

Senate Community Affairs Committee

Report on Additional Estimates 2007-2008

1.1 On 13 February 2008 the Senate referred the following documents to the Committee for examination and report in relation to the portfolios of Families, Housing, Community Services and Indigenous Affairs; and Health and Ageing:

- particulars of proposed additional expenditure in respect of the year ending on 30 June 2008
- particulars of certain proposed additional expenditure in respect of the year ending on 30 June 2008
- Issues from the Advance to the Finance Minister as a final charge for the year ended 30 June 2007
- Final budget outcome 2006-07.

1.2 The Committee has considered the additional expenditure of the portfolios set out in their respective Portfolio Additional Estimates Statements 2007-2008 (PAES). Explanations relating to the estimates were received from Senator the Hon Jan McLucas, Parliamentary Secretary to the Minister for Health and Ageing, Senator the Hon Chris Evans, Minister for Immigration and Citizenship representing the Minister for Families, Housing, Community Services and Indigenous Affairs, and Senator the Hon Ursula Stephens, Parliamentary Secretary for Social Inclusion and the Voluntary Sector representing the Ministers for Families, Housing, Community Services and Indigenous Affairs and the Status of Women, and officers from the portfolio Departments at hearings held from 20 to 22 February 2008.

1.3 The Committee expresses its appreciation for the assistance of the Minister; Parliamentary Secretaries; Dr Jeff Harmer, Secretary, Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA); and Ms Jane Halton, Secretary, Department of Health and Ageing (DoHA); and the officers who appeared before it.

1.4 In accordance with Standing Order 26, the date for submission to the Committee of written answers to questions or additional information relating to the expenditure is 11 April 2008.

1.5 The Committee discussed many of the expenditure proposals and information contained in the PAES. These discussions are detailed in the Committee's *Hansard* transcripts of 20, 21 and 22 February 2008, copies of which will be tabled in the Senate. *Hansard* transcripts of the estimates proceedings are also accessible on the Committee's website at http://www.aph.gov.au/senate_ca. Answers to questions taken on notice and tabled documents relating to the Committee's hearings will be tabled separately in the Senate. Consolidated volumes of this additional information may be accessed from the Committee's website.

Procedural matters

1.6 Generally, questions in both portfolios pursued information, followed issues that had recent media coverage and again pursued at some length progress with matters that had been the subject of Committee inquiries in recent years.

1.7 The Committee's continuing interest in its inquiries was also reflected in requests for a number of briefings from both portfolios, especially in relation to mental health and Indigenous issues. The portfolios also offered private briefings to individual Senators in relation to some issues.

1.8 Many questions were asked about the implementation of policy proposals based on the incoming ALP Government's election platform. Little information was forthcoming other than that matters were under consideration and that any expenditure may be included in the Budget estimates subject to decisions having been reached by that time. Departments were effectively put on notice that these issues would be pursued at the Budget round of estimates.

Disclosure of 'protected information'

1.9 The operation of the protected information provisions of the Aged Care Act came under the spotlight during the hearings. The Committee was most dissatisfied with the Department's attitude to informing the Committee of developments relating to the altered status and detail of specific information sought by the Committee.

1.10 In response to questions on 20 February relating to the non-compliance with accreditation standards by the Murwillumbah Nursing Home, the Committee was advised:

...that remains protected information until it is able to be released at the completion of the appeals period.

...We made the decision on 8 February and, in accordance with the legislation ... they have 14 days in which to lodge an application for reconsideration.¹

After much discussion regarding the date which the Aged Care Standards and Accreditation Agency (ACSAA) could expect the Murwillumbah Nursing Home to comply with the standards and ACSAA's initial reply 'we are getting caught up in the protected information', the Committee was finally informed that the Home had three months from 8 February 2008 to complete improvements to become compliant.²

1.11 The Murwillumbah Nursing Home was the subject of further questions at the hearing on 22 February. Later in the proceedings the issue of the protected information and its release was again raised as it was found that the information had

1 *Committee Hansard*, 20.02.08, p.CA105.

2 *Committee Hansard*, 20.02.08, pp.CA105-107.

been released by the Minister during Question Time in the House of Representatives on the previous day.³

1.12 In response to why this protected information was and could be released early, and why the Committee had not been informed that this was possible, or even as a courtesy advised when the information was made publicly available, DoHA provided answers which the Committee considers to be rather 'narrow responses', and thus very unsatisfactory and unhelpful.⁴ An extract from the debate follows:

Ms Smith – But we have had instances on more than one occasion when there has been a degree of community interest in the issue. There are also provisions within the Aged Care Act that enable a delegate of the secretary to make certain information available. The delegate has to sign an instrument authorising the release of that information. That instrument has now been signed and that information was duly made available yesterday.

Senator HUMPHRIES – To Minister Elliott.

Ms Smith – To Minister Elliott, who then made it publicly available.

Senator HUMPHRIES – For what reason did the delegate make the instrument available? Was there a request from Minister Elliott for the information to be made available?

Ms Smith – I think it was clear from the discussion on Wednesday night that there was a degree of community interest in having that information available.

Senator HUMPHRIES – There was a degree of Senate committee interest as well. If the instrument was signed yesterday to release information, why couldn't that have been provided to this committee, because it requested it repeatedly on Wednesday night.

Ms Smith – The instrument had not been signed on Wednesday night, so we could not have made that information available on Wednesday night.

Senator HUMPHRIES – You misunderstand my question. I appreciate that the instrument was not signed on Wednesday night; it was obviously signed on Thursday, some time before 3.22 pm, when the question was asked of Minister Elliott. But this committee has been meeting since nine o'clock this morning and there were questions about Murwillumbah Nursing Home this morning and the information was not provided to us, even though it had been asked for repeatedly on Wednesday night. If I had not raised it, when was it going to be provided to us?

...

Senator HUMPHRIES – Ms Halton, I put it to you that if this committee asked for that information and was told that it could not be provided because it was protected and subsequently an order was made by a delegate

3 *Committee Hansard*, 20.02.08, pp.CA105-107.

4 *Committee Hansard*, 22.02.08, pp.CA17-18; 23-26.

to unprotect the information, it should have been brought back here and provided to the committee.⁵

Provision of answers relating to Additional Estimates 2006-07

1.13 The Committee is pleased to acknowledge DoHA's efforts in providing answers to questions on notice relating to the budget estimates. Almost half of the answers were received by the due date, 27 July 2007, and most of the remaining answers were provided progressively by October 2007. A small number of remaining answers were provided prior to the commencement of the additional estimates hearings.

1.14 FaHCSIA did not provide any answers to questions on notice by the due date, though approximately a third of the answers were provided by October 2007. The remaining outstanding answers were provided to the Committee the day before the additional estimates hearing.

1.15 The Committee was advised on 21 February 2008 that changes to the Administrative Arrangements Orders had resulted in 34 questions being transferred from FaHCSIA to other Departments before answers could be cleared.

Revisions to Portfolio Structure and Outcomes 2007-2008

1.16 The tables on the following pages outline the changes to the portfolios structure and outcomes resulting from the Administrative Arrangements Order (AAO) released on 3 December 2007 and revised on 25 January 2008.

1.17 Even though these estimates were conducted with changes to the AAOs (the transfer of child care matters from FaHCSIA had a noticeably disruptive impact on the timing of that portfolio's hearing) and Senators readjusting to different roles in government and opposition, Committee members continue to experience difficulties in identifying where many subjects are located within the portfolio structure. While Departmental officers are helpful in assisting Senators on the hearing day, confusion with portfolio structures (DoHA now has 15 Outcomes) leads to considerable disruption to the continuity of the hearings and Senators' capacity to ask questions.

1.18 These difficulties are not limited to intra portfolio structures but apply across portfolios. The Committee has commented previously on this issue but there remains an on-going difficulty for Senators with the Human Services portfolio, particularly Centrelink, being in the Finance and Public Administration Committee due to the cross over with FaHCSIA between policy and its implementation and administration. Issues with the NT Emergency Response and Indigenous affairs generally were an especially notable example during this round of estimates hearings.

5 *Committee Hansard*, 22.02.08, pp.CA24-25.

Changes to the Families, Housing, Community Services and Indigenous Affairs Portfolio since the 2007-08 Budget arising from the Administrative Arrangements Order (AAO) released 3.12.07, revised 25.01.08

Outcomes/functions transferred from the former Department of Families, Community Services and Indigenous Affairs

Outcomes/Functions	Agency/Department
The Australian Institute of Family Studies	This agency transferred from the former portfolio of Families, Community Services and Indigenous Affairs to the Portfolio of Prime Minister and Cabinet
<p>Early childhood and child care programs and policy functions under Output Group 3.3 and other functions across Outcome 3.</p> <p>Programs and functions that transferred include: Child Care Benefit; Jobs, Education and Training Child Care Fee Assistance; Child Care Tax Rebate; Child Care Management System; Child Care Support Program; National Child Care Accreditation Council; Australian Government Accreditation Review Council; Australian Early Development index; Home Interaction Program; Support for Child Care Specific Purpose Payment; and Children's Services Local Government Area</p>	These programs and functions transferred from the former Department of Families, Community Services and Indigenous Affairs (FaCSIA) to DEEWR
Youth programs and policy functions under Output 2.4, including the Source website, the Transition to Independent Living Allowance, Mentor Marketplace, the National Youth Affairs Research Program, the National Youth Roundtable, the Ship for World Youth Program, YouthLinx and the Youth Bureau	These programs and functions transferred from FaCSIA to DEEWR

Outcomes/functions transferred to the Department of Families, Housing, Community Services and Indigenous Affairs

Outcomes/Functions	Agency/Department
Indigenous Business Australia	This agency transferred to FaHCSIA from the former portfolio of Employment and Workplace Relations
Equal Opportunity for Women in the Workplace Agency	This agency transferred to FaHCSIA from the former portfolio of Employment and Workplace Relations
Disability Support Pension	This program transferred to FaHCSIA from the former DEWR, from Outcome 1: Efficient and effective labour market assistance, specifically Output Group 1.1 – Working Age Payments
Community Development and Employment Projects	This program transferred to FaHCSIA from the former DEWR, from Outcome 3: Increased workforce participation, Output Group 3.2 – Labour Market Strategies

Health and Ageing Portfolio	
Outcomes/Functions	Agency/Department
Outcome 15 Development of a stronger and internationally competitive Australian sports sector and encouragement of greater participation in sport by all Australians	The Outcome functions were transferred to DoHA from the former Communications, Information Technology and the Arts portfolio
Australian Sports Anti-Doping Authority	This agency transferred to DoHA from the former portfolio of Communications, Information Technology and the Arts
Australian Sports Commission	This agency transferred to DoHA from the former portfolio of Communications, Information Technology and the Arts

Issues

Health and Ageing portfolio

1.19 Estimates for DoHA commenced with the Committee asking questions relating to some corporate matters, including the number of departmental staff attached to ministerial offices, e-health projects, efficiency dividend, government position with regard to outstanding responses to Committee reports and the advertising campaign budget. Information was also sought on a range of issues relating to the Health and Hospitals Reform Commission, including the structure, time-frame, terms of reference, appointments, consultation process.⁶

1.20 With regard to population health matters the drug strategy, in particular the national tobacco campaign commitment and the national education campaign for responsible drinking practices, were discussed. DoHA informed the Committee on progress with the bowel cancer and breast cancer screening programs as well as the Gardasil, sexually transmitted infections, and reproductive health programs. Sex and health education within schools, pregnancy counselling, and the healthy kids check program were also discussed.⁷

1.21 The Food Standards Australia New Zealand Agency advised the Committee on a number of matters relating to food regulation and standards, particularly labelling and residue limits, the glycaemic index, food preservatives and additives and pregnancy health advisory labels.⁸

1.22 The Gene Technology Regulator informed the Committee about the Office's regulatory and monitoring responsibilities, including health and environmental safety issues.⁹ The Regulator was also questioned about the impact on the Office and its procedures of the States that are removing controls on genetically modified crops being grown in their jurisdictions.

1.23 Information was sought from the Therapeutic Goods (TGA) relating to the process involved if the drug Avastin was to be made available under the Pharmaceutical Benefits Scheme (PBS). The Committee also asked the TGA with regard to legal action in the Selim case which is currently before the courts. The TGA also advised the Committee on the warnings issued for the drug Stilnox and their continual monitoring of side effects of the drug.¹⁰

6 *Committee Hansard*, 20.02.08, pp.CA5-13.

7 *Committee Hansard*, 20.02.08, pp.CA5-27.

8 *Committee Hansard*, 20.02.08, pp.CA28-35.

9 *Committee Hansard*, 20.02.08, pp.CA35-39.

10 *Committee Hansard*, 20.02.08, pp.CA40-44.

1.24 In response to questions concerning the cancer support networks for people affected by cancer to better support each other Cancer Australia advised that the applications from cancer support groups had been assessed and the funding agreements were in the negotiation process. The Agency's programs progress and staffing levels were also discussed. The Committee was advised that research projects and the Gynaecological Cancer Centre were progressing well.¹¹

1.25 The Australian Institute of Health and Welfare (AIHW) provided information on its current operations, staffing, building accommodation, data collection and research planning.¹²

1.26 DoHA informed the Committee with regard to the proposed development of the National Primary Health Care Strategy, and the safety net review. Proposals for the teen dental program and the government's dental budget were discussed in some detail. Bulk billing rates for Medicare services were provided. Information was also sought on the funding allocation for the Medical Services Advisory Committee (MSAC) and the processes involved in some of MSAC's functions and decision making. Access to the MBS and PBS by remote area nurses and remote nurse practitioners, radiation therapy internships and the undergraduate program were also included in discussions.¹³

1.27 Senators asked a range of questions relating to pharmaceutical services, including breast cancer and Parkinson's disease treatment drugs and drugs for other life-threatening and rare diseases. Proposals for the establishment of GP superclinics were also discussed in some detail, as well as services for children with autism spectrum disorders, e-health systems, the Rural Health Strategy, Regional Health Services Program and hearing services.¹⁴

1.28 The Committee was advised of details of the medical labour force, particularly with regard to workforce numbers and areas of need. The Bringing Nurses Back into the Workforce program, the dental workforce, education for dentistry in regional areas, clinical training for enrolled nurses, and the general practice training program were also discussed in some detail.¹⁵

1.29 Provision of clinical services and standards, waiting lists and performance reporting were also included in discussions. Senators sought information on a wide range of issues relating to the proposed public dental program and organ and tissue donation¹⁶

11 *Committee Hansard*, 20.02.08, pp.CA44-46.

12 *Committee Hansard*, 20.02.08, pp.CA46-49.

13 *Committee Hansard*, 20.02.08, pp.CA50-63.

14 *Committee Hansard*, 20.02.08, pp.CA65-78.

15 *Committee Hansard*, 20.02.08, pp.CA79-82; 89-92.

16 *Committee Hansard*, 22.02.08, pp.CA2-16.

1.30 Private health insurance matters included membership levels, rebates, Lifetime Health Cover, premium levels, the Medicare levy, and private health funds.¹⁷

1.31 A number of aged care matters were discussed including the proposed Ministerial Council on Ageing and the Ambassador for Ageing, HACC funding, benchmarks for aged care places, labour shortages in aged care facilities. The Aged Care Standards and Accreditation Agency (ACSAA) advised the Committee with regard to the number of homes accredited, including the levels of accreditation, and number of homes under sanction, national standards for services. Senators also sought information concerning sanctions and the failure to meet accreditation standards in some particular aged care facilities, including Belvedere Park and the Murwillumbah Nursing Home.¹⁸

1.32 The Australian Sports Anti-Doping Authority Agency and the Australian Sports Commission appeared before the Committee for the first time following transfer to the Health and Ageing portfolio resulting from AAO changes. A wide range of questions were put to both agencies. Included in discussions were drug testing, staffing levels, support for sporting programs, preparation and funding for the Beijing Olympics and the Paralympic Games, talent identification programs, sporting opportunities for people with a disability and encouragement of sport and fitness for young people. Funding for sporting organisations and sport awards and sponsorship were also discussed.¹⁹

1.33 The Committee sought information in a number of areas relating to Indigenous health, including funding and delivery of child health checks and follow-up treatment as part of the Northern Territory Emergency Response; drug and alcohol services; special children's services for children traumatised by abuse; training for staff to deliver services and provision of other resources; nurse home visiting programs; transportation and assistance for children requiring hospitalisation; efforts to control petrol sniffing and issues with the further rollout of Opal fuel to some roadhouses.²⁰

1.34 Mental health initiatives and access to and delivery of service provision were also included in discussions with DoHA. The NHMRC informed the Committee regarding their current guidelines and planned reviews, research funding and outputs.²¹

17 *Committee Hansard*, 20.02.08, pp.CA82-88.

18 *Committee Hansard*, 20.02.08, pp.CA93-105; 22.02.08; pp.CA18-21.

19 *Committee Hansard*, 20.02.08, pp.CA107-129.

20 *Committee Hansard*, 22.02.08, pp.CA26-39.

21 *Committee Hansard*, 22.02.08, pp.CA43-45.

1.35 The findings in the recently released report by the organ donation task force were discussed together with proposals to increase organ donation rates in Australia.²²

Families, Housing, Community Services and Indigenous Affairs portfolio

1.36 A number of questions relating to cross portfolio and corporate matters were raised with FaHCSIA which included staffing levels, staff attached to Ministers' offices, sick leave, and efficiency dividends.²³

1.37 A large amount of FaHCSIA's hearing time was taken up with the Committee seeking information on a wide range of Indigenous matters, particularly with regard to planning, co-ordination and proposed outcomes resulting from government intervention in some Indigenous communities in the Northern Territory. Major General Dave Chalmers, Commander of the Northern Territory Emergency Response Operations Centre was in attendance at the hearing to respond to questions relating to progress with the NT Emergency Response.

1.38 Indigenous issues which were canvassed in detail included the consultation process, permit system, safety and protection of children, health checks, access to medical and hospital treatment, training and provision of medical and other ancillary staff. Education, housing, employment, assistance and support for families, welfare assistance, CDEP, law and order, alcohol rehabilitation, petrol sniffing diversionary programs, youth services, were also matters discussed at length.²⁴

1.39 A particular issue arose over claims that 'gift cards' were being issued for use at major supermarkets in the Northern Territory. After strong debate, General Chalmers assured the Committee that:

Gift cards have not been issued by Centrelink. Stored value cards have been issued by Centrelink for major supermarkets... If it has happened, it has happened in breach of policy and it has happened at the supermarket. They would be issues we would be concerned about and follow up on.²⁵

1.40 However, at the Finance and Public Administration Committee's estimates hearing, Mr Jeff Whalan CEO of Centrelink confirmed that gift cards were issued, stating that:

We use a range of different cards. Here is the Woolworths card. It is a generic Woolworths card. When I say it is 'generic', I mean it is a card which does not enable the purchase of alcohol and cigarettes... We are using what is available. We basically had to hit the ground incredibly fast and we hit the ground with what is in the market. Is it ideal? No. But, basically, we are making the best of the products that currently are available. There

22 *Committee Hansard*, 22.02.08, pp.CA14-15.

23 *Committee Hansard*, 21.02.08, pp.CA3-5.

24 *Committee Hansard*, 21.02.08, pp.CA5-49; 52-63.

25 *Committee Hansard*, 21.02.08, pp.CA58-60.

would be better ways of doing it, but we have got to use what we have got.²⁶

1.41 The Registrar of Aboriginal Corporations informed the Committee with regard to powers which can be used to resolve issues within a corporation regarding constitutional compliance.²⁷

1.42 The Equal Opportunity for Women in the Workplace Agency, which had been transferred to the FaHCSIA portfolio following recent AAO changes, provided the Committee with information covering the Agency's functions, roles and responsibilities, including research undertaken, oversight of legislative compliance by employers and organisations, and benchmarking of women's participation in the workforce and the outcomes.²⁸

1.43 The Committee asked questions relating to staffing levels and structure in the Office for Women and sought details of progress with Indigenous women's programs, the AppointWomen program, the Violence Against Women – Australia Says No campaign, and programs for women in rural areas.²⁹

1.44 FaHCSIA were also asked questions relating to the aged which included the cost of living index for older people, national reciprocal transport entitlements, and telephone allowance.³⁰

1.45 The progress being made by the States to reduce the numbers of young people who were in residential aged care facilities was pursued. FaHCSIA informed the Committee of the various programs and projects which were operating or planned so as to assist in providing suitable alternative supported accommodation for young people. The difficulties faced by aged carers of older people with disabilities were also discussed in some detail.³¹

1.46 Included in discussions concerning support for people with disabilities were special disability trusts, disability services packages, the personal helpers and mentors program, remote area services, respite services, provision for parking for people with disabilities, and the helping children with autism package. A range of questions were also asked relating to consultations and negotiations for the Commonwealth State Territory Disability Agreement (CSTDA).³²

26 *Committee Hansard*, 22.02.08, pp.F&PA73-74.

27 *Committee Hansard*, 21.02.08, pp.CA49-51.

28 *Committee Hansard*, 21.02.08, pp.CA63-69.

29 *Committee Hansard*, 21.02.08, pp.CA71-74.

30 *Committee Hansard*, 21.02.08, pp.CA74-78.

31 *Committee Hansard*, 21.02.08, pp.CA78-88

32 *Committee Hansard*, 21.02.08, pp.CA89-104.

1.47 Information was also sought in some detail in relation to family relationship centres and the progress being made in providing services. Privacy issues and data collection were also discussed.³³

1.48 The Committee asked some questions on housing matters which covered homelessness as a result of family dysfunction, young people who were homeless, the national rental affordability scheme, the Commonwealth-State Housing Agreement, and public housing. Other matters discussed included disaster recovery, ex gratia payments, and child support.³⁴

1.49 In addition to the above issues a number of administrative and process issues involving both portfolios were discussed during the estimates hearings and these are detailed in the *Hansard* transcripts of evidence.

Senator Claire Moore
Chair
March 2008

33 *Committee Hansard*, 21.02.08, pp.CA106-109.

34 *Committee Hansard*, 21.02.08, pp.CA111-126.