



**Family &
Community Services**
Ageing, Disability & Home Care

ADHC Agency Information Guide

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Government Information (Public Access)
Act 2009



Document approval

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Deputy Secretary ADHC

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1 Introduction

This information guide is produced to comply with Ageing, Disability and Home Care's (ADHC) obligations under section 20 of the *Government Information (Public Access) Act 2009* (NSW) (GIPA Act). It describes:

- The structure and functions of ADHC;
- The way in which our functions affect members of the public;
- Arrangements that exist for public participation in the formulation of our policy and the exercise of our functions;
- The various kinds of government information we hold;
- The kind of information we will make publicly available;
- How we will make government information publicly available; and
- Fees associated with information being requested.

The Agency Information Guide is to be reviewed and reissued annually to ensure it remains current.

2 Structure and functions

2.1 Our Structure

ADHC is now part of the Department of Family and Community Services (FACS). The previous ADHC Agency functions are distributed across the FACS departmental structure. While FACS is an agency, for the purpose of compliance with the GIPA Act, ADHC maintains separate record systems and deals separately with requests and information disclosures under the GIPA Act.

ADHC functions sit under:

- The ADHC Division
- The Districts and Cluster Directorates
- Participation and Inclusion Directorate
- Corporate Services

The NSW Minister for Ageing and Minister for Disability Services is the Hon. John Ajaka MLC.

For more information on ADHC's structure with FACS please see the [FACS organisation chart](#).

ADHC Division

The ADHC Division covers most functions that previously sat under the ADHC Agency Central Office.

The Deputy Secretary for Ageing, Disability and Home Care is Jim Longley.

Participation and Inclusion Directorate (PSD Division)

The Participation and Inclusion Directorate sits within the Program and Service Design Division and is responsible for ADHC functions in the areas of Ageing, Carers and Disability Inclusion. The Directorate undertakes the following:

- Leads policy reform initiatives and community engagement strategies in response to population ageing and to support the participation of seniors under the NSW Ageing Strategy.
- Leads administration of the NSW Seniors Card which gives seniors access to discounts and transport concessions.
- Leads cross government policy, strategy and initiatives for carers, and the implementation of the *Carers (Recognition) Act 2010* across NSW.
- Leads whole of government initiatives to support the participation of people with disability, including the NSW Disability Inclusion Plan.

Provides secretariat support for the NSW Disability Council, the Ministerial Advisory Committee on Ageing and the NSW Carers Advisory Council.

Our districts

ADHC's services are delivered to FACS clients and the community via local [FACS districts](#). There are three Cluster Deputy Secretary's for the Northern Cluster, Southern Cluster and Western Cluster who have oversight of all Districts within their geographical areas.

The Deputy Secretary Northern Cluster has oversight of the Northern Cluster of Districts, Large Residential Centres and Specialist Supported Living Directorate. In addition this role provides state-wide leadership and strategic advice regarding Disability and implementation of the NDIS trial sites.

2.2 What we do

ADHC is responsible for providing services and support to:

- older people
- people with disability
- their families and carers.

ADHC provides funding and services to our target groups directly or through funded non-government organisations.

We also license and regulate the operation of private assisted boarding houses for residents with disabilities. These functions will move to FACS Program and Service Design Directorate in July 2016.

2.2.1 Services we provide

For older people:

We coordinate the whole-of-government Ageing Strategy which seeks to respond to the benefits and opportunities of an ageing population informed by feedback from older people. We promote active ageing through NSW Seniors Week and through the administration of NSW Seniors Card.

For people with disability:

- Early intervention programs for children and young people
- Supported accommodation in the community and in specialist centres
- Supporting people with disability to live independently in the community
- Programs that develop independent living skills
- Helping people with disability become active in their communities through social groups, work and other activities
- Advocacy and information
- Case management and access to therapy services including occupational therapy, speech pathology and physiotherapy

We also promote awareness, acceptance and inclusion of people with disability through programs like International Day of People with Disability and NSW Companion Card.

For carers:

- Respite and support for carers
- Training for parents of children with an intellectual disability
- Help in managing challenging behaviour
- Support groups and networks

We also support programs that raise awareness about the importance of carers and encourage the general community to offer them greater support and understanding.

2.2.2 Our Stakeholders

We work in partnership with many other organisations to deliver the best possible services to our clients. Our stakeholders include:

- older people,
- people with disability,

- their families and carers
- 900 non-government and local government service providers that we fund to deliver services on our behalf
- non-government organisations
- local, State and Commonwealth government agencies
- peak bodies and industry groups representing older people, people with disability and their carers
- community agencies; and
- organisation's regulatory bodies.

2.2.3 Standard of service

We strive to provide a high quality service that reflects your choices, meets your needs and promotes your wellbeing, independence and inclusion in the community. We will:

- make it easy to access our services and information
- provide quality services for your individual circumstances
- provide you with accurate and consistent information
- follow our written guidelines, standards and procedures
- comply with privacy laws and maintain your confidentiality
- treat you fairly, with respect and with sensitivity
- find the best way to meet your needs by working in partnership with you, your family, the community and other services that support you.
- be open and transparent with you
- encourage and listen to your feed back and use this to continually improve our services
- provide you with clear advice and reasons for our decisions
- be responsive to your needs and provide you with a safe and culturally sensitive environment

For more information on how those standards are monitored, how you can help us to deliver the best service to you, and what you can do if our services do not meet your expectations, refer to the [FACS Service Charter](#).

2.2.4 Legislation administered by ADHC

ADHC administers the following legislation within the portfolio responsibilities of the Minister for Ageing and Minister for Disability Services:

- *Boarding Houses Act 2012* (NSW) - (jointly with the Minister for Innovation and Better Regulation).
- *Carers (Recognition) Act 2010* (NSW).
- *Community Services (Complaints, Reviews and Monitoring) Act 1993* (NSW) – (jointly administered with the Minister for Family and Community Services)
- *Community Welfare Act 1987* (NSW) - (jointly administered with the Minister for Family and Community Services and the Minister for Emergency Services).

- *Disability Inclusion Act 2014*
- *National Disability Insurance Scheme (NSW Enabling) Act 2013 (NSW).*
- *Home Care Service Act 1988 (NSW).* (To be repealed at a future date)

3 Public participation

ADHC is committed to public participation in the planning and development of our policies and programs.

There are a number of [strategies and major plans](#) guiding us in providing services that are flexible, effective and fair. Public participation has been a major factor that drives the development and implementation of the programs and plans, such as the [National Disability Insurance Scheme \(NDIS\)](#).

The NDIS is the new way of providing individualised support for eligible people with permanent and significant disability, their families and carers. It aims to provide people with disability reasonable and necessary supports to live life their way, achieve their goals and participate in social and economic life.

The Government led a series of extensive consultations on the best way to implement self directed supports and individualised funding arrangements. NSW's input into the NDIS nationally has been informed by extensive consultations through [Living Life My Way](#). About 4,000 people told us their aspirations for how disability supports could be delivered in the future.

The NDIS launched in the Hunter local government areas of Newcastle, Lake Macquarie and Maitland on 1 July 2013. Over three years, an estimated 10,000 people with a disability have gradually transitioned to the NDIS.

In July 2015, an additional trial site was launched in the Nepean Blue Mountains District where around 2,000 children and young people aged 0-17 years now receive services under the NDIS. This roll out was informed by a series of 16 community engagement forums.

From 1 July 2016 the NDIS will begin to roll out across NSW. The Government has committed to complete the transition to the NDIS by 30 June 2018 in accordance with a Heads of Agreement signed by the Commonwealth and NSW Government.

In NSW, activities are underway to provide up to date information for staff, people with disability and sector providers to answer their questions about the NDIS.

Ongoing consultation and communication has ensured that people are kept informed along the way. This includes:

- The major sector market readiness tool, the Industry Development fund which is administered through National Disability Services and works directly with service providers to prepare them for the roll out of the NDIS.

- The Transition Assistance Program, launched in February 2016 to assist disability support providers in regional and remote areas transition to the National Disability Insurance Scheme.
- My Choice Matters – run by the NSW Council for Intellectual Disability – supports people with disability, their families and carers to learn more about the NDIS and how they can capitalise on the opportunities of the NDIS. Pre-planning workshops across NSW to help people prepare for the NDIS were held in the first half of 2016.

To support the transition and to ensure the full potential of the NDIS is realised, the NSW Government is transferring all of its disability services to the non-government sector by 2018. Transferring disability services to the non-government sector will give people with disability and their families the greatest choice.

The Home Care Service of NSW with its more than 4,000 staff has already seamlessly and successfully transferred to Australian Unity. The NSW Government has been consulting extensively with people with disability, their families and carers right across NSW.

Since December 2015 close to 150 client and family forums have been held. In addition processes are in development through which families, carers and guardians will have input into the selection of service providers for accommodation services. FACS will continue to liaise with all parties interested in the transfer of services. This includes clients and their families, carers and guardians, the Office of the Public Guardian, advocates and peak bodies.

Disability Council of NSW

The Disability Council NSW is established under the Disability Inclusion Act 2014 (NSW). The Council provides independent advice to the NSW Government, through the Minister for Disability Services, on matters that affect people with disability in NSW and their families and carers.

This includes:

- Monitoring the implementation of government policy in relation to people with disability and their families
- Advising on emerging issues relating to people with disability
- Advising public authorities about the content and implementation of disability inclusion action plans and the Minister about the State Disability Inclusion Plan and disability inclusion plans
- Promoting the inclusion of people with disability in the community and community awareness of matters concerning the interests of people with disability and their families.
- Undertaking consultations with people with disability and research about matters relating to people with disability.

Disability Inclusion Action Planning

The Disability Inclusion Act created an obligation for most NSW Public Authorities to develop a Disability Inclusion Action Plan and have these in place by December 2015. Disability Inclusion Action Plans outline how NSW public authorities will make mainstream services and facilities more accessible to people with disability and operationalise the NSW Disability Inclusion Plan.

The production of agency plans was supported by the Department of Family and Community Services through the development of guidelines, holding a series of workshops and providing a suite of resources to departments. The plans are available for review on each agency's website and on the Disability Council NSW website.

Agencies were to consult with people with disability and other community stakeholders in the development of these plans. All agencies are required to include a report on the progress on their Disability Inclusion Action Plan in their Annual Report. The Governance Committee for the NSW Disability Inclusion Plan will provide advice on the actions that we can undertake across government to support implementation.

Agency Action Plans generally align with the four focus areas of the NSW Disability Inclusion Plan: Employment; Liveable Communities; Attitudes and Behaviours; and Systems and Processes. A coordinated focus across government will create a more inclusive NSW for people with disability.

Community visitors

Community visitors have the power to visit and report on accommodation services provided, funded or licensed by ADHC, and are appointed by the Minister for Ageing, the Minister for Disability Services and the Minister for Family and Community Services under the *Community Services (Complaints, Review and Monitoring) Act 1993* (NSW). The community visitors are administered by the NSW Ombudsman.

4 The Government information we hold

4.1 Records

Information relating to decision making, staff administration and policy development is held on paper and electronic files. Major information technology systems are managed and operated by FACS to provide information management support to ADHC and the rest of FACS.

The Client Information System (CIS) provides a single client database for all programs provided by ADHC.

The Funding Management System (FMS) provides an integrated solution for funding management of non-Government sector service providers and

individualised funding. Analysis of information held in ADHC's corporate systems informs planning for the continuation and expansion of services.

The National Minimum Data Set (MDS) collects de-identified client data from services operated and funded by ADHC for disability and Home and Community Care services. The data collections are shared with the relevant Australian Government funding bodies and are used to monitor the effectiveness of the programs we operate and fund.

ADHC residential and respite centres also maintain paper records to document the needs and achievements of individual service users that are shared with their carers.

ADHC also uses an internal records management system, TRIM, to manage records created in its business operation and administration in accordance with the *State Records Act 1998* (NSW).

4.2 Publications

ADHC produces a wide range of policy documents and guidance materials to assist carers and other members of the community and ensure high standards of client care by staff and service providers. Many policy documents can be found on the [Policies page of the ADHC website](#). Some documents or information has also been made available in languages other than English.

5 Information we will make publicly available and how we will make it available

Under the *Government Information (Public Access) Act 2009* (NSW), ADHC makes information available to the public in four ways.

- Mandatory proactive release of open access information;
- Authorised proactive release of information;
- Informal release of information in response to a request; or
- Formal release under a written access application.

Staff, service users and their carers can access personal and health information in accordance with NSW privacy and health privacy legislation ([Privacy and Personal Information Protection Act 1998](#) (NSW) and the [Health Records and Information Privacy Act 2002](#) (NSW)) and the [NSW Carers Charter](#).

5.1 Open access information

Open access information includes:

- information about the agency tabled in Parliament
- ADHC's [policy documents](#)
- ADHC's [disclosure log of access applications](#)
- ADHC's [Register of government contracts](#)
- List of assets other than property and properties disposed of in previous financial year
- Records of open access information that is not made publicly available
- This Agency Information Guide
- [Media releases by the Minister](#) prior to 1 May 2014
- [Media releases by the Minister from 1 May 2014](#),
- [Details of overseas travel undertaken by the Minister](#).

Current policies and documents that do not appear on our web page can be obtained on request from the program you are dealing with or from our [Right to Information Officer](#).

5.2 Authorised proactive release

The majority of the policy documents we produce for staff, service providers, clients and carers can be accessed from the ADHC website under [Publications](#), on the FACS website under [Publications](#) or as information about specific programs.

ADHC has an interest in ensuring that material designed to assist people with disability and their family and carers, or otherwise in need of our services, is made as widely available as possible. In particular, we encourage management and staff of service providers to access ADHC policy documents that are relevant to their operations.

ADHC actively encourages staff providing direct services to share relevant information with families and carers, subject to privacy considerations and respect for the rights of clients.

For more details see our [Access to Information](#) web pages. We are currently exploring ways to make more information available under the GIPA Act's provisions for proactive release.

5.3 Informal release

Requests for information that may be of general interest to the public or a section of the public may be made to the [Right to Information Officer](#) or to any ADHC office.

The [Right to Information Officer](#) is available to advise and assist members of the public with requests for information.

ADHC reserves the right to attach conditions on the disclosure of information that is sensitive or confidential but that may be relevant to the person making the request.

5.4 Formal access applications and reviews

Access applications for information under the GIPA Act should be directed to:

Right to Information Unit
Department of Family and Community Services
Locked Bag 4028
Ashfield NSW 2131
Telephone (02) 8879 9024
TTY (02) 9377 6167
Email: facs_gipa@facs.nsw.gov.au.

For more details including an application form, see the [Access to Government Information page](#) on our website.

An applicant who is dissatisfied with a formal access decision may seek internal review by ADHC or seek a review by the Information and Privacy Commissioner. If still dissatisfied, they may apply to the NSW Civil and Administrative Tribunal (NCAT), which can make binding orders on ADHC.

A third party who is consulted in relation to an access application and objects to a disclosure of personal or confidential information may seek an internal review by ADHC, and must have the decision reviewed internally by ADHC before applying for a review by the Information Commissioner. Or an application can be made directly to NCAT for review of the original decision. Further details on review rights are available at the [Information and Privacy Commissioner's](#) website and will also be provided when a decision is made on an application or objection.

5.5 Charges associated with information being requested

ADHC does not charge for material downloaded from our website. A charge for copying may be made for providing printed copies of information that is available from the webpage. We encourage members of the public who have difficulties in accessing material from the website to apply to have copying charges waived. Applicants may be able to do this by negotiating with the [Right to Information Officer](#). We do not charge for processing information that is released in response to an informal request.

Application and processing fees apply to access applications under section 9 and Part 4 of the GIPA Act, with reductions in processing fees for hardship or requests made in the public interest. The standard application fee is \$30.00 with an additional charge of \$30.00 for each hour of processing time.

Applications for an applicant's personal information are entitled to 20 hours of free processing time. A 50% reduction in processing fees applies if the information requested is of special benefit to the public.

A further fee of \$40.00 applies to an application for internal review.

6 Further Information

A range of information about your rights to access Government Information can be obtained from the Information and Privacy Commission.

Level 17, 201 Elizabeth Street, Sydney NSW 2000.

GPO Box 7011, Sydney NSW 2001

Phone: 1800 472 679

Email: ipcinfo@ipc.nsw.gov.au,

Website: www.ipc.nsw.gov.au