not assigned an NDIA case manager to check in on them regularly, ensure things are running smoothly and iron out an issues? E.g. SC not doing their job; insufficient funding.
15. If you have a small team of case workers who get to know you and actually SEE you periodically, it would give the opportunity for a person to see any periodical deterioration in circumstances etc. and perhaps detect risk scenarios earlier and prevent
16. Coordinations of supports for each and every plan. With enough funding to maintain contact, do spot checks on service delivery. Ensure this service is delivered by an independent (outside of services) business.
17. Supervision, spot visits, case management, someone who cares enough to help a vulnerable person in to bed daily, who makes sure their home is clean and sanitary, someone who isn't in it for the money but for the health and welfare of their client. I could go on and on, I'm so disgusted by the care given to this lady it's now making me angry.
18. I think that people with significant support needs, who are dependent on others for their daily care should have access to a support coordinator if they want it. That support coordinator can also have safe guarding responsibilities, where they do check ins directly with that person either face to face or over the phone and make sure things are actually going along okay. As well as this, the NDIA representative who is responsible for creating people's plans, whether that is the LAC or the planner should also do perhaps, six monthly check ins and while they would be primarily checking in about the funding to

see how things are working, they can also report things if something is amiss. If this was a regular thing, and they came across a circumstance like this, they would soon pick up on things like the person not having any extra hobbies, not having other people in their life, not getting out and about and doing things, not spending certain funding allocations. And Or maybe this should actually be the responsibility of somebody at the NDIS commission with a specific purpose of checking in on safety and well-being. There should be multiple support workers of the person's choosing involved in the person's support. It seems highly unlikely that it would be common like this person to only have one person coming and going with such support needs. Lastly, we need to continue our broader efforts to ensure that people with disabilities have a good quality of life generally. Having things like friends who care about us, colleagues who depend on us, partners who love us, neighbours who notice each other, people at the local club who enquire when you aren't there, all of these things are safeguards in their own right and can help prevent horrific abuse from happening.

19. Continue State funded case management for at risk people. Broaden the criteria for SSC to include vulnerable people who don't have family support. Fund support coordination for all vulnerable people. Make it mandatory (and fund) 3 monthly visits by the support coordinator. As a service provider I see and hear so many things which I feed back to the SC which they were not aware of. This includes unmet service needs.
20. Independent Support Coordinator should be funded for those who require support with making decisions, they can also play devils advocate to ensure Carers fully consider and respect the choices of the person with disability
21. I think they need to bring back caseworkers. I was talking to my Sw today. She was a case worker she hired the Sws met with them to make sure they would do what needed. She would drop in unannounced and yes she caught Sws doing what they shouldn't or should be doing. She would talk to the Pwd to make sure they were ok. There needs to be stronger measures if a Sw is caught abusing or stealing etc. Things need to change. I also think education for pwds so they know there are avenues open to them if they are abused. I grew up in foster care it was an abusive situation. I got told if i told anybody i would be put into a home and never see my younger sister again - Didn't help the social workers would only talk to us in the presence of our foster family.
22. independent case management of clients - the case manager cannot be from any agency that the client has support from. That case management can be done by email or phone, but MUST meet face to face with the client on at least a monthly basis, if they have any concerns or the client is vulnerable, then more often.
23. Community Visitors
24. Only have experience in Qld but the Community Visitor Programme seems a relatively effective means of helping to guarantee safety. Is there not a similar program
25. AFAIK, no state currently has a Community Visitor Program that covers people who live in their own homes rather than a congregate setting, but SA is the only state without one at all.
26. maybe thinking out side of the box there should be a program of course everyone would need to have the appropriate checks but it could be volunteer to visit people. maybe a register of people who don't have family that love near to keep an eye on

them. I realise the issues with this but I'm sure that community should take some responsibility after all don't they say it takes a village to raise a child surely we can look after them

27. Exactly what I have been thinking for 3 years. When I pass away, my intellectually disabled son will be at the mercy of this flawed system. There needs to be independent case workers or community visitors.
28. Maybe where a person with a disability is living independently could have some sort of neighbourhood watch put in place where if the person has not been seen for a certain time the neighbour could knock on the door and ask to see the person and if this is refused report your concern to police.
29. Teachers could be employed to check in on children's welfare too - there's plenty registered, qualified and underemployed
30. I'm thinking that the Community Visitors programme be re-activated/extended to a perhaps 3monthly (with consent) visit to clients who are at greater risk of abuse, including those cared for in their own homes, to allow clients to speak to an independent person. Also increase their powers ?
31. I absolutely agree that some sort of community visitor scheme needs to be in place ... But at the same time I cannot even begin to imagine how much damage community-assigned visitors not already well versed in the ravages of very severe ME/CFS could do to this population (a population I may well join some day).
32. What about a question at every planning meeting, without anyone else (family/workers etc) in the room: Would you like a six/three/four/whatever monthly visit from a trained community visitor?
33. A vulnerable persons register for those on NDIS with a separate department to be accountable for ensuring their ongoing care, support etc like a social worker. They help advocate and coordinate care and attend all meetings of significance for the person ie housing, NDIS, major medical, legal. Option for families or PWD to nominate to be overseen by this department. Clear guidelines on their role and accountability
34. Some states have a vulnerable persons list, but it is up to the provider to add them to that list. There are flaws with this concept, especially considering that people hire privately, or use hire agencies such as Hireup or Marble.
35. The SA Liberal government cancelled the Community Visitor scheme that would likely have saved Anne-Marie's life when they came to power in 2018. They hold some responsibility here. They have washed their hands of NDIS participants on many fronts and it's not good enough
36. while I can see the reasoning here - I personally wouldn't want someone I didn't know coming into my home on such a regular basis - I think this would be something that the planner/LAC could discuss on how regular checking would help the pwd but also have it done on a timetable that suits the pwd
37. Being registered means next to nothing when it comes to abuse. One of the biggest issues I found was that police were not aware of what did and didn't constitute abuse, neglect or unapproved restrictive practices. I think that NDIS should have an Official Visitor program similar to what the office of senior practitioners does/used to do, where they would check in on people in their residential setting and do spot checks.

38. I think the idea for Official Visitors is great. It works well in mental health wards
39. I just read an article that states SA don't have a community visitor - in vic they can only come to group homes, but maybe we need a system that checks in similar to the community visitor. I do have some issues with community visitors - sometimes they make statements without knowing all the facts and can cause more issues - but there has to be something like this for pwds to be able to have an independent check in.
40. Peer contact, in some form. Even with a good network, people reveal things to peers that haven't been brought up in other networks.
41. Community visitors may work for some people, but they won't work for everyone. Also, there needs to be more regular checks to make sure people are okay and not just via phone.
42. -why isn't there community visitors assigned to people who are all alone?
43. Something similar they do for group homes a community visitor who is independent of everything. With at least 6 monthly checks. Funded by the government. It doesn't need to be a massive professional doing it just someone with good experience with a standard checklist to tick off. An option for the pwd to put forward their concerns and to be followed up. It doesn't need to be complex. If problems arise a more thorough look into it. Also the pwd should know they are free to speak about their concerns so could be without career etc around so they can freely express themselves. Also educating pwd as much as possible that it is ok to speak up if they are not happy and ensure things change for them. Checklist should include important information re regular medical follow ups, access to therapist where needed, proper equipment available. Their general well being, suitable accommodations and access to all areas, access to family and friends and social etc. just some examples I am sure more could be added and have thought for a long time this should be done. With whoever I have worked with I have always spoken up if something isn't right or something that needs to be changed or if the pwd has asked for something found a way for it to happen. If I saw a need I would discuss where possible with the pwd and management to make the change or get what is needed. Also Ndis needs to pull the finger out on things like equipment and to stop going against therapist recommendations and what not that causes so many problems and the amount of report needed for the most simple of things some more common sense needs to be used.
44. An independent person to make random inspections a few times a year to check on health and well-being, food in the house, cleanliness of the home. Carers present or not etc. It has to be someone not connected to any of the care providers or organisations, maybe independent of ndis, but must be aware of what the person is in title to receive in the plan, and also trigger a review if the plan is inadequate. Checks should be done a few times a year. Maybe two people to a check to be accountable to someone other than yourself. Call it a welfare check

3. Spot checks by management

1. More community support and check ins by support staff, this includes manager spot checks on staff and those that they look after.
2. When someone so vulnerable we should have at least 3 independent professionals working with them. Note institution fail, sometimes because they do all the work.

Families fail for the same reason. If we had independent check like photos or online meetings would reduce risk.(sleeping, conditions of house, even conversation if possible would reveal lots.).

3. I was thinking about the communication side of this too. In my daughter's case a random person who has not learnt her multimodal communication or how to use her PODD book visiting would be useless. 'Spot checks' or whatever term that is used whereby someone visits every 3 months without building rapport would be pointless
4. What role do other formal supports like gp or allied health play in this? Could they be given a responsibility to monitor welfare as part of their role on a 3, 6 or 12mthly basis. If a routine welfare ✓ isn't lodged with vulnerable person register (ndia, state or not agency specific federal) it flags an in person check by the authority. This would prevent increasing burden on disabled and could be as simple as a couple of tick boxes in a database. As part of this the person would need a solo consultation so they are free to communicate any issues. But how does any reporting impact on the individuals privacy?
5. Why isn't a precautionary approach being taken to our most 'at risk' of neglect and abuse? Why aren't there independent spot checks on the provision of services to all 'at risk' recipients of NDIS services?
6. Perhaps for PWD as vulnerable as Ann-Marie there should be regular (6monthly?) home visits by SC/LAC to make sure support needs are being met and PWD isn't at risk?

4. Providers/Support workers/shifts etc

1. sorry I meant at least 2 support workers on a team for a client not necessarily on the same shift. I.e. one SW does morning shift, a different SW does afternoon shift, another SW does evening shift etc you would hope that with the different SW/carers coming in that they would notice if client has had needs met etc by previous carers/shifts and would report if things were amiss.
2. also could used more than one agency
3. At least 2 people for at least 3/4 of shift especially for someone with complex needs.
4. I agree with more than one support worker on the team. My daughter has 4 on her team, and one day a week or so ago, her regular one went home sick, and, unfortunately none of our other workers were available, so ended up with a new person.
5. A law should be put into place that a worker must have cert 4 in disability.
6. Organisational duty of care in regards to continuity of care given to people with high support needs Never assign only one care worker to a vulnerable client without a checks and balances process
7. Stop pretending support workers are carers and certainly not friends . They are paid workers subject to all good and bad that entails . They answer to who pays their wage not the person with disability. We've had fabulous support workers but never delude ourselves where their loyalty lies . Check out how many paid "friends " of vulnerable people are still there when they're not paid . Not a criticism just reality therefore you need people as safeguards and if this is not possible then a system though this clearly fails at times .

8. one of the problems with insisting that all support workers are suitably trained and qualified are the costs involved in the courses for the person vs the low pay, poor working conditions, and demands placed on them in the jobs they're required to do. I'm not excusing any malpractice, abuse or neglect by SW's, however, if you want top notch people who are willing to treat their jobs and clients correctly, then you need to have better working conditions and pay - recognition for the importance of the work that they do. As it stands, service providers often have high staff turnovers, minimal in-house training, minimal casual shifts that sometimes only go for an hour or two, without any compensation for petrol and other costs incurred, and minimum wages are paid to the SW, while the service providers charge the clients treble for the services provided. This combination of circumstances is not conducive to finding the best employees suited to the job, or those who are in it for the right reasons, or the long haul
9. People not having all services with the one provider. There should be at a minimum of two separate providers that have contact with a PWD so that there can be some accountability and assurance that providers are doing the right thing and it (ideally) comes to light quicker if one is not doing right by the person
10. Closer scrutiny of support worker record keeping. They need to fill in detailed summaries of every single support work session they undertake, including what was done/given at what time, how the client was etc. Those records need to be forwarded to the case manager on a weekly basis. Clients must have more than one support worker, whether it's a small job or a big job. They can't have just the one worker do everything. There needs to be a guideline about how many hours means how many minimum different support workers. I get that this would be uncomfortable for many clients, including myself, but rather than have one lazy support worker let the client deteriorate unchecked, the more eyes on the client regularly, the more likely neglect or abuse will be picked up quickly.
11. Use existing systems – don't build new ones
12. Make the systems that exist do their job, don't add more burdens on pwd.

5. Future Planning


1. Solid future planning for families and support for people to be connected to the communities, be known by neighbors and have friends..
2. additional funding to do that planning when carers are identified as unwell / ageing.
3. I am my son's only parent. I asked for funding to help Jac and I establish a microboard. This is totally about sustainability of everything good and working well in his life. Planner said no, as there was no immediate need.
4.

I don't want my son's life thrown into crisis should i shuffle off. And I do not want to rely only on paid support and services to keep him safe.

5. we need to be having deeper conversations about the future when parent go. And we need to be doing stuff now and ongoing. People need to have connections beyond family and beyond paid worker every day not just when their parents go.
6. We need the funding to set up circles of support / microboards when parents are still well enough to be able to play an active role in getting things happening. Waiting until we're too old/sick/tired to be able to do much, if anything, to help create good positive systems is a very false economy. Once a circle or microboard is established ongoing costs should be quite minor.

We asked for funding for a microboard to be established for one of my loved ones too [Linda](#), but NDIS only provided funds for circle members to be instructed in setting SMART goals. The person who needed the NDIS support is extremely vulnerable, and has absolutely no safe birth family or other supports. I am a host carer, well over 60, have an adult birth child with a significant disability to care for as well and live life in a physically exhausted state because of an incurable disease which could cause heart attack or stroke without warning.

I suspect a big part of the NDIS refusal to fund establishment of circles of support / microboards is that many NDIS staff expect to just whack pwd into SIL housing when parents/carers can't care anymore or pass away. The fewer advocates a pwd has in SIL the easier it would be to leave them to service providers and throw away the key

7. Planners and Lac should be consistently funding supports for future planning for families and PWD informal support networks. Planner denied this to 62 year old parent advising they were not old enough.  Safeguards for Future Planning starts early in ones life the more risks the more preparation is needed and ongoing support to maintain networks. There are line items that cover this but too frequently funding is denied. Sometime when it is funded people don't understand how to use it. building local unpaid community networks frequently requires \$ to join community activities to build relationships, \$\$ the PWD may not have. This can be a huge barrier especially for Agency Managed participants. Capacity and understanding for Future planning needs to be built over time in many cases start when PWD is a child. Previously Advocacy organisations have delivered training to PWD and or their Families and friends. Advocacy supports need to be funded adequately otherwise any governance will not prevent risks
8. I would also like to add that families of people with disabilities need to have more assistance for future planning and advance care planning arrangements which should be essential if not mandatory. If this is an advocate or case worker assigned which is seperate from a family member assigned, would be even better.
9. The NDIS committed some funding for the informal circle of support of one of my loved ones, an adult without birth family, to be trained in making SMART goals (apparently the planner thought that would be a helpful option.) There was also an option to spend funding on having them incorporate as a microboard.
10. More funding and opportunities for informal supports to access training and skill development to better understand how to future plan especially for those who require support with decision making.

6. Segregation/Isolation

1. Services that congregate also segregate people and isolate them from every day life.. And the NDIS is so hell bent on not using your funds for 'every day costs' that any expression of interest is through the day programme activity schedule. People need to be able to use their NDIS plan to cultivate relationships, support to be in ordinary places (not the mall), to be able to do interesting things with other people who share their interest.
2. I have been pondering the difficult balance between choice and control and ensuring wellbeing also, for those who are reluctant to let people 'in' - people who for trauma or other reasons prefer to only have minimal contact with others, or who find it hard to trust or can become very attached to their carers, I think there really does need to be some sort of red flag 'threshold' of engagement with services and community for checking that people are ok without being invasive.
3. Touch points. how many does any ordinary person have generally in their life? Building those 5 people who are separate/ independent that connect is the developmental safeguards we often talk about.
4. Let's have more models around 'circles of support'
5. check out the Friends of Citizen Advocacy Trust of Australia Facebook page, for what I can see, it discusses the approach that makes all the difference that doesn't seem to have been discussed here so
6. Severe isolation seems to be a real problem. Masking the situation is something a lot of people do to appear to be coping. That needs to be unpacked a bit more too. I think there is a lot of fear that what ever little gains have been made will be taken away if people present themselves as being too vulnerable or even the opposite, doing too well.. Autonomy and choice and control are just words at the moment and still haven't really found their place in the application of the NDIS for many adults with disability. Tokenism is still a major issue and greater effort needs to be made to meaningfully connect isolated vulnerable people with like-minded people not just lumping everyone in the same basket.
7. Fund a solution whereby those neighbours of hers were invited to be a part of supported decision making for her. Guardianship should be last resort, not the easy fix. And by fund, I don't mean pay the neighbours, I mean it costs money to set up a functioning accountable supported decision making process. Recruiting appropriate people, training them, overseeing it for some time, advising when issues crop up

7. NDIS Commission

1. We need a clear safeguarding policy and procedure like in the UK - it's enshrined in law, takes a multiagency approach, has clear leads and is now fully entrenched in social care practice. Having had the lead for a local authority to implement and deliver this - It works. And well. Got back to Australia - and nothing like it here. Shameful.
2. The safeguards commission actually act like a dispute resolution body, and not just accept the word of the provider and say case closed.
3. I think we also need the introduction of stricter registration requirements for providers caring for higher risk clients. This should include Support Coordinators and Plan Managers. Then a system of documented checks/monitoring of staff and clients

in similar situations as Anne-Marie by the provider (because it seems that this may not have occurred in the case....?) as part of their reporting requirements. Something similar to the reporting on restrictive practices with a register of vulnerable clients. Happy to chat further if you think this would be of any use.

4. A report hotline for participants. All complaints to be followed up. Companies to be held accountable for neglect. Massive fines and shutting down of companies for neglect that anyone reports. The managers then banned from working in any other role similar.
5. I would suggest most PWD tolerate a higher level of abuse.....so it kinda becomes normalised for them. Also what one person believes is abuse is unfortunately tolerated by another. In the Aged Care industry the bar was being lowered for several decades and it was simply tolerated....till it got to a level which was just extraordinary. So you also need a watch-dog. but more than that you also need to establish ever increasing standards and a requirement for all agency/provider must comply with otherwise their NDIA contract is terminated. In this way you keep sweeping the poor performers away and hopefully replace them with providers who are better able to or simply more willing to meet the higher quality standards.
6. and to think that it was a not for profit org makes me so mad. If anything they have banded on for forever that they are there for the people etc and many look down at for profit providers. It comes down to good governing systems. Unfortunately the current NDIA expectations of a registered provider sees monkeys approved. It is not a robust system. Everyman and his dog are applying , many without industry experience etc and are becoming approved. There needs to be better approval processes and the reintroduction of Case management as a start. the profit margin is quite thin IF the correct workers are being provided. Too many providers are skimming on quality staff to make a buck. There needs to be bench marking of industry standard for qualifications for care workers.
7. Investigate complaints, and I mean a real investigation where they actually can turn up unannounced and have the power to go through files and notes and interview staff ..not just a phone call to the provider asking them to provide information that's been edited to perfect compliance. All parents/guardians to be notified of complaints made whether founded or not - many are not even made aware someone has made a complaint as management dont pass it on to them. All notes and records to be electronic to prevent them being destroyed and make any alterations trackable. Maximum time periods between doctors appointments especially for non verbal or intellectually disabled people or a very good reason why appointments are not happening - a system that flags to management when appointments are overdue for them to follow up...if they don't follow up it gets escalated higher. Providers to be responsible for ongoing training of staff -many casuals or agency staff miss out as not permanent. All independent investigators to be mandatory reporters if they find wrong doing instead of just passing on their report to the provider and trusting them to take action
8. Greater whistle blower protection - If abuse is going on peer staff members maybe afraid to speak up.....I need to protect my job! Greater transparency on de

registered orgs and banned people. I don't know if I am employing a person banned by the commission

9. Independent audits / regular check ins completed WITH ALL people solely reliant on care to see that the services are doing the right things for them - as well as independent audits of their NDIS Plans - how on earth 6 hours of care per day was considered reasonable for that beautiful woman is just unbelievable.
10. Registration of support workers, national registry where complaints and deregistration can be handled. So someone can't cross the border and start doing the same thing again. More transparency on ndis registered co investigations and bans.
11. Oversight and accountability would be a great place to start. A national registration for ALL care workers, minimum qualification standards and periodic checking. Businesses need the same, must show periodic quality control checks (calling clients and families), spot checks and retraining of staff. And an independent oversight committee that all of the entities must report to/audit to ensure quality standards are upheld. The Govt washed it's hands with the sale of ADHC, clearly this was a huge mistake
12. Registration does not equal good providers. Registration equals the ability write policies and procedures and have money to pay for audits. Having P&Ps doesn't guarantee people stick to them. The registration process is flawed. Audits are just done on paperwork.
13. I'm an audit superstar (modestly) and I agree with you 100%. My audit skills get me through audit, my conscience dictates how my team delivers services. There are plenty of people with audit skills but not the conscience; also there are brilliant operators who just don't have audit skills. Audit is not the answer
14. The NDIA Commision needs more teeth. Develop a league table approach to quality and continuously cleans the bottom performers.
NDIA to establish an audit regime that sees every agency/provider random audited every year. A poor audit outcome automatically triggers a wider audit....and depending on that out an organisation wide audit. Publish these results for public to view.
15. Establish a quality profile for the NDIA industry. Publish this for participants to make better informed decision regarding choice of their provider.
Review, develop and implement a risk profile for participants. This person unfortunately fell thru the cracks but much can be learnt from this incident and the risk profile updated.
16. NDIA/Commision maintain a register of participant transfers where quality of service provision was the issue. A certain number/rate per defined period of time then triggers an investigation.
17. I sugest poor quality fo service provision possibly also goes hand in hand with fraudulent financial practices. Either shoudl prompt a review of the other.
18. Any person found doing wrong by a client and found to be guilty of neglect or other reasons should be allowed to be reported by client on a register name of person and

company should be clearly recorded and reasons for such a report then it will give us a heads up and make ppl safe

8. Guardianship Responsibility

1. Responsibility for neglect goes up and down the chain. None of the news reports have mentioned if there was a State level guardian or the like.
2. Guardian role and what checks on acting in best interest of the person under guardianship are there and should there be?
3. With all due respect where a person is over 18 years of age and they have a cognitive disability and therefore are unable to independently make informed and reasoned decisions about their personal matters, and where they are isolated and lack informal adequate support (aka family) they need a formal Guardian to ensure their well being. The office of the public advocate in Victoria provides information in relation to this. It is unclear to me though to what extent NDIS have a legal responsibility to ensure that potential risks in relation to decision making are mitigated.
4. not necessarily. More often than not they need support to make decisions. The ndis needs to fund this. They find it easier to just ask someone to act as nominee, which is not good enough.
5. my loved one didn't have any informal supports at all - no safe birth family, no friends. As a paid host carer I made it part of my role to use disability funding in a way that let us search out people who would be prepared to commit to providing voluntary advocacy services. That continues to be a work in progress with substantial training being needed for circle of support members to understand complex needs. It's a really sucky (awful, repugnant, offensive, disgusting) thought that participants who don't have decision making supports would be committed to having their lives run by an overworked Public Servant Guardian who isn't likely to have the time to understand them/their situations fully.
6. Audits of Medical processes, records keeping. Real audits by those that understand needs of people with disabilities. Self auditing is failing PWD. And big question why are the service's who fail to bring up to standards, still able to continue?
7. Now there are a good number of providers/agencies registered to complete NDIA work, there should be a process whereby annually the bottom 5-7.5% are de-registered. Only in this way will there always be a willingness to strive for better quality, it will keep the dross out of the market, make the providers responsible for quality servicing, create greater confidence in the industry, etc etc.while always bring in some new providers to the mix
8. Interesting to notice that there has been much emphasis from NDIS about record keeping for audits of self managing participants (funding) but what about audits of providers around quality (meeting obligations as well as value for money and funding). So much onus on participants but what about providers? To me it looks like a government emphasis on money and not service provision.

9. Access to Advocacy

1. Access to advocates for all people who have no family to advocate for them, and can't do it themselves.
2. The concern is 'how would a severely disabled person with no family members know how to access/contact an advocate'? My son wouldn't know how. It cannot be thrown back on participants with severe intellectual disabilities. It has to be proactively provided.
3. I think we all need to be provided with advocates. While in this case the abuse came from a paid SW, abuse does also come from carers and having them as the only advocate means for some of us, abuse can continue unchecked.
4. In Oregon, they have a "children's advocate" - children in the child protection system have assigned a trained volunteer only for the child's best interests, who simply spend even as little as a few hours each quarter with the child, building a relationship and is able to present a "non professional" perspective of what the child wants. I wonder if something similar would work for those in the most vulnerable of situations, or who request it?
5. It needs to be available to pwd with psychosocial disabilities as well as physical ones.
6. I do not think there is one solution. But providers of staff should be more answerable to the person and their informal supports and family. Families need to be more assertive. CHECKS on a regular basis. I believe those who have no family should have an advocate and the advocate should be respected by others. I do not feel the Lac, supports coordinators etc should be given more power, they should respect and believe the people who have the best interest of the person. The abusers are very clever people and know what to say and how to cover up. I know from experience, I had lots put into place and it still happened, so cameras were the next thing. But you can only place in certain areas and with the knowledge from the person. GROUP HOMES are not the answer, Abuse happens more in these settings. We need to take notice of the individuals more with respect.
7. There needs to be protections in place so that people who are on their own are not left to fall in the cracks if they can't put supports in place, or are taken advantage of. Currently if you ask the NDIS for help they will say it's a conflict of interest and refuse, this needs to change.
8. There should be an opt in section of the NDIS where people who are on their own without informal supports, or are at risk of being so, are allowed to ask for an advocate or social worker to be allocated to support them and make sure they are okay. The advocate or social worker should be available from the start of the plan, and have enough time to get to know the pwd and their needs thoroughly so that the pwd can be heard. This should apply to people with mental illnesses as well as people with physical disabilities.
9. Each ndis recipient should be funded for their own advocate who contacts /visits them not just for working on next plan but to ensure it is working for them and they are being looked after. For SW for personal care there should be a standard procedure followed each visit as prepared by allied medical professional such as gp. Each visit should have this marked off and signed and loaded to portal by SW.

10. Support family leadership and advocacy so that families have capacity to create these opportunities for inclusion, inclusive communities & schools, supported decision making skills and greater advocacy skills for family members and self advocates.
11. Within the Ndis safeguarding there needs to be reviews of highly vulnerable people. Who is present at planning meetings, who want present? They should then be alerted to an advocacy group (not NDIA as they too were part of the failure here) where the right supports are put in place and monitored.
12. Maybe assign high risk clients with a client advocate someone who's job it is to visit and check on care standards of those who are unable to advocate for themselves! I am a nurse with a daughter in the ndis system and I am definitely keen to find a way to move my skills into working in this area I would love to help!
13. Also to add that there needs to be some sort of independent advocate automatically assigned who can check each new plan to make sure it's sufficient as-well as make sure supports have been suitably coordinated.

10. External reporting options/phone lines

1. Is there a whistleblower phone line?
2. While I think a department in ndia whose sole role is to ensure Participants are safe and getting the care they need is a good idea I also think this isn't just about NDIS. It's also about the elderly, those who are disabled and not on ndis. Those with known DV history. All the vulnerable groups. A while ago I said to family I know you call child protection if a child is at risk but I have no idea who you are meant to call if it's an elderly person. I guessed dhs or police who refer you on but there's no common knowledge pathway to follow.
3. Check out the uk safeguarding adults laws and guidelines. This puts a duty on EVERYONE in society to report anything at all of concern to a central agency who have power to liaise with multiple organisations to check for history, etc. Plus power to investigate. If neighbours had felt able or even duty bound to report not seeing Ann-Marie for a long time, this could have been prevented. And better regulation and checks. Again, see the uk for Care Quality Commission where every service is audited and scored publicly.

Braendler, Fiona (DHS)

From: Boswell, Lois (DHS)
Sent: Sunday, 14 June 2020 7:01 PM
To: Caudrey, David (AGD); Wallis, Sandra (AGD); Holty, Diane (AGD)
Subject: RE: Safeguarding Task Force - Draft Taskforce Report

Good luck – it's really hard to find the way to truly respect Ann Marie when there are so many vested interests
 However, I think the report is a very sound start if we can stop it being politicised

Ms Lois Boswell *LLB MAppSci GAICD*

Acting Chief Executive

Department of Human Services | Government of South Australia
 Level 8 Riverside Centre, North Terrace, Adelaide SA 5000 |
 GPO Box 292, Adelaide SA 5001
 Ph: (08) 841 54306 Mob: [redacted] | lois.boswell@sa.gov.au

I recognise I live and work on Kurna country. I pay my respects to elders past, present and emerging. I acknowledge the long history and enduring connection Aboriginal people have with this land.



From: Caudrey, David (AGD)
Sent: Sunday, 14 June 2020 6:27 PM
To: Boswell, Lois (DHS) ; Wallis, Sandra (AGD) ; Holty, Diane (AGD)
Subject: RE: Safeguarding Task Force - Draft Taskforce Report

Thanks, Lois. We can make those changes. There are others that have come in, but I think we are nearly there. We are due to submit and brief the Minister tomorrow afternoon. Kelly and I are being approached by the media already!

David

From: Boswell, Lois (DHS) <Lois.Boswell@sa.gov.au>
Sent: Sunday, 14 June 2020 3:55 PM
To: Wallis, Sandra (AGD) <Sandra.Wallis2@sa.gov.au>; Holty, Diane (AGD) <Diane.Holty3@sa.gov.au>; Caudrey, David (AGD) <David.Caudrey@sa.gov.au>
Subject: RE: Safeguarding Task Force - Draft Taskforce Report

Hi Sandra, Di and David

Thank you for this. I think the report is very well written and I am prepared to endorse it subject to these marked up changes please. I don't think anything I propose has changed the intent of the Taskforce

Essentially, my comments are mainly these:

- I am concerned that saying the NDIS Q&S Commission “does not firmly take responsibility for investigating matters raised” is perhaps too wide a generalisation. Is it the case that they only take responsibility for some matters? As I understand it they have on staff investigators. I think there is a legitimate critique to be made of their scope but we don’t want to be dismissed for being inaccurate – I believe this can be fixed by rephrasing but I have left the wording to David who possibly has more knowledge of what is not being investigated than I do.
- I think requiring all workers to have “regular on-site supervision” could be very invasive for people with disability. I know my family would not want someone else in the house often – I suggest we take out the word “on-site” as this may be appropriate in many cases but there may be other forms of supervision (e.g. electronic)
- The most highly charged part of this report publicly will no doubt be the CVS commentary and recommendations. I have made some suggestions to balance any perception that the taskforce is favouring a political side.

Finally, I think the health check recommendation needs a mechanism but I assume we will deal with that in the final report?

Please see attached a marked up copy of the report with comments and changes

I will make myself available any time tomorrow to discuss any concerns.

Regards
Lois

Ms Lois Boswell *LLB MAppSci GAICD*

Acting Chief Executive

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From: Wallis, Sandra (AGD) <Sandra.Wallis2@sa.gov.au>

Sent: Friday, 12 June 2020 7:00 PM

To: Holty, Diane (AGD) <Diane.Holty3@sa.gov.au>; Boswell, Lois (DHS) <Lois.Boswell@sa.gov.au>; Bruggemann, Richard (AGD) <Richard.Bruggemann@sa.gov.au>; Caudrey, David (AGD) <David.Caudrey@sa.gov.au>; Gale, Anne (AGD) <Anne.Gale@sa.gov.au>; Jacky Chant <[REDACTED]>; Karen Rogers <karenr@purpleorange.org.au>; Kelly Vincent <[REDACTED]>; Kilvert, Adam (AGD) <Adam.Kilvert@sa.gov.au>; Marj Ellis <Marj@lighthouse disability.org.au>; Mason, Cassie (Health) <Cassie.Mason@sa.gov.au>; Richard Bruggemann 2 <[REDACTED]>; Sam Paor <sam@thegrowingspace.com.au>; Trevor Harrison <[REDACTED]>; Trevor Harrison 2 <[REDACTED]>

Subject: RE: Safeguarding Task Force - Draft Taskforce Report

Good evening Safeguarding Task Force members,

I have enclosed the confidential draft Interim Report for your consideration. Thank you for your feedback on the report to date and we have incorporated many of your comments into this version.

We request any final feedback to be sent directly to Di Holty- dianne.holty3@sa.gov.au and Sandra Wallis - sandra.wallis2@sa.gov.au by 10am Monday 15th June 2020 to enable us to provide the report to Minister Lensink by close of business Monday.

Regards Sandra

Sandra Wallis

Sandra Wallis

Principal Policy Officer

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Braendler, Fiona (DHS)

From: Boswell, Lois (DHS)
Sent: Monday, 15 June 2020 9:57 AM
To: Caudrey, David (AGD)
Cc: Gale, Anne (AGD); Kilvert, Adam (AGD)
Subject: Re: Gaps in safeguarding arrangements for people with disabilities in South Australia

Thanks David. Just saw this so it probably supersedes my voice message.

Lois Boswell

Acting Chief Executive

Department of Human Services
 Riverside Centre, North Tce, Adelaide

Ph: (08) 841 54306 Mob : Clause 6(1) lois.boswell@sa.gov.au

Sent from my iPhone

On 15 Jun 2020, at 9:21 am, Caudrey, David (AGD) wrote:

Thanks, Lois. Good advice.

Kelly and I are meeting Sandra and Di in a few minutes to create the final version of the Interim Report (in the light of comment received, including yours) which we will formally present to the Minister at 3.30 this afternoon!!!

D.

From: Boswell, Lois (DHS)
Sent: Monday, 15 June 2020 5:38 AM
To: Caudrey, David (AGD)
Cc: Gale, Anne (AGD) ; Kilvert, Adam (AGD)
Subject: Re: Gaps in safeguarding arrangements for people with disabilities in South Australia

Thanks David

I agree but I note that this unfortunately deliberately doesn't deal with the constitutional problem. In light of this, I would one more sentence added to the interim report please that mentions the information I provided to the taskforce. I.e. that DHS has been advised that significant parts of the private members bill would likely be inoperable and therefore the taskforce will work on the best approach to expand the CVS for the final report.

I think otherwise this will create a perception that the Bill has solved the problem, which it hasn't.

Regards

Lois

Lois Boswell

Acting Chief Executive

Department of Human Services
 Riverside Centre, North Tce, Adelaide

Ph: (08) 841 54306 Mob : Clause 6(1) lois.boswell@sa.gov.au

Sent from my iPhone

On 14 Jun 2020, at 2:21 pm, Caudrey, David (AGD) <David.Caudrey@sa.gov.au> wrote:

This is interesting (thoughtful critique by the Law Society) for our meeting on Wednesday re “where from here with the CVS” that Anne is arranging with Adam, Crown Law and Parliamentary Counsel.

David

From: AGD:Disability Advocate

Sent: Saturday, 13 June 2020 3:22 PM

To: Gale, Anne (AGD) <Anne.Gale@sa.gov.au>; 'Kelly.Vincent@outlook.com' <Kelly.Vincent@outlook.com>

Cc: Wallis, Sandra (AGD) <Sandra.Wallis2@sa.gov.au>; Holty, Diane (AGD) <Diane.Holty3@sa.gov.au>

Subject: FW: Gaps in safeguarding arrangements for people with disabilities in South Australia

This is very interesting coming from the Law Society and very helpful I would say. I have asked Sandra to see if we can meet with the authors to follow up.

David

From: Finizio, Dr Anna <DrAnna.Finizio@lawsocietysa.asn.au>

Sent: Friday, 12 June 2020 5:24 PM

To: AGD:Disability Advocate <disability.advocate@sa.gov.au>

Subject: Gaps in safeguarding arrangements for people with disabilities in South Australia

Good Afternoon

Please find a letter and enclosure from the Law Society in relation to the Gaps in safeguarding arrangements for people with disabilities in South Australia.

Kind regards,

Dr Anna Finizio **Policy Lawyer**

The Law Society of South Australia

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Braendler, Fiona (DHS)

From: Boswell, Lois (DHS)
Sent: Monday, 15 June 2020 11:52 AM
To: Rogers, Nancy (DHS); Summers, Kim-Sherie (DHS); Ashley, Nick (DHS)
Cc: Brandon, Ksharmra (DHS)
Subject: RE: Draft words for letter to Minister Roberts

Hi there – please check my highlighted change below

As I understand it the Commissioner believes we have some notification processes in place but this will be about filling gaps?

Ms Lois Boswell *LLB MAppSci GAICD*

Acting Chief Executive

Department of Human Services | Government of South Australia

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From: Rogers, Nancy (DHS)
Sent: Monday, 15 June 2020 11:29 AM
To: Boswell, Lois (DHS) ; Summers, Kim-Sherie (DHS) ; Ashley, Nick (DHS)
Cc: Brandon, Ksharmra (DHS)
Subject: Draft words for letter to Minister Roberts

Hi all, the Minister has requested paragraphs on two issues, to be included in the letter that she will send to Stewart Robert tomorrow with a copy of the draft Taskforce report. The Minister's office are writing the actual letter. Can you please review and provide comment on the proposed wording below. **Please get back to me by 2 pm with any comments**

Screening:

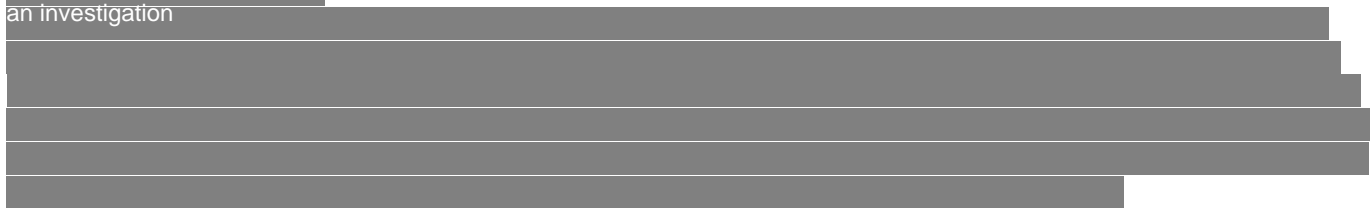
I would like to draw your attention to Safeguarding Gap 11 in the Taskforce Report, which recommends that DHS revisits agreements with the Commission and the NDIA to ensure that relevant information on an individual worker that might affect their suitability to work with people with disabilities is shared with the DHS Screening Unit quickly and fully.

As you may be aware, the Screening Unit issued a Disability Screening Clearance to Ms Rosemary Maione on 24 April 2020. At that time, the Screening Unit (and DHS more broadly) was not aware of Ms Smith's death, or that a major incident was being investigated by both the Commission and the South Australian police (SAPOL). Whilst the Screening Unit has a Continuous Monitoring system in place through which it receives automatic notifications from SAPOL of arrests, charges and convictions, in Ms Maione's case, no arrests or charges have yet been made. There are clearly some instances – such as this one - which are

so serious that a screening clearance should be withdrawn immediately, before an arrest is made or charges laid. In such cases, the Screening Unit is dependent on receiving information from bodies other than SAPOL, including the Commission, to enable it to act appropriately.

The A/Chief Executive of DHS has recently written to Commissioner Head to raise this issue and request that information sharing protocols are reviewed as quickly as possible to address any gaps. I am advised that the Screening Unit and the state office of the Commission are meeting on Wednesday 17 June to discuss a specific local information sharing protocol until the full roll-out of the national disability screening system in 2021. I trust this meeting will lead to a satisfactory resolution.

Clause 4(2)(a)(i) - prejudice
an investigation



Nancy Rogers
Director, Office of the Chief Executive
Department of Human Services

Phone 841 38125

Mobile Clause 6(1)

Braendler, Fiona (DHS)

From: Charlton, Trudi (DHS) on behalf of Summers, Kim-Sherie (DHS)
Sent: Wednesday, 29 July 2020 9:58 AM
To: Charlton, Trudi (DHS)
Subject: FW: Safeguarding Task Force - Draft Taskforce Report
Attachments: Task Force Report Version 2.5.doc

From: Rogers, Nancy (DHS) <Nancy.Rogers@sa.gov.au>
 Sent: Monday, 15 June 2020 11:21 AM
 To: Ashley, Nick (DHS) <Nick.Ashley@sa.gov.au>; Brandon, Ksharmra (DHS) <Ksharmra.Brandon2@sa.gov.au>; Summers, Kim-Sherie (DHS) <Kim-Sherie.Summers@sa.gov.au>
 Subject: FW: Safeguarding Task Force - Draft Taskforce Report

FYI. Lois is having more discussions with David this morning about some of the recs and findings

From: Dunn, Xenia (DHS) <Xenia.Dunn@sa.gov.au>
 Sent: Monday, 15 June 2020 10:03 AM
 To: Rogers, Nancy (DHS) <Nancy.Rogers@sa.gov.au>
 Subject: FW: Safeguarding Task Force - Draft Taskforce Report

Hi Nancy,
 Here is the report that came from David's area on Friday and the email below gives Lois' comments on that draft and David's response.
 Thanks,
 Xen

From: Caudrey, David (AGD) <David.Caudrey@sa.gov.au>
 Sent: Sunday, 14 June 2020 6:27 PM
 To: Boswell, Lois (DHS) <Lois.Boswell@sa.gov.au>; Wallis, Sandra (AGD) <Sandra.Wallis2@sa.gov.au>; Holty, Diane (AGD) <Diane.Holty3@sa.gov.au>
 Subject: RE: Safeguarding Task Force - Draft Taskforce Report

Thanks, Lois. We can make those changes. There are others that have come in, but I think we are nearly there. We are due to submit and brief the Minister tomorrow afternoon. Kelly and I are being approached by the media already!

David

From: Boswell, Lois (DHS) <Lois.Boswell@sa.gov.au>
 Sent: Sunday, 14 June 2020 3:55 PM
 To: Wallis, Sandra (AGD) <Sandra.Wallis2@sa.gov.au>; Holty, Diane (AGD) <Diane.Holty3@sa.gov.au>; Caudrey, David (AGD) <David.Caudrey@sa.gov.au>
 Subject: RE: Safeguarding Task Force - Draft Taskforce Report

Hi Sandra, Di and David

Thank you for this. I think the report is very well written and I am prepared to endorse it subject to these marked up changes please. I don't think anything I propose has changed the intent of the Taskforce

Essentially, my comments are mainly these:

* I am concerned that saying the NDIS Q&S Commission "does not firmly take responsibility for investigating matters raised" is perhaps too wide a generalisation. Is it the case that they only take responsibility for some matters? As I understand it they have on staff investigators. I think there is a legitimate critique to be made of their scope but we don't want to be dismissed for being inaccurate "I believe this can be fixed by rephrasing but I have left the wording to David who possibly has more knowledge of what is not being investigated than I do.

* I think requiring all workers to have "regular on-site supervision" could be very invasive for people with disability. I know my family would not want someone else in the house often "I suggest we take out the word "on-site" as this may be appropriate in many cases but there may be other forms of supervision (e.g. electronic)

* The most highly charged part of this report publicly will no doubt be the CVS commentary and recommendations. I have made some suggestions to balance any perception that the taskforce is favouring a political side.

Finally, I think the health check recommendation needs a mechanism but I assume we will deal with that in the final report?

Please see attached a marked up copy of the report with comments and changes

I will make myself available any time tomorrow to discuss any concerns.

Regards
Lois

Ms Lois Boswell LLB MAppSci GAICD

Acting Chief Executive

Department of Human Services | Government of South Australia Level 8 Riverside Centre, North Terrace, Adelaide
SA 5000 | GPO Box 292, Adelaide SA 5001

Ph: (08) 841 54306 Mob: [redacted] lois.boswell@sa.gov.au

I recognise I live and work on Kaurna country. I pay my respects to elders past, present and emerging. I acknowledge the long history and enduring connection Aboriginal people have with this land.

From: Wallis, Sandra (AGD) <Sandra.Wallis2@sa.gov.au>

Sent: Friday, 12 June 2020 7:00 PM

To: Holty, Diane (AGD) <Diane.Holty3@sa.gov.au>; Boswell, Lois (DHS) <Lois.Boswell@sa.gov.au>; Bruggemann, Richard (AGD) <Richard.Bruggemann@sa.gov.au>; Caudrey, David (AGD) <David.Caudrey@sa.gov.au>; Gale, Anne (AGD) <Anne.Gale@sa.gov.au>; Jacky Chant [redacted]; Karen Rogers <karenr@purpleorange.org.au>; Kelly Vincent [redacted]; Kilvert, Adam (AGD) <Adam.Kilvert@sa.gov.au>; Marj Ellis <Marj@lighthousedisability.org.au>; Mason, Cassie (Health) <Cassie.Mason@sa.gov.au>; Richard Bruggemann 2 [redacted]; Sam Paor <sam@thegrowingspace.com.au>; Trevor Harrison [redacted] Trevor Harrison 2 [redacted]

Subject: RE: Safeguarding Task Force - Draft Taskforce Report

Good evening Safeguarding Task Force members, I have enclosed the confidential draft Interim Report for your consideration. Thank you for your feedback on the report to date and we have incorporated many of your comments into this version.

We request any final feedback to be sent directly to Di Holty- dianne.holty3@sa.gov.au and Sandra Wallis - sandra.wallis2@sa.gov.au by 10am Monday 15th June 2020 to enable us to provide the report to Minister Lensink by close of business Monday.

Regards Sandra

Sandra Wallis

Sandra Wallis
Principal Policy Officer

Office of the Public Advocate
GPO Box 464
ADELAIDE SA 5000

T 08 8207 8708 | F 08 8429 6121 | E Sandra.Wallis2@sa.gov.au | P GPO Box 464 Adelaide SA 5000 |
www.opa.sa.gov.au

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Braendler, Fiona (DHS)

From: Boswell, Lois (DHS)
Sent: Tuesday, 16 June 2020 10:21 AM
To: Rogers, Nancy (DHS); Hancock, Janette (DHS)
Subject: 150620 Ministerial Statement Taskforce 1
Attachments: 150620 Ministerial Statement Taskforce 1.docx

I think this is very good
Please see my suggested changes

Braendler, Fiona (DHS)

From: Rogers, Nancy (DHS)
Sent: Tuesday, 16 June 2020 8:21 AM
To: Boswell, Lois (DHS)
Subject: FW: Report
Attachments: Safeguarding Task Force Interim Report - Final.pdf

From: Hancock, Janette (DHS)
Sent: Tuesday, 16 June 2020 7:54 AM
To: Rogers, Nancy (DHS)
Subject: Report

Hi Nancy

Can we please have this uploaded to the DHS website and ready to go live at 2.00 pm

Thanks

Braendler, Fiona (DHS)

From: Charlton, Trudi (DHS) on behalf of Summers, Kim-Sherie (DHS)
Sent: Wednesday, 29 July 2020 9:59 AM
To: Charlton, Trudi (DHS)
Subject: FW: Taskforce Report for DHS website
Attachments: Safeguarding Task Force Interim Report - Final.pdf

Importance: High

From: Rogers, Nancy (DHS)
Sent: Tuesday, 16 June 2020 7:59 AM
To: Cox, Lisa (DHS)
Cc: Summers, Kim-Sherie (DHS) ; Hofman, Laura (DHS)
Subject: Taskforce Report for DHS website
Importance: High

Hi Lisa, attached is the interim report of the Safeguarding Taskforce. This needs to go live on our website at 2pm. Can you please make sure there is a link on the front page and it is prominent
Thanks
Nancy

From: Hancock, Janette (DHS) <Janette.Hancock@sa.gov.au>
Sent: Tuesday, 16 June 2020 7:54 AM
To: Rogers, Nancy (DHS) <Nancy.Rogers@sa.gov.au>
Subject: Report

Hi Nancy

Can we please have this uploaded to the DHS website and ready to go live at 2.00 pm

Thanks

Braendler, Fiona (DHS)

From: Boswell, Lois (DHS)
Sent: Tuesday, 16 June 2020 2:23 PM
To: Martin.Hoffman@ndis.gov.au
Cc: Rogers, Nancy (DHS)
Subject: FW: SA Taskforce re Ms Smith [SEC=OFFICIAL]

Hi Martin

Thanks for speaking with me today and I have now located your email below.

As discussed, the Safeguarding Taskforce provided its Interim Report to the SA Minister for Human Services today.

The Taskforce, which was established by the Minister Lensink, is mainly made up of people with lived experience of disability.

The Taskforce has relied upon public information and has not had the role of the examining specific circumstances relating to Ann Marie Smith's death. The report has been written by the Co-Chairs, seeking comments from taskforce members.

I understand that Minister Lensink has sent you a copy of the Interim Report today. I note that the final report is due at the end of July.

You will see in the Interim Report that the Joint Chairs intend to conduct further consultation before the final report is issued. Please let me know if you would like them to speak with someone in the NDIA as part of this approach.

As you are aware, the NDIS Quality and Safeguards Commissioner has also established an Independent Reviewer to look into the specific circumstances surrounding Ms Smith's death.

As of yesterday, the South Australian Cabinet authorised the provision of personal information related to Ms Smith to the Independent Reviewer. DHS will therefore be providing a submission to the Reviewer in the coming week.

It is my hope that we can collaborate on improving safeguarding systems, without in any way losing the incredible gains created by the NDIS.

Please let me know if you need any further information.

Regards
Lois.

Ms Lois Boswell *LLB MAppSci GAICD*

Acting Chief Executive

Department of Human Services | Government of South Australia
Level 8 Riverside Centre, North Terrace, Adelaide SA 5000 |
GPO Box 292, Adelaide SA 5001
Ph: (08) 841 54306 Mob : Clause 6(1) | lois.boswell@sa.gov.au

I recognise I live and work on Kurna country. I pay my respects to elders past, present and emerging. I acknowledge the long history and enduring connection Aboriginal people have with this land.



From: Hoffman, Martin <Martin.Hoffman@ndis.gov.au>

Sent: Tuesday, 16 June 2020 12:02 PM

To: DHS:CE Office <DHS.CEOOffice@sa.gov.au>

Subject: SA Taskforce re Ms Smith [SEC=OFFICIAL]

Attention Lois Boswell
Chief Executive

Dear Lois

I note the press reports that release of an interim report by the SA Taskforce is imminent.

I am advised the Taskforce has had no contact with the NDIA, requested no information, asked no questions of us, etc?

Will we be provided with a draft copy before release to at least assist in avoiding errors of fact, etc?

Kind regards

Martin

Clause 6(1)

Martin Hoffman

Chief Executive Officer

National Disability Insurance Agency

Email martin.hoffman@ndis.gov.au



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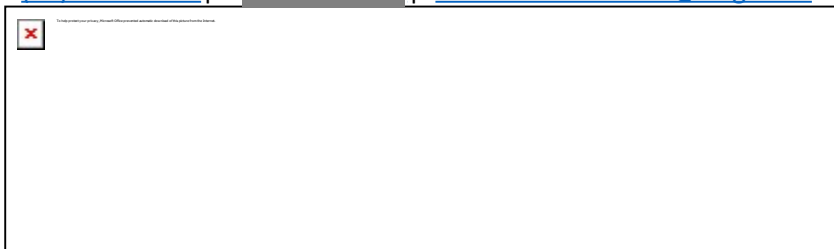
Braendler, Fiona (DHS)

From: Brandon, Ksharmra (DHS)
Sent: Tuesday, 16 June 2020 4:44 PM
To: Boswell, Lois (DHS)
Cc: Ashley, Nick (DHS); Rogers, Nancy (DHS); Chee, Karen (DHS)
Subject: Re: Taskforce report

OK, thanks

Ksharmra Brandon

Director, Disability Access and Inclusion
 Department of Human Services | Government of South Australia
 Level 7 East, 108 North Terrace, ADELAIDE SA 5000
 t (08) 8417 1067 | m Clause 6(1) | e ksharmra.brandon2@sa.gov.au



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Sent from my iPhone

On 16 Jun 2020, at 4:41 pm, Boswell, Lois (DHS) wrote:

Yes please action

Ms Lois Boswell *LLB MAppSci GAICD*

Acting Chief Executive

Department of Human Services | Government of South Australia
 Level 8 Riverside Centre, North Terrace, Adelaide SA 5000 |
 GPO Box 292, Adelaide SA 5001
 Ph: (08) 841 54306 Mob : Clause 6(1) | lois.boswell@sa.gov.au

I recognise I live and work on Kurna country. I pay my respects to elders past, present and emerging. I acknowledge the long history and enduring connection Aboriginal people have with this land.

From: Brandon, Ksharmra (DHS)
Sent: Tuesday, 16 June 2020 1:34 PM
To: Boswell, Lois (DHS) ; Ashley, Nick (DHS)
Cc: Rogers, Nancy (DHS) ; Chee, Karen (DHS)
Subject: RE: Taskforce report

Hi Lois and Nick

We can do a letter from Minister Lensink to Minister Robert notifying her intention to bring a paper to 24 July DRC – there's doesn't appear to be a process for seeking/agreeing agenda items.

Apparently, Ministers usually write if they want something included.

In relation to SOWG, we could draft an email from Nick to the Chair this week notifying intention to provide a draft DRC paper for circulation to SOWG – either OOS (no particular timeframe) or for 3

July SOWG (have paper to secretariat by 26 June). Assuming SOWG raise no issues on 3 July, the paper will go to DRC.

Are we comfortable with that timeframe as the final taskforce report is not due until the end of July?

Thanks,

Ksharmra Brandon

Director, Disability Access and Inclusion

Department of Human Services | Government of South Australia

Level 7 East, 108 North Terrace, ADELAIDE SA 5000

t (08) 8417 1067 | m Clause 6(1) | e Ksharmra.brandon2@sa.gov.au

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From: Boswell, Lois (DHS) <Lois.Boswell@sa.gov.au>

Sent: Tuesday, 16 June 2020 1:10 PM

To: Ashley, Nick (DHS) <Nick.Ashley@sa.gov.au>; Brandon, Ksharmra (DHS) <Ksharmra.Brandon2@sa.gov.au>

Cc: Rogers, Nancy (DHS) <Nancy.Rogers@sa.gov.au>; Chee, Karen (DHS) <karen.chee@sa.gov.au>

Subject: Taskforce report

Hi Nick and Kasharma

The Safeguarding taskforce report will have a number of recommendations about NDIS processes.

The Minister has asked that you please turn these into SOWG and DRC recommendations as soon as possible and advise how we get them into the system please

Regards

Lois

Ms Lois Boswell *LLB MAppSci GAICD*

Acting Chief Executive

Department of Human Services | Government of South Australia

Level 8 Riverside Centre, North Terrace, Adelaide SA 5000 |

GPO Box 292, Adelaide SA 5001

Ph: (08) 841 54306 Mob : Clause 6(1) | lois.boswell@sa.gov.au

I recognise I live and work on Kurna country. I pay my respects to elders past, present and emerging. I acknowledge the long history and enduring connection Aboriginal people have with this land.

Braendler, Fiona (DHS)

From: Charlton, Trudi (DHS) on behalf of Summers, Kim-Sherie (DHS)
Sent: Wednesday, 29 July 2020 9:59 AM
To: Charlton, Trudi (DHS)
Subject: FW: Taskforce Report for DHS website

From: Cox, Lisa (DHS)
Sent: Tuesday, 16 June 2020 9:08 AM
To: Rogers, Nancy (DHS)
Cc: Summers, Kim-Sherie (DHS) ; Hofman, Laura (DHS)
Subject: Re: Taskforce Report for DHS website

Thanks Nancy. We will get this up at 2pm with an updated web banner pointing to it.

Sent from my iPhone

On 16 Jun 2020, at 7:59 am, Rogers, Nancy (DHS) <Nancy.Rogers@sa.gov.au> wrote:

Hi Lisa, attached is the interim report of the Safeguarding Taskforce. This needs to go live on our website at 2pm. Can you please make sure there is a link on the front page and it is prominent
Thanks
Nancy

From: Hancock, Janette (DHS) <Janette.Hancock@sa.gov.au>
Sent: Tuesday, 16 June 2020 7:54 AM
To: Rogers, Nancy (DHS) <Nancy.Rogers@sa.gov.au>
Subject: Report

Hi Nancy

Can we please have this uploaded to the DHS website and ready to go live at 2.00 pm

Thanks

Braendler, Fiona (DHS)

From: jackych <Clause 6(1)>
Sent: Tuesday, 16 June 2020 8:36 PM
To: Boswell, Lois (DHS)
Subject: Re: Safeguarding Task Force - Draft Taskforce Report

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Thanks Lois.

----- Original message -----

From: "Boswell, Lois (DHS)"
 Date: 16/6/20 8:22 pm (GMT+09:30)
 To: jackych
 Cc: "Wallis, Sandra (AGD)" , "Holty, Diane (AGD)" , "Bruggemann, Richard (AGD)" , "Caudrey, David (AGD)" , "Gale, Anne (AGD)" , Karen Rogers , Kelly Vincent , "Kilvert, Adam (AGD)" , Marj Ellis , "Mason, Cassie (Health)" , Richard Bruggemann 2 , Sam Paor , Trevor Harrison , Trevor Harrison 2
 Subject: Re: Safeguarding Task Force - Draft Taskforce Report

Hi Jacky
 It went up on the website today. Here is the link:

<https://dhs.sa.gov.au/latest-news/safeguarding-taskforce>

Lois Boswell
Acting Chief Executive
 Department of Human Services
 Riverside Centre, North Tce, Adelaide
 Ph: [\(08\) 841 54306](tel:0884154306) Mob : [Clause 6\(1\)](tel:0884154306) lois.boswell@sa.gov.au
 Sent from my iPhone

On 16 Jun 2020, at 8:10 pm, jackych wrote:

Hi all

Does anyone have a copy of the final interim report delivered in parliament today? Just wondering if there were any changes made to the draft.

Regards
 Jacky

----- Original message -----

From: "Wallis, Sandra (AGD)"
 Date: 12/6/20 7:00 pm (GMT+09:30)
 To: "Holty, Diane (AGD)" , "Boswell, Lois (DHS)" , "Bruggemann, Richard (AGD)" , "Caudrey, David (AGD)" , "Gale, Anne (AGD)" , Jacky Chant , Karen Rogers , Kelly Vincent , "Kilvert, Adam (AGD)" , Marj Ellis , "Mason, Cassie (Health)" , Richard Bruggemann 2 , Sam Paor , Trevor Harrison , Trevor Harrison 2
 Subject: RE: Safeguarding Task Force - Draft Taskforce Report

Good evening Safeguarding Task Force members,

I have enclosed the confidential draft Interim Report for your consideration. Thank you for your feedback on the report to date and we have incorporated many of your comments into this version.

We request any final feedback to be sent directly to Di Holty- dianne.holty3@sa.gov.au and Sandra Wallis - sandra.wallis2@sa.gov.au by 10am Monday 15th June 2020 to enable us to provide the report to Minister Lensink by close of business Monday.

Regards Sandra

Sandra Wallis

Sandra Wallis

Principal Policy Officer

Office of the Public Advocate

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ADELAIDE SA 5000

T 08 8207 8708 | F 08 8429 6121 | E Sandra.Wallis2@sa.gov.au |

P GPO Box 464 Adelaide SA 5000 | www.opa.sa.gov.au

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Braendler, Fiona (DHS)

From: Caudrey, David (AGD)
Sent: Wednesday, 17 June 2020 4:45 PM
To: 'Kelly Vincent'
Cc: Holty, Diane (AGD); Boswell, Lois (DHS); Wallis, Sandra (AGD)
Subject: RE: Report feedback/ taskforce contact graphic

Hi Kelly,

Are we sending the *Interim Report* far and wide so that people can comment on that and we can use those comments in framing the Final Report of the Task Force?

David

From: Holty, Diane (AGD)
Sent: Wednesday, 17 June 2020 3:36 PM
To: 'Kelly Vincent' ; Caudrey, David (AGD) ; Boswell, Lois (DHS)
Subject: RE: Report feedback/ taskforce contact graphic

Hi Kelly,

Thanks so much for sending this through. I have just sent an email about other suggestions to you all.

I am mindful of not sending out too many emails to the Task Force so have a list of items to send out with the minutes which include the link you provided previously and a couple of papers from task force members. I will wait and take advice on sending this one out as well but suspect the Minister or DHS may want to send out communications.

Happy to discuss further if you like.

Kind regards

Di

Diane Holty

Principal Project Officer
 Office of the Public Advocate

Ph: 08 8207 8706
diane.holty3@sa.gov.au

From: Kelly Vincent Clause 6(1)
Sent: Wednesday, 17 June 2020 2:26 PM
To: Holty, Diane (AGD) <Diane.Holty3@sa.gov.au>; Caudrey, David (AGD) <David.Caudrey@sa.gov.au>; Boswell, Lois (DHS) <Lois.Boswell@sa.gov.au>
Subject: Report feedback/ taskforce contact graphic

Hi all - Di, could you please distribute to the TF members?

I thought a simple graphic like the attached might be useful to distribute. I welcome any feedback.

Thanks,

Are you passionate about the safety, autonomy, and rights of disabled people?



Have your say on the final recommendations of the Safeguarding Taskforce

Phone: 08 8342 8200

Email: disability.advocate@sa.gov.au

Braendler, Fiona (DHS)

From: Caudrey, David (AGD)
Sent: Wednesday, 17 June 2020 4:46 PM
To: Holty, Diane (AGD); Clause 6(1)
Cc: Wallis, Sandra (AGD); Boswell, Lois (DHS); Brandon, Ksharmra (DHS)
Subject: RE: Feedback on Safeguarding Task Force - Draft Taskforce Report

Sounds good to me.

David

From: Holty, Diane (AGD)
Sent: Wednesday, 17 June 2020 3:32 PM
To: Caudrey, David (AGD) ; Clause 6(1)
Cc: Wallis, Sandra (AGD) ; Boswell, Lois (DHS) ; Brandon, Ksharmra (DHS)
Subject: RE: Feedback on Safeguarding Task Force - Draft Taskforce Report

Hi David and Kelly,

As it is with the Ministers office is this something her office would want to put up as a Facebook post on her page or alternatively DHS facebook page? I am assuming that there must be away of sharing to some of these other forums through the FB post or the other forums DHS has. The Disability Advocates In box could still be used as a place to collect submissions and feedback.

We could then set up the out of office on that account so that people are acknowledged and could also advise that we might want to use/ publish their submission in the final report and could they provide consent (or advise if they do not want this to happen).

Maybe we can discuss tomorrow in our team catch up.

Kind regards

Di

Diane Holty

Principal Project Officer
 Office of the Public Advocate

Ph: 08 8207 8706
diane.holty3@sa.gov.au

From: Caudrey, David (AGD) <David.Caudrey@sa.gov.au>
Sent: Wednesday, 17 June 2020 1:57 PM
To: Holty, Diane (AGD) <Diane.Holty3@sa.gov.au>; Clause 6(1)
Cc: Wallis, Sandra (AGD) <Sandra.Wallis2@sa.gov.au>; Boswell, Lois (DHS) <Lois.Boswell@sa.gov.au>; Brandon, Ksharmra (DHS) <Ksharmra.Brandon2@sa.gov.au>
Subject: RE: Feedback on Safeguarding Task Force - Draft Taskforce Report

Hi Di,

If Kelly is OK, I would be happy for the Interim Report of the Safeguarding Task Force to go out to all those networks (below) and ask for "comment or feedback" asap, and by Friday 3 July at the latest.

A plain English version and a version that can be heard by people who are print challenged would be excellent.

I'll see if DHS can expedite production of the alternative formats through Lois.

David

From: Holty, Diane (AGD) <Diane.Holty3@sa.gov.au>

Sent: Wednesday, 17 June 2020 1:27 PM

To: Caudrey, David (AGD) <David.Caudrey@sa.gov.au>; Clause 6(1)
Clause 6(1)

Cc: Wallis, Sandra (AGD) <Sandra.Wallis2@sa.gov.au>

Subject: Feedback on Safeguarding Task Force - Draft Taskforce Report

Hello David and Kelly,

I note Sam has suggested we distribute the report for feedback through networks. I have been sending the link to all of the people I have been emailing today.

As discussed this morning David we could potentially ask for it to be sent out through a range of forums including but not limited to the following:

The DHS Disability Engagement Group
The DHS provider distribution list
DHS Facebook page
Ministers Facebook page

To organisations such as the following to send through their networks:

NDS
Feros Care
Mission Australia
BaptCare
Developmental Educators association
First People Disability Network
Women With Disability Australia SA Chapter

I am sure there are other areas it can be sent to also.

We would need a closing date and as suggested an out of office set up on the Disability Advocates inbox to provide a reply to let people know that their information has been received. This auto reply might assist us in managing the volume of flow given that there is just you Sandra and I trying to stay on top of the flow.

The challenge would be having sufficient time to review all feedback.

Happy to discuss further.

Kind regards

Di

Diane Holty

Principal Project Officer
Office of the Public Advocate

Ph: 08 8207 8706
diane.holty3@sa.gov.au

From: Caudrey, David (AGD) <David.Caudrey@sa.gov.au>
Sent: Tuesday, 16 June 2020 11:59 PM
To: Sam Paor | The Growing Space <Sam@thegrowingspace.com.au>
Cc: Clause 6(1); Wallis, Sandra (AGD) <Sandra.Wallis2@sa.gov.au>; Holty, Diane (AGD) <Diane.Holty3@sa.gov.au>
Subject: RE: Safeguarding Task Force - Draft Taskforce Report

Hi Sam

I am not sure which of the Task Force members are roses and which are thorns!

Your contribution below is most welcome.

I like the idea of sending out the Interim Report through networks and seeking feedback more formally. My only problem is limitation of time and limitation of staff resources. I'll discuss with my team tomorrow and let's see what we can do.

We are on to the Easy English version (Kelly has raised that too) – we are trying to track someone who can do the version quickly and well. Do you have a recommendation?

Kelly and I have discussed you and her working on the prose regarding the developmental issues. If you have time that would be really good. My team could have a go at it but you and Kelly are much closer to what you think needs to be said.

Cheers,

David

From: Sam Paor | The Growing Space <Sam@thegrowingspace.com.au>
Sent: Tuesday, 16 June 2020 11:26 PM
To: Caudrey, David (AGD) <David.Caudrey@sa.gov.au>; jackych <Clause 6(1)>; Wallis, Sandra (AGD) <Sandra.Wallis2@sa.gov.au>; Holty, Diane (AGD) <Diane.Holty3@sa.gov.au>; Boswell, Lois (DHS) <Lois.Boswell@sa.gov.au>; Bruggemann, Richard (AGD) <Richard.Bruggemann@sa.gov.au>; Gale, Anne (AGD) <Anne.Gale@sa.gov.au>; Karen Rogers <karenr@purpleorange.org.au>; Kelly Vincent <Clause 6(1)>; Kilvert, Adam (AGD) <Adam.Kilvert@sa.gov.au>; Marj Ellis <Marj@lighthouse disability.org.au>; Mason, Cassie (Health) <Cassie.Mason@sa.gov.au>; Richard Bruggemann 2 <Clause 6(1)>; Trevor Harrison <Clause 6(1)>; Trevor Harrison 2 <Clause 6(1)>
Subject: RE: Safeguarding Task Force - Draft Taskforce Report

Thanks David,

I'd like to suggest that we have some kind of formal request for submissions on the initial draft. I understand this will create more work for the team, but given the importance of our work, the "ownership" of our community and a perceived lack of calls for engagement, I think that if Kelly, David and the Minister were to publicly ask for submissions to the report over the next two weeks, that would go a long way to a) getting further high quality input and research and b) allowing members of our community to the opportunity to make important contributions. I also (and I know I'm harping on about this) like to see the draft issued in Easy English and Auslan as a matter of urgency so many more members of our community have the chance to contribute and have their voices and experiences heard and incorporated. These stories will also "bring life" to our recommendations, painting relatable and understandable images of the holes in our current system.

Just this week I read a report from a local SIL provider which read "Client XX Client had a total meltdown, out of control screaming, took off down xxxx St. A Family took her in and called the police because unsure of where she was from and also client told them SW had abused her. Incident The family called the police. The police came over and talked to SW, took clients name down and were happy to leave it at that. Spoke to Safety Officer, she was going to tell CSM"

The same report mentioned that there were no reports made to the NDIS Commission that month. The provider felt the police had "cleared" everything and thus "their job was done". This greatly distresses me.

As a State based and commissioned taskforce, I think we should also place a greater emphasis on changes the State can make to reduce the gaps, because we won't have achieved a great deal if our report simply bags the feds without tidying up our own backyard as much as we possibly can, too.

Yours sincerely,
a thorn among the roses,

Cheers,
--Sam

Clause 6(1)

Sam@thegrowingspace.com.au

TheGrowingSpace.com.au 1300 4769 77 (1300 GROW SP) Facebook.com/TheGrowingSpaceAustralia

FREE: SA Health COVID19 Mental Health Hotline 8am-8pm every day ph: 1800 632 753

FREE: Daily Check-in phone calls from the Red Cross - ph: 1800 188 071 to register

FREE: COVID-19 resources in Easy English and more for disabled people and families at

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NDIS Plan CORE support funding can now be used for Support Coordination needs, even if there's no Support Coordination in the plan.

Our website has loads of useful NDIS info at www.TheGrowingSpace.com.au/library (subscription can usually be claimed from NDIS plans)



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From: Caudrey, David (AGD) <David.Caudrey@sa.gov.au>

Sent: Tuesday, 16 June 2020 10:57 PM

To: jackych <Clause 6(1)>; Wallis, Sandra (AGD) <Sandra.Wallis2@sa.gov.au>; Holty, Diane (AGD) <Diane.Holty3@sa.gov.au>; Boswell, Lois (DHS) <Lois.Boswell@sa.gov.au>; Bruggemann, Richard (AGD) <Richard.Bruggemann@sa.gov.au>; Gale, Anne (AGD) <Anne.Gale@sa.gov.au>; Karen Rogers <karenr@purpleorange.org.au>; Kelly Vincent <Clause 6(1)>; Kilvert, Adam (AGD) <Adam.Kilvert@sa.gov.au>; Marj Ellis <Marj@lighthousedisability.org.au>; Mason, Cassie (Health) <Cassie.Mason@sa.gov.au>; Richard Bruggemann 2 <Clause 6(1)>; Sam Paor | The Growing Space <Sam@thegrowingspace.com.au>; Trevor Harrison <Clause 6(1)>; Trevor Harrison 2 <Clause 6(1)>

Subject: RE: Safeguarding Task Force - Draft Taskforce Report

Thanks Jacky,

I see Lois has directed you to the settled version of the Interim Report on the DHS webpage. This is the version submitted to the Minister yesterday.

Kelly and I worked with Di and Sandra yesterday morning to try to incorporate all the very helpful suggestions that members had made.

We ended up having to call a halt when it became time to submit the Interim Report to the Minister but we have emphasized that this is an interim report only so there will be every opportunity to elaborate on important matters for the Final Report.

Kelly and I would like to meet individually with every member of the Task Force to make sure that we capture what you consider most important to be said in the Final Report.

We ended up with 12 safeguarding gaps and 5 recommendations for the Interim Report. Already Task Force members have proposed other gaps and other recommendations. There is also a strong view that we need to clearly articulate the developmental dimension, whereby knowledge of rights, assertiveness, independence, social connection, exercise of choice etc. increase the capacity of the individual, enable a good life and reduce risk of harm.

Kelly and I are also meeting with a wide range of people who want to input to the process and these discussions will no doubt lead to other safeguarding gaps and the validation of those we have already identified.

Before the next meeting of the Task Force on Wednesday 15 July we will have completed the consultations and put together a first draft of the Final Report. The plan is that we shall send this first draft to you on Wednesday 8 July so that you can provide feedback before and at the 15 July meeting.

Any advice from members on the process would be gratefully received.

Many thanks, everyone for the energy and thoughtfulness you have put into this process already.

Cheers,

David Caudrey

From: jackych [Clause 6\(1\)](#) >
Sent: Tuesday, 16 June 2020 8:10 PM
To: Wallis, Sandra (AGD) <Sandra.Wallis2@sa.gov.au>; Holty, Diane (AGD) <Diane.Holty3@sa.gov.au>; Boswell, Lois (DHS) <Lois.Boswell@sa.gov.au>; Bruggemann, Richard (AGD) <Richard.Bruggemann@sa.gov.au>; Caudrey, David (AGD) <David.Caudrey@sa.gov.au>; Gale, Anne (AGD) <Anne.Gale@sa.gov.au>; Karen Rogers <karenr@purpleorange.org.au>; Kelly Vincent [Clause 6\(1\)](#) >; Kilvert, Adam (AGD) <Adam.Kilvert@sa.gov.au>; Marj Ellis <Marj@lighthouse disability.org.au>; Mason, Cassie (Health) <Cassie.Mason@sa.gov.au>; Richard Bruggemann 2 [Clause 6\(1\)](#) >; Sam Paor <sam@thegrowingspace.com.au>; Trevor Harrison [Clause 6\(1\)](#) >; Trevor Harrison 2 [Clause 6\(1\)](#) >

Subject: RE: Safeguarding Task Force - Draft Taskforce Report

Hi all

Does anyone have a copy of the final interim report delivered in parliament today? Just wondering if there were any changes made to the draft.

Regards
Jacky

----- Original message -----

From: "Wallis, Sandra (AGD)" <Sandra.Wallis2@sa.gov.au>

Date: 12/6/20 7:00 pm (GMT+09:30)

To: "Holty, Diane (AGD)" <Diane.Holty3@sa.gov.au>, "Boswell, Lois (DHS)" <Lois.Boswell@sa.gov.au>, "Bruggemann, Richard (AGD)" <Richard.Bruggemann@sa.gov.au>, "Caudrey, David (AGD)" <David.Caudrey@sa.gov.au>, "Gale, Anne (AGD)" <Anne.Gale@sa.gov.au>, Jacky Chant Clause 6(1), Karen Rogers <karenr@purpleorange.org.au>, Kelly Vincent Clause 6(1), "Kilvert, Adam (AGD)" <Adam.Kilvert@sa.gov.au>, Marj Ellis <Marj@lighthouse disability.org.au>, "Mason, Cassie (Health)" <Cassie.Mason@sa.gov.au>, Richard Bruggemann 2 Clause 6(1), Sam Paor <sam@thegrowingspace.com.au>, Trevor Harrison Clause 6(1), Trevor Harrison 2 Clause 6(1)
Subject: RE: Safeguarding Task Force - Draft Taskforce Report

Good evening Safeguarding Task Force members,

I have enclosed the confidential draft Interim Report for your consideration. Thank you for your feedback on the report to date and we have incorporated many of your comments into this version.

We request any final feedback to be sent directly to Di Holty- dianne.holty3@sa.gov.au and Sandra Wallis - sandra.wallis2@sa.gov.au by 10am Monday 15th June 2020 to enable us to provide the report to Minister Lensink by close of business Monday.

Regards Sandra

Sandra Wallis

Sandra Wallis

Principal Policy Officer

Office of the Public Advocate

GPO Box 464

ADELAIDE SA 5000

T 08 8207 8708 | F 08 8429 6121 | E Sandra.Wallis2@sa.gov.au |

P GPO Box 464 Adelaide SA 5000 | www.opa.sa.gov.au

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Braendler, Fiona (DHS)

From: Chee, Karen (DHS)
Sent: Thursday, 18 June 2020 5:19 PM
To: Boswell, Lois (DHS)
Cc: DHS:CE Office; Dunn, Xenia (DHS)
Subject: FOR APPROVAL - 20TDHS/602 - Due 22/06 - Safeguarding Taskforce - Appointment of Members
Attachments: 20TDHS_602 - DHS draft briefing.doc
Importance: High

Hi Lois,

This briefing is required as Shared Services require a signed minute or similar along with the letters of appointment before they can arrange the payment to non-government members.

Thanks

Karen

(08) 8413 9016 / [Clause 6\(1\)](#)

From: DHS:CE Office
Sent: Thursday, 18 June 2020 5:00 PM
To: Chee, Karen (DHS)
Cc: DHS:CE Office
Subject: FOR REVIEW - 20TDHS/602 - Due 22/06 - Safeguarding Taskforce - Appointment of Members
Importance: High

Hi Karen

Please see attached reference for the above named briefing for your review.

This is the urgent briefing from Megan to assist her in future payments for non-government Taskforce Members via Shared Services.

As per Megan's email re CFO noting:

As per discussion with Nick, there is a financial implication but it is within budget parameters of the business unit to cover so this shouldn't need to go to CFO for signoff.

Given the urgency of the matter A/DCE signoff may also not be required but I have left this in as per the template.

Once reviewed, please forward to relevant signatory. Please cc DHS:CEOffice inbox for tracking.

Kind regards

Scott Carn

Senior Governance Officer | Office of the Chief Executive | People, Strategy and Systems
 Department of Human Services

T: (08) 841 39048 | E: scott.carn@sa.gov.au

www.dhs.sa.gov.au



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TO ACTING CHIEF EXECUTIVE

RE: SAFEGUARDING TASKFORCE – APPOINTMENT OF MEMBERS

Decision/action required by:...../...../.....

Reason:.....

| Recommendation | Response |
|---|---------------------------------|
| 1. That you endorse the appointment of the members of the newly formed Safeguarding Taskforce. | Approved / Not Approved / Noted |
| 2. That you note the attached letters of appointment signed by the Minister of Human Services as sent to members. | Approved / Not Approved / Noted |

| | |
|--|---|
| Comments: | <div style="text-align: center;"> <p>-----</p> <p>Lois Boswell A/Chief Executive / / 2020</p> </div> |
|--|---|

PURPOSE

To formally endorse the appointment of members to the newly established Safeguarding Taskforce ^{Clause 1(1)(e) - Cabinet} and letters sent by the Minister of Human services, to allow payment of sitting fees by Shared Services.

KEY POINTS

- On 18 May 2020 the Premier announced the establishment of a new disability taskforce to examine the current gaps in oversight and safeguarding for people living with profound disability in South Australia.
- The Safeguarding Taskforce will consider gaps in safeguarding arrangement for people with disabilities in South Australia arising from the policies and practices of:
 - the National Disability Insurance Agency
 - the NDIS Quality and Safeguards Commission
 - State Government instrumentalities.

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- The Task Force seeks to consider the gaps from a developmental, preventative and reactive perspective.
- The Task Force will provide written reports including recommendations to the State Government regarding areas that need to be addressed urgently in order to safeguard South Australian citizens with disability.

RISKS/SENSITIVITIES

There is heightened public attention regarding the treatment of people living with disability following the recent death of Ann Marie Smith. Whilst this briefing does not contain any risks or sensitivities, information relating to the Taskforce may gain increased scrutiny from the media and the public going forward.

DISCUSSION

- Clause 1(1)(e) - Cabinet

| Member | GOVT/NGO | Payment |
|--|----------|--------------|
| Dr David Caudrey (Co-Chair) – SA Independent Disability Advocate | GOVT | Nil |
| Ms Kelly Vincent (Co-Chair) – Disability Rights Advocate, former MLC | NGO | \$64.50/hour |
| Karen Rogers – Project Lead, Our Voice | NGO | \$51.50/hour |
| Trevor Harrison – Person with Lived Experience | NGO | \$51.50/hour |
| Jackie Chant – Person with Lived Experience | NGO | \$51.50/hour |
| Sam Paior – Parent Advocate and Founder of The Growing Space | NGO | \$51.50/hour |
| Richard Bruggeman – Authorising Officer, Attorney General's Department | NGO | \$51.50/hour |
| Marj Ellis – Chief Executive Officer, Lighthouse Disability | NGO | \$51.50/hour |
| Lois Boswell – Acting Chief Executive, Department of Human Services | GOVT | Nil |
| Anne Gale – Public Advocate and Acting Principal Community Visitor | GOVT | Nil |
| Adam Kilvert - Executive Director, Attorney General's Department | GOVT | Nil |
| Cassie Mason – Director, Office for Ageing Well, SA | GOVT | Nil |

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- As the Taskforce is a committee appointed by the Minister, non-government members will receive remuneration in line with the rates in the Remuneration Framework as approved by Cabinet.
- Under this framework, the Taskforce will be classified as category 2 level 2 which would entitle the co-chair to \$64.50 an hour and eligible members to \$51.50 per hour.
- The taskforce first met on Wednesday 27 May and discussed draft Terms of Reference which were subsequently agreed upon.
- The next meeting of the taskforce was on Wednesday 10 June, with a subsequent meeting on 15 July.
- An interim report was completed by 15 June and a final report is due at the end of July.

BUDGET

Are there financial implications
Is there a budget impact

Yes
No

| | | | |
|--|-----------------------|---------------------------|------------|
| Division | Disability and Reform | | |
| Executive Director Disability and Inclusion | Nick Ashley |approved by email.... | 18/6/2020. |

ATTACHMENTS

1. Letter to David Caudrey
2. Letter to Kelly Vincent
3. Letter to Karen Rogers
4. Letter to Trevor Harrison
5. Letter to Jackie Chant
6. Letter to Sam Paior
7. Letter to Richard Bruggeman
8. Letter to Marj Ellis
9. Letter to Lois Boswell
10. Letter to Anne Gale
11. Letter to Adam Kilvert
12. Letter to Cassie Mason

| | |
|-------------------------|---|
| Contact Officer: | Megan Willson, Principal Advisor Disability and Reform Clause 6(1) / megan.willson@sa.gov.au |
|-------------------------|---|

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Braendler, Fiona (DHS)

From: Brandon, Ksharmra (DHS)
Sent: Friday, 19 June 2020 11:31 AM
To: Boswell, Lois (DHS)
Cc: Ashley, Nick (DHS)
Subject: RE: Task Force Interim Report Conversion

Will do , thanks very much

Ksharmra Brandon

Director, Disability Access and Inclusion
 Department of Human Services | Government of South Australia
 Level 7 East, 108 North Terrace, ADELAIDE SA 5000
 t (08) 8417 1067 | m Clause 6(1) | e Ksharmra.brandon2@sa.gov.au



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From: Boswell, Lois (DHS)
Sent: Friday, 19 June 2020 11:28 AM
To: Brandon, Ksharmra (DHS)
Cc: Ashley, Nick (DHS)
Subject: Re: Task Force Interim Report Conversion

Hi Ksharmra

This is great and I approve.

Clause 6(1)

Regards
 Lois

Lois Boswell
 Acting Chief Executive
 Department of Human Services SA
 Phone: Clause 6(1)

Email: Lois.Boswell@sa.gov.au

Sent from my iPad

On 18 Jun 2020, at 3:59 pm, Brandon, Ksharmra (DHS) <Ksharmra.Brandon2@sa.gov.au> wrote:

Hi Lois

Please find attached the quote for converting the Interim Task Force Report into both plain language and easy read as I was unsure which of these (or both) was wanted. I have spoken with Kelly who has confirmed that easy read is what is wanted so the cost is approx. \$7, 500 (exc GST). If you're happy, we'll get the ball rolling. Noting the delivery date is 2 July, Kelly will be seeking the Task Force to extend the timeframe for consultation.

In relation to tracking outcomes and the awareness campaign, she was happy for the offer of support but advised that she needed time to think it through. We'll touch base in the near future.

Clause 6(1)



Happy to follow up anything else needed.

Thanks,

Ksharmra Brandon

Director, Disability Access and Inclusion

Department of Human Services|Government of South Australia

Level 7 East, 108 North Terrace, ADELAIDE SA 5000

t (08) 8417 1067 | m  | e Ksharmra.brandon2@sa.gov.au

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Braendler, Fiona (DHS)

From: Hofman, Laura (DHS)
Sent: Friday, 19 June 2020 2:00 PM
To: Boswell, Lois (DHS)
Subject: RE: Report feedback/ taskforce contact graphic

Yes, right away

From: Boswell, Lois (DHS)
Sent: Friday, 19 June 2020 1:59 PM
To: Hofman, Laura (DHS)
Subject: Fwd: Report feedback/ taskforce contact graphic

Can we get this on our socials please

Lois Boswell
 Acting Chief Executive
 Department of Human Services SA
 Phone: Clause 6(1)
 Email: Lois.Boswell@sa.gov.au

Sent from my iPad

Begin forwarded message:

From: Kelly Vincent <kellyleahvincent@gmail.com>
Date: 17 June 2020 at 2:25:57 pm ACST
To: "Holty, Diane (AGD)" <Diane.Holty3@sa.gov.au>, "Caudrey, David (AGD)" <David.Caudrey@sa.gov.au>, "Boswell, Lois (DHS)" <Lois.Boswell@sa.gov.au>
Subject: Report feedback/ taskforce contact graphic

Hi all - Di, could you please distribute to the TF members?

I thought a simple graphic like the attached might be useful to distribute. I welcome any feedback.

Thanks,

**Are you passionate about the
autonomy, and rights of disabled**



**Have your say on the final
the Safeguarding Task**

Phone: 08 8342 8200

Email: disability.advocate@sa.gov.au

Braendler, Fiona (DHS)

From: Karen Rogers <Karenr@purpleorange.org.au>
Sent: Saturday, 20 June 2020 12:44 PM
To: Sam Paor | The Growing Space; Jac; 'Kelly Vincent'; Wallis, Sandra (AGD); Holty, Diane (AGD); Boswell, Lois (DHS); Bruggemann, Richard (AGD); Gale, Anne (AGD); Kilvert, Adam (AGD); 'Marj Ellis'; Mason, Cassie (Health); 'Trevor Harrison'; 'Trevor Harrison 2'; Caudrey, David (AGD)
Subject: Re: Safeguarding Task Force - moving forward
Follow Up Flag: Flag for follow up
Flag Status: Flagged

Thanks David,
 That sounds really positive. I would appreciate it if you could organise this thank tank. I think this would give us an opportunity for honest and open conversation.
 Karen

From: Caudrey, David (AGD)
Sent: Saturday, June 20, 2020 12:12:19 PM
To: Karen Rogers ; Sam Paor | The Growing Space ; Jac ; 'Kelly Vincent' ; Wallis, Sandra (AGD) ; Holty, Diane (AGD) ; Boswell, Lois (DHS) ; Bruggemann, Richard (AGD) ; Gale, Anne (AGD) ; Kilvert, Adam (AGD) ; 'Marj Ellis' ; Mason, Cassie (Health) ; 'Trevor Harrison' ; 'Trevor Harrison 2'
Subject: RE: Safeguarding Task Force - moving forward

Hi All,

Thanks for all your feedback.

In view of what people are saying, I wonder if there is merit in having a facilitated think-tank of say 3 hours in the next week or so just for members of the Task Force with lived experience of disability.

What we are trying to create is a Final Report of the Task Force that every member is happy with and which provides clear advice to the Minister on what the safeguarding gaps are and what recommendations we make for dealing with those gaps.

I appreciate that talking about these important matters in separate individual meetings with Kelly and me is unsatisfactory and trying to discuss in a formal meeting structure of 2 hours duration is even more unsatisfactory.

I propose that Kelly and I set up a face-to-face think-tank of 3-hours asap, with Trevor Jacky, Sam and Karen, to identify gaps and draft recommendations for going to the full meeting of the Task Force on 15 July.

Let me know what you think.

David

From: Karen Rogers
Sent: Friday, 19 June 2020 11:32 AM
To: Sam Paor | The Growing Space ; Jac ; 'Kelly Vincent' ; Caudrey, David (AGD) ; Wallis, Sandra (AGD) ; Holty, Diane (AGD) ; Boswell, Lois (DHS) ; Bruggemann, Richard (AGD) ; Gale, Anne (AGD) ; Kilvert, Adam (AGD) ; 'Marj Ellis' ; Mason, Cassie (Health) ; 'Trevor Harrison' ; 'Trevor Harrison 2'
Subject: Re: Safeguarding Task Force - moving forward

Thanks Jacky and Sam,

I also agree that we need to meet more often and face to face is preferable.

Karen

From: Sam Paor | The Growing Space <Sam@thegrowingspace.com.au>
Sent: Friday, June 19, 2020 11:19 AM
To: Jac <[REDACTED]>; 'Kelly Vincent' <[REDACTED]>; 'Caudrey, David (AGD)' <David.Caudrey@sa.gov.au>; 'Wallis, Sandra (AGD)' <Sandra.Wallis2@sa.gov.au>; 'Diane Holty'

<Diane.Holty3@sa.gov.au>; 'Boswell, Lois (DHS)' <Lois.Boswell@sa.gov.au>; 'Bruggemann, Richard (AGD)' <Richard.Bruggemann@sa.gov.au>; 'Gale, Anne (AGD)' <Anne.Gale@sa.gov.au>; 'Karen Rogers' <karenr@purpleorange.org.au>; 'Kilvert, Adam (AGD)' <Adam.Kilvert@sa.gov.au>; 'Marj Ellis' <Marj@lighthousedisability.org.au>; 'Mason, Cassie (Health)' <Cassie.Mason@sa.gov.au>; 'Trevor Harrison' Clause 6(1) >; 'Trevor Harrison 2' Clause 6(1) >

Subject: RE: Safeguarding Task Force - moving forward

Thanks so much for this email Jacky. I fully support and agree with your comments and suggestions and also believe we need to meet next week to give further input.

I think face to face is a good idea too, for those comfortable, with others Teaming in.

Thanks again!

Cheers,

--Sam

Clause 6(1)

Sam@thegrowingspace.com.au

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FREE: SA Health COVID19 Mental Health Hotline 8am-8pm every day ph: 1800 632 753

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From: Jac Clause 6(1)

Sent: Thursday, 18 June 2020 3:42 PM

To: 'Kelly Vincent' Clause 6(1) >; 'Caudrey, David (AGD)'

<David.Caudrey@sa.gov.au>; 'Wallis, Sandra (AGD)' <Sandra.Wallis2@sa.gov.au>; 'Diane Holty'

<Diane.Holty3@sa.gov.au>; 'Boswell, Lois (DHS)' <Lois.Boswell@sa.gov.au>; 'Bruggemann, Richard

(AGD)' <Richard.Bruggemann@sa.gov.au>; 'Gale, Anne (AGD)' <Anne.Gale@sa.gov.au>; 'Karen Rogers'

<karenr@purpleorange.org.au>; 'Kilvert, Adam (AGD)' <Adam.Kilvert@sa.gov.au>; 'Marj Ellis'

<Marj@lighthousedisability.org.au>; 'Mason, Cassie (Health)' <Cassie.Mason@sa.gov.au>; 'Trevor

Harrison' Clause 6(1) >; 'Trevor Harrison 2' Clause 6(1) >; Sam Paior | The

Growing Space <Sam@thegrowingspace.com.au>

Subject: Safeguarding Task Force - moving forward

Hi to all in our amazing Taskforce team

What a week!

I am writing this because I feel our group of experts and professionals really needs to be meeting more frequently and be more involved in putting this report together. We have some very knowledgeable members in our group and it would be a shame to not optimise their input.

Given the depth and seriousness of this report, I feel that meeting just once toward the end to offer our thoughts and amendments on the “draft final report” is rushing a process which needs to be discussed, processed and revisited more than once. We need to get it right!

Now that Covid 19 restrictions are easing up, I am more than happy with face-to-face meetings. An Adelaide city venue is possibly the most central and accessible location?

What do others think?

I propose we meet next week to ;

a) discuss and get a grasp on the response / feedback the Interim report and discuss what didn't make the final print

b) where to from here and

c) discuss / contribute to the final report process content and process.

d) any other important info we need to know or can advise on

Finally, congrats Kelly on your brilliant public representation of our community. You are doing us all so proud!

Cheers

Jacky

From: Kelly Vincent [Clause 6(1)]

Sent: Wednesday, 17 June 2020 2:28 PM

To: Sam Paor | The Growing Space

Cc: Caudrey, David (AGD); jackych; Wallis, Sandra (AGD); Diane Holty; Boswell, Lois (DHS); Bruggemann, Richard (AGD); Gale, Anne (AGD); Karen Rogers; Kilvert, Adam (AGD); Marj Ellis; Mason, Cassie (Health); Richard Bruggemann 2; Trevor Harrison; Trevor Harrison 2

Subject: Re: Safeguarding Task Force - Draft Taskforce Report

Not a thorn at all, Sam. I mentioned accessible formats to the Minister yesterday and we are getting this started.

Thank you.

Kel

On 16 Jun 2020, at 11:26 pm, Sam Paor | The Growing Space <Sam@thegrowingspace.com.au> wrote:

Thanks David,

I'd like to suggest that we have some kind of formal request for submissions on the initial draft. I understand this will create more work for the team, but given the importance of our work, the “ownership” of our community and a perceived lack of calls for engagement, I think That if Kelly, David and the Minister were to publicly ask for submissions to the report over the next two weeks, that would go a long way to a) getting further high quality input and research and b) allowing members of our community to the opportunity to make important contributions.

I also (and I know I'm harping on about this) like to see the draft issued in Easy English and Auslan as a matter of urgency so many more members of our community have the chance to contribute and have their voices and experiences heard and incorporated. These stories will also “bring life” to our recommendations, painting relatable and understandable images of the holes in our current system.

Just this week I read a report from a local SIL provider which read “Client XX Client had a total meltdown, out of control screaming, took off down xxxx St. A Family took her in and called the police because unsure of where she was from and also client told them SW had abused her. Incident The family called the police. The police came over and talked to SW, took clients name down and were happy to leave it at that. Spoke to Safety Officer, she was going to tell CSM”

The same report mentioned that there were no reports made to the NDIS Commission that month. The provider felt the police had “cleared” everything and thus “their job was done”. This greatly distresses me. As a State based and commissioned taskforce, I think we should also place a greater emphasis on changes the State can make to reduce the gaps, because we won't have achieved a great deal if our report simply bags the feds without tidying up our own backyard as much as we possibly can, too.

Yours sincerely,

a thorn among the roses,

Cheers,

--Sam

[Clause 6(1)]

Sam@thegrowingspace.com.au

TheGrowingSpace.com.au 1300 4769 77 (1300 GROW SP) Facebook.com/TheGrowingSpaceAustralia

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FREE: Daily Check-in phone calls from the Red Cross - ph: 1800 188 071 to register

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ABN: 83125164114

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From: Caudrey, David (AGD) <David.Caudrey@sa.gov.au>

Sent: Tuesday, 16 June 2020 10:57 PM

To: jackych <Clause 6(1)>; Wallis, Sandra (AGD) <Sandra.Wallis2@sa.gov.au>; Holty, Diane (AGD) <Diane.Holty3@sa.gov.au>; Boswell, Lois (DHS) <Lois.Boswell@sa.gov.au>; Bruggemann, Richard (AGD) <Richard.Bruggemann@sa.gov.au>; Gale, Anne (AGD) <Anne.Gale@sa.gov.au>; Karen Rogers <karenr@purpleorange.org.au>; Kelly Vincent <Clause 6(1)>; Kilvert, Adam (AGD) <Adam.Kilvert@sa.gov.au>; Marj Ellis <Marj@lighthouse disability.org.au>; Mason, Cassie (Health) <Cassie.Mason@sa.gov.au>; Richard Bruggemann 2 <Clause 6(1)>; Sam Paior | The Growing Space <Sam@thegrowingspace.com.au>; Trevor Harrison <Clause 6(1)>; Trevor Harrison 2 <Clause 6(1)>

Subject: RE: Safeguarding Task Force - Draft Taskforce Report

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Any advice from members on the process would be gratefully received.

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Cheers,

David Caudrey

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Sent: Tuesday, 16 June 2020 8:10 PM
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Subject: RE: Safeguarding Task Force - Draft Taskforce Report

Hi all

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Regards

Jacky

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Date: 12/6/20 7:00 pm (GMT+09:30)
To: "Holty, Diane (AGD)" <Diane.Holty3@sa.gov.au>, "Boswell, Lois (DHS)" <Lois.Boswell@sa.gov.au>, "Bruggemann, Richard (AGD)" <Richard.Bruggemann@sa.gov.au>, "Caudrey, David (AGD)" <David.Caudrey@sa.gov.au>, "Gale, Anne (AGD)" <Anne.Gale@sa.gov.au>, Jacky Chant [Clause 6(1)], Karen Rogers <karenr@purpleorange.org.au>, Kelly Vincent [Clause 6(1)], "Kilvert, Adam (AGD)" <Adam.Kilvert@sa.gov.au>, Marj Ellis <Marj@lighthousedisability.org.au>, "Mason, Cassie (Health)" <Cassie.Mason@sa.gov.au>, Richard Bruggemann 2 [Clause 6(1)], Sam Paior <sam@thegrowingspace.com.au>, Trevor Harrison [Clause 6(1)], Trevor Harrison 2 [Clause 6(1)]
Subject: RE: Safeguarding Task Force - Draft Taskforce Report

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We request any final feedback to be sent directly to Di Holty-dianne.holty3@sa.gov.au and Sandra Wallis - sandra.wallis2@sa.gov.au by 10am Monday 15th June 2020 to enable us to provide the report to Minister Lensink by close of business Monday.

Regards Sandra

Sandra Wallis

Sandra Wallis

Principal Policy Officer

Office of the Public Advocate

GPO Box 464

ADELAIDE SA 5000

T 08 8207 8708 | F 08 8429 6121 | E Sandra.Wallis2@sa.gov.au |

P GPO Box 464 Adelaide SA 5000 | www.opa.sa.gov.au

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Braendler, Fiona (DHS)

From: Boswell, Lois (DHS)
Sent: Monday, 22 June 2020 5:10 PM
To: Dunn, Xenia (DHS); Kranz, Peta (DHS)
Subject: FW: Safeguarding Task Force - moving forward

Ms Lois Boswell LLB MAppSci GAICD

Acting Chief Executive

Department of Human Services | Government of South Australia
 Level 8 Riverside Centre, North Terrace, Adelaide SA 5000 |
 GPO Box 292, Adelaide SA 5001
 Ph: (08) 841 54306 Mob: [redacted] Clause 6(1) | lois.boswell@sa.gov.au

I recognise I live and work on Kurna country. I pay my respects to elders past, present and emerging. I acknowledge the long history and enduring connection Aboriginal people have with this land.



From: Holty, Diane (AGD)
Sent: Monday, 22 June 2020 4:57 PM
To: 'jackych'; Caudrey, David (AGD); 'Karen Rogers'; Sam Paor | The Growing Space; 'Kelly Vincent'; Wallis, Sandra (AGD); Boswell, Lois (DHS); Bruggemann, Richard (AGD); Gale, Anne (AGD); Kilvert, Adam (AGD); 'Marj Ellis'; Mason, Cassie (Health); 'Trevor Harrison'; 'Trevor Harrison 2'
Subject: RE: Safeguarding Task Force - moving forward

Hello Safeguarding Task Force Members,

I hope you are all well. I am working towards securing a meeting venue in the city for Wednesday 1 July 2020 from 10:30am to 2:30pm for the Think Tank session for members with a lived experience. I hope this time and date is suitable for you all. We are looking at providing a light lunch and refreshments during the session. If you could please advise of any particular requirements i.e. dietary, access etc that would be great. Please mark this date and time in your calendar and I will forward a formal meeting request and relevant papers once I have confirmed the venue.

Thank you
 Kind regards
 Di

Diane Holty
 Principal Project Officer
 Office of the Public Advocate

Ph: 08 8207 8706
diane.holty3@sa.gov.au

From: jackych [Clause 6(1)]
Sent: Saturday, 20 June 2020 3:05 PM
To: Caudrey, David (AGD) <David.Caudrey@sa.gov.au>; 'Karen Rogers' <Karenr@purpleorange.org.au>; Sam Paior | The Growing Space <Sam@thegrowingspace.com.au>; 'Kelly Vincent' <[Clause 6(1)]>; Wallis, Sandra (AGD) <Sandra.Wallis2@sa.gov.au>; Holty, Diane (AGD) <Diane.Holty3@sa.gov.au>; Boswell, Lois (DHS) <Lois.Boswell@sa.gov.au>; Bruggemann, Richard (AGD) <Richard.Bruggemann@sa.gov.au>; Gale, Anne (AGD) <Anne.Gale@sa.gov.au>; Kilvert, Adam (AGD) <Adam.Kilvert@sa.gov.au>; 'Marj Ellis' <Marj@lighthousedisability.org.au>; Mason, Cassie (Health) <Cassie.Mason@sa.gov.au>; 'Trevor Harrison' <[Clause 6(1)]>; 'Trevor Harrison 2' <[Clause 6(1)]>
Subject: RE: Safeguarding Task Force - moving forward

Hi again.

David I think this is an excellent idea and happy to come along to a think tank session(s) as required.

Thanks for taking on board my concerns.

Look forward to receiving details of a date, time and location.

Cheers
Jacky

----- Original message -----

From: "Caudrey, David (AGD)" <David.Caudrey@sa.gov.au>
Date: 20/6/20 12:12 pm (GMT+09:30)
To: 'Karen Rogers' <Karenr@purpleorange.org.au>, Sam Paior | The Growing Space <Sam@thegrowingspace.com.au>, Jac [Clause 6(1)] <[Clause 6(1)]>, 'Kelly Vincent' <[Clause 6(1)]>, "Wallis, Sandra (AGD)" <Sandra.Wallis2@sa.gov.au>, "Holty, Diane (AGD)" <Diane.Holty3@sa.gov.au>, "Boswell, Lois (DHS)" <Lois.Boswell@sa.gov.au>, "Bruggemann, Richard (AGD)" <Richard.Bruggemann@sa.gov.au>, "Gale, Anne (AGD)" <Anne.Gale@sa.gov.au>, "Kilvert, Adam (AGD)" <Adam.Kilvert@sa.gov.au>, 'Marj Ellis' <Marj@lighthousedisability.org.au>, "Mason, Cassie (Health)" <Cassie.Mason@sa.gov.au>, 'Trevor Harrison' <[Clause 6(1)]>, 'Trevor Harrison 2' <[Clause 6(1)]>
Subject: RE: Safeguarding Task Force - moving forward

Hi All,

Thanks for all your feedback.

In view of what people are saying, I wonder if there is merit in having a facilitated think-tank of say 3 hours in the next week or so just for members of the Task Force with lived experience of disability.

What we are trying to create is a Final Report of the Task Force that every member is happy with and which provides clear advice to the Minister on what the safeguarding gaps are and what recommendations we make for dealing with those gaps.

I appreciate that talking about these important matters in separate individual meetings with Kelly and me is unsatisfactory and trying to discuss in a formal meeting structure of 2 hours duration is even more unsatisfactory.

I propose that Kelly and I set up a face-to-face think-tank of 3-hours asap, with Trevor Jacky, Sam and Karen, to identify gaps and draft recommendations for going to the full meeting of the Task Force on 15 July.

Let me know what you think.

David

From: Karen Rogers <Karenr@purpleorange.org.au>
Sent: Friday, 19 June 2020 11:32 AM
To: Sam Paor | The Growing Space <Sam@thegrowingspace.com.au>; Jac Clause 6(1) 'Kelly Vincent' Clause 6(1); Caudrey, David (AGD) <David.Caudrey@sa.gov.au>; Wallis, Sandra (AGD) <Sandra.Wallis2@sa.gov.au>; Holty, Diane (AGD) <Diane.Holty3@sa.gov.au>; Boswell, Lois (DHS) <Lois.Boswell@sa.gov.au>; Bruggemann, Richard (AGD) <Richard.Bruggemann@sa.gov.au>; Gale, Anne (AGD) <Anne.Gale@sa.gov.au>; Kilvert, Adam (AGD) <Adam.Kilvert@sa.gov.au>; 'Marj Ellis' <Marj@lighthouseisability.org.au>; Mason, Cassie (Health) <Cassie.Mason@sa.gov.au>; 'Trevor Harrison' Clause 6(1) >; 'Trevor Harrison 2' Clause 6(1)
Subject: Re: Safeguarding Task Force - moving forward

Thanks Jacky and Sam,

I also agree that we need to meet more often and face to face is preferable.

Karen

From: Sam Paor | The Growing Space <Sam@thegrowingspace.com.au>

Sent: Friday, June 19, 2020 11:19 AM

To: Jac Clause 6(1) >; 'Kelly Vincent' Clause 6(1) >; 'Caudrey, David (AGD)' <David.Caudrey@sa.gov.au>; 'Wallis, Sandra (AGD)' <Sandra.Wallis2@sa.gov.au>; 'Diane Holty' <Diane.Holty3@sa.gov.au>; 'Boswell, Lois (DHS)' <Lois.Boswell@sa.gov.au>; 'Bruggemann, Richard (AGD)' <Richard.Bruggemann@sa.gov.au>; 'Gale, Anne (AGD)' <Anne.Gale@sa.gov.au>; 'Karen Rogers' <Karenr@purpleorange.org.au>; 'Kilvert, Adam (AGD)' <Adam.Kilvert@sa.gov.au>; 'Marj Ellis' <Marj@lighthouse disability.org.au>; 'Mason, Cassie (Health)' <Cassie.Mason@sa.gov.au>; 'Trevor Harrison' Clause 6(1) >; 'Trevor Harrison 2' Clause 6(1) >

Subject: RE: Safeguarding Task Force - moving forward

Thanks so much for this email Jacky. I fully support and agree with your comments and suggestions and also believe we need to meet next week to give further input.

I think face to face is a good idea too, for those comfortable, with others Teaming in.

Thanks again!

Cheers,
--Sam

Clause 6(1)

Sam@thegrowingspace.com.au

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FREE: SA Health COVID19 Mental Health Hotline 8am-8pm every day ph: 1800 632 753

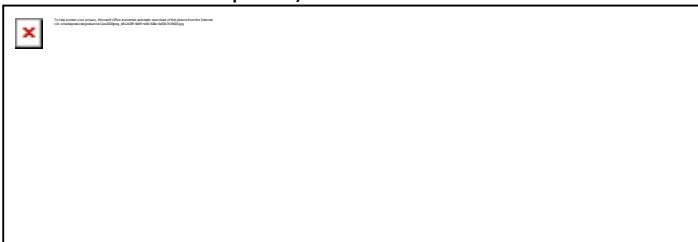
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From: Jac Clause 6(1)

Sent: Thursday, 18 June 2020 3:42 PM

To: 'Kelly Vincent' Clause 6(1) >; 'Caudrey, David (AGD)' <David.Caudrey@sa.gov.au>; 'Wallis, Sandra (AGD)' <Sandra.Wallis2@sa.gov.au>; 'Diane Holty' <Diane.Holty3@sa.gov.au>; 'Boswell, Lois (DHS)'

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Subject: Safeguarding Task Force - moving forward

Hi to all in our amazing Taskforce team

What a week!

I am writing this because I feel our group of experts and professionals really needs to be meeting more frequently and be more involved in putting this report together. We have some very knowledgeable members in our group and it would be a shame to not optimise their input.

Given the depth and seriousness of this report, I feel that meeting just once toward the end to offer our thoughts and amendments on the “draft final report” is rushing a process which needs to be discussed, processed and revisited more than once. We need to get it right!

Now that Covid 19 restrictions are easing up, I am more than happy with face-to-face meetings. An Adelaide city venue is possibly the most central and accessible location?

What do others think?

I propose we meet next week to ;

- a) discuss and get a grasp on the response / feedback the Interim report and discuss what didn't make the final print
- b) where to from here and
- c) discuss / contribute to the final report process content and process.
- d) any other important info we need to know or can advise on

Finally, congrats Kelly on your brilliant public representation of our community. You are doing us all so proud!

Cheers

Jacky

From: Kelly Vincent [Clause 6(1)]
Sent: Wednesday, 17 June 2020 2:28 PM
To: Sam Paor | The Growing Space
Cc: Caudrey, David (AGD); jackych; Wallis, Sandra (AGD); Diane Holty; Boswell, Lois (DHS); Bruggemann, Richard (AGD); Gale, Anne (AGD); Karen Rogers; Kilvert, Adam (AGD); Marj Ellis; Mason, Cassie (Health); Richard Bruggemann 2; Trevor Harrison; Trevor Harrison 2
Subject: Re: Safeguarding Task Force - Draft Taskforce Report

Not a thorn at all, Sam. I mentioned accessible formats to the Minister yesterday and we are getting this started.

Thank you.

Kel

On 16 Jun 2020, at 11:26 pm, Sam Paor | The Growing Space <Sam@thegrowingspace.com.au> wrote:

Thanks David,

I'd like to suggest that we have some kind of formal request for submissions on the initial draft. I understand this will create more work for the team, but given the importance of our work, the "ownership" of our community and a perceived lack of calls for engagement, I think That if Kelly, David and the Minister were to publicly ask for submissions to the report over the next two weeks, that would go a long way to a) getting further high quality input and research and b) allowing members of our community to the opportunity to make important contributions.

I also (and I know I'm harping on about this) like to see the draft issued in Easy English and Auslan as a matter of urgency so many more members of our community have the chance to contribute and have their voices and experiences heard and incorporated. These stories will also "bring life" to our recommendations, painting relatable and understandable images of the holes in our current system.

Just this week I read a report from a local SIL provider which read "Client XX Client had a total meltdown, out of control screaming, took off down xxxx St. A Family took her in and called the police because unsure of where she was from and also client told them SW had abused her. Incident The family called the police. The police came over and talked to SW, took clients name down and were happy to leave it at that. Spoke to Safety Officer, she was going to tell CSM"

The same report mentioned that there were no reports made to the NDIS Commission that month. The provider felt the police had "cleared" everything and thus "their job was done". This greatly distresses me.

As a State based and commissioned taskforce, I think we should also place a greater emphasis on changes the State can make to reduce the gaps, because we won't have achieved a great deal if our report simply bags the feds without tidying up our own backyard as much as we possibly can, too.

Yours sincerely,

a thorn among the roses,

Cheers,
--Sam

Clause 6(1)

Sam@thegrowingspace.com.au

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Date: 12/6/20 7:00 pm (GMT+09:30)

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Regards Sandra

Sandra Wallis

Sandra Wallis

Principal Policy Officer

Office of the Public Advocate

GPO Box 464

ADELAIDE SA 5000

T 08 8207 8708 | **F** 08 8429 6121 | **E** Sandra.Wallis2@sa.gov.au |

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