

Foreign Affairs, Defence and Trade Legislation Committee
QUESTIONS ON NOTICE – SUPPLEMENTARY BUDGET ESTIMATES, 21 OCTOBER 2015
Defence Portfolio/Department of Veterans' Affairs/Australian War Memorial

No	Program: Division or Agency	Senator	Broad topic	Question	Proof Hansard, page & hearing date or Written Q	Date Received	Date Tabled
1	Outcome 2	Gallacher	Review of Departmental and Allied Health arrangement s	<p>Senator GALLACHER: Can the department provide an outline of the anticipated steps involved in conducting this review? Can you give us a broad-brush view of what you are trying to do here?</p> <p>Mr Lewis: We might take it on notice, having regard to your preamble comments, Senator. But Sue is happy to take you through them now. So it is your choice.</p> <p>Senator GALLACHER: For completeness, perhaps on notice, an outline of the anticipated steps would probably be a better way to do it.</p> <p>Ms Campion: Sure.</p>	Proof Hansard 21 October 2015 p.127	04/12/15	04/02/16
2	Outcome 2	Gallacher	Review of Departmental and Allied Health arrangement s	<p>Senator GALLACHER: Thank you. How many DVA staff are engaged in the undertaking of this review?</p> <p>Ms Campion: I would need to take that on notice.</p> <p>Senator GALLACHER: Will the review be undertaken entirely by DVA staff or will some aspects of the review be contracted out to external parties?</p> <p>Ms Campion: That is something we are still working through. I suspect some of it may well be contracted out.</p> <p>Mr Lewis: As Ms Campion just mentioned, we will be doing the review in consultation with the Department of Health, so they will be involved.</p> <p>Senator GALLACHER: Perhaps on notice, if external parties are involved, what aspects of the review would they undertake? How would you select them? What would be the cost of their services? Why can't the roles</p>	Proof Hansard 21 October 2015 p.127	04/12/15	04/02/16

				be filled by departmental staff?			
3	DVA General	Gallacher	Memorandum of Understanding between Defence and DVA Cooperative Delivery of Care and Support to Eligible Persons	<p>Senator GALLACHER: Can the department provide an update on the performance of the support continuum?</p> <p>Mr Carmody: Certainly. I do not know whether I have enough detail on it now. I have to take it on notice.</p> <p>Senator GALLACHER: And how that performance is evaluated?</p>	Proof Hansard 21 October 2015 p.129	04/12/15	04/02/16
4	DVA General	Lambie	Overpayments	<p>Senator LAMBIE: In the last estimates, I asked for something about maladministration. I got back that, apparently, within five years from July 2010 to 2015, DVA paid its clients just over \$35 billion in pensions. In the same period, debts were raised for nearly 105,000 clients. How many clients did you have on your books at that time?</p> <p>Mr Lewis: At which time?</p> <p>Senator LAMBIE: During that five year period. Is it about the 330,000 mark?</p> <p>Mr Lewis: Obviously the number of clients will have changed over that period of time.</p> <p>Senator LAMBIE: So, give or take, about 300,000 or 330,000.</p> <p>Mr Carmody: About five years ago we had around 400,000 clients, and we probably have about 416,000 now.</p>	Proof Hansard 21 October 2015 p.129-130	04/12/15	04/02/16

				<p>Mr Lewis: If you want precise numbers, Senator, we would be happy to take that on notice and come back to you.</p> <p>Senator LAMBIE: No, that is okay. I am just trying to bring things up. Nearly 25 per cent of those had maladministration or overpayments—that is what I am bringing up.</p> <p>Mr Lewis: Overpayments do not mean maladministration—I just need to pause you right there.</p> <p>Senator LAMBIE: I do not know that because I asked you if you could give me the exact number of maladministration through clients, but I never got that exact number. Can I please put that on notice, and I would like from the department—</p> <p>Mr Lewis: Can I help you?</p> <p>Senator LAMBIE: Sure, do you have the number?</p> <p>Mr Lewis: There is a scheme for claims for defective administration—CDDA. We process a number of those every year, and, I am sorry, we should have given you answers as linked to CDDA because we have those numbers. I authorise those payments where we have had defective administration in the department and we can give you that detail.</p> <p>Senator LAMBIE: Give me that detail, but I would also like to know how many claims there are of maladministration where you will not admit that it is maladministration. Can I have that number as well? Right now I am going to spend my time, if that is what it takes for ten minutes, reading you something, and then I would like to give you an option at the end of it:</p>			
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5	DVA General	Lambie	Overpayments	<p>Senator LAMBIE: I am very aware of how it goes, Ms Foreman, because I am one of the many thousands that you overpaid. I am very aware of how that goes. How long are you giving yourself? Do you have a time limit on when it is shut off, instead of approaching people two or three years later and letting them know you may have overpaid them? Do you have a time limit where you just say, 'Well, if we overpaid them we will just have to accept that and we will have to take the responsibility for that'?</p> <p>Mr Lewis: Just to clarify, is this in relation to this CDDA scheme? You are asking about whether there is a time limit in relation to the operation of the CDDA scheme?</p> <p>Senator LAMBIE: Yes.</p> <p>Ms Spiers: There is no time limit for someone to put in a claim for defective administration, and in fact we have got details on our website about how to make a claim and there is frequently asked questions there. It may assist if we provide a link to that site so that the Senate committee can become aware of that. We will receive claims for people where they might have only recently found out about something that happened some time ago and they wish to seek recovery of compensation for detriment. I also have the figures when you asked the question about maladministration, and Mr Lewis clarified that was in respect of CDDA. I have the figures year-to-date if you wish to know the claims received, those accepted and rejected and a comparison for the last two years. If you wish, I can read that into <i>Hansard</i>.</p> <p>Senator LAMBIE: No. If you can just pass that over to me that would be good, because it takes up too much time...</p>	Proof Hansard 21 October 2015 p.131	04/12/15	04/02/16
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6	DVA General	Lambie	Overpayments – staff discipline	<p>Senator LAMBIE: No. If you can just pass that over to me that would be good, because it takes up too much time. My next question is: when your officers make mistakes, are they disciplined? What happens to them?</p> <p>Ms Spiers: It really depends. I can say that from firsthand knowledge because I do sign off on the reports that go to the secretary on CDDA claims. If we see that there is clearly a training and awareness issue—that the policy and procedures were in place and the staff member was not aware of them—then our recommendation that follows that is that the staff member involved should have some further training and acknowledgement. It would be a very extreme case where the staff member might have had the same error a number of times, and we might be looking at a conduct issue.</p> <p>Senator LAMBIE: I would appreciate it if you could provide me with how many of your people in the last five years have been disciplined and what discipline they have received.</p> <p>Ms Spiers: Can I just clarify that that is in relation to issues that have arisen around the CDDA?</p> <p>Senator LAMBIE: It is in relation to any mistakes that they have made of maladministration. I would like to know how many people have been disciplined in your department in the last five years and the reasons why they have been disciplined.</p> <p>Ms Spiers: The majority of the action we would recommend would be further training and awareness, as a rule.</p>	Proof Hansard 21 October 2015 p.131	04/12/15	04/02/16
7	DVA General	Ludwig	Departmental Rebranding	Has the department/Agency undergone a name change or any other form of rebranding since the leadership	Written Q	04/12/15	04/02/16

				<p>change in September, 2015? If so:</p> <p>a. Please detail why this name change / rebrand were considered necessary and a justified use of departmental funds?</p> <p>i. Please provide a copy of any reports that were commissioned to study the benefits and costs associated with the rebranding.</p> <p>b. Please provide the total cost associated with this rebrand and then break down by amount spent replacing:</p> <p>i. Signage.</p> <p>ii. Stationery (please include details of existing stationery and how it was disposed of).</p> <p>iii. Logos</p> <p>iv. Consultancy</p> <p>v. Any relevant IT changes.</p> <p>vi. Office reconfiguration.</p> <p>c. How was the decision reached to rename and/or rebrand the department?</p> <p>i. Who was involved in reaching this decision? ii. Please provide a copy of any communication (including but not limited to emails, letters, memos, notes etc) from within the department, or between the department and the government</p>			
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				regarding the rename/rebranding.			
8	DVA General	Ludwig	Departmental Rebranding	<p>a. Following the changes does the department share any goods/services/accommodation with other departments?</p> <p>b. What resources/services does the department share with other departments; are there plans to cease sharing the sharing of these resources/services?</p> <p>c. What were the costs to the department prior to the Machinery of Government changes for these shared resources? What are the estimated costs after the ceasing of shared resource arrangements?</p>	Written Q	04/12/15	04/02/16
9	DVA General	Ludwig	Staffing - employment of non-Australian citizens	<p>I refer you to section 22 (8) of the Public Service Act 1999 which says:</p> <p>"An Agency Head must not engage, as an APS employee, a person who is not an Australian citizen, unless the Agency Head considers it appropriate to do so."</p> <p>1. Does the department have guidelines or similar to assist Agency Heads to assess when it is appropriate to hire non-Australian citizens? If no, do individual agencies have their own guidelines? If yes to either:</p> <p>a. Please provide a copy.</p> <p>b. When did they come into effect?</p> <p>c. Can Agency Heads decide to go against the advice? If yes, under what circumstances?</p> <p>2. Are Agency Heads required to provide a reason to</p>	Written Q	04/12/15	04/02/16

				<p>anyone for hiring non-Australian citizens? If yes:</p> <ul style="list-style-type: none"> a. Who are they required to report the reason to? b. Does this reporting happen before or after the hire has been made? c. Is this reason provided in writing? If no, how is it provided? d. Can you please provide a list of reasons that have been used since the Federal election in September, 2013. <p>3. Are there any provisions to over-rule a Head of Agency's decision to hire a non-Australian citizen? If yes:</p> <ul style="list-style-type: none"> a. Who can over-rule this decision? b. Under what circumstances can it be over-ruled? c. How many times has this occurred since the Federal election in September, 2013. 			
10	DVA General	Ludwig	Ministerial Staffing	<p>Since the leadership change in September, 2015:</p> <ul style="list-style-type: none"> a. Has there been any change to the staffing profile of the Minister's office? b. Provide a list of changes to staffing numbers, broken down by classification level, and role. c. Please provide a breakdown of any redundancies that have been paid to staff who left the Minister's office since the change in leadership. 	Written Q	04/12/15	04/02/16

				<p>d. Please provide the total cost of Ministerial staff salaries in the office from before the change.</p> <p>e. Please provide the total cost of Ministerial staff salaries in the office as of now.</p> <p>f. Were any staff hired for the office since the change, but have subsequently left in the time between then and now? If yes, how many? How long did each stay? What was their role?</p>			
11	DVA General	Ludwig	Ministerial Personalised Stationery	Since the leadership change in September, 2015, how much has been spent by the Ministerial office on personalised stationery for the Minister and the Minister's staff? Please provide a cost breakdown by type of stationery purchased and the quantity of each and whether it was for the Minister or for staff.	Written Q	04/12/15	04/02/16
12	DVA General	Gallacher	Memorandum of Understanding between Defence and DVA and the relationship between DVA and Defence.	<p>Is there a requirement for the MoU to be periodically and formally reviewed by both departments?</p> <p>a. Has this occurred since it was signed?</p> <p>b. When does the Department expect such a review to take place?</p> <p>c. Will the outcome of that review be made public?</p>	Written Q	04/12/15	04/02/16
13	DVA General	Gallacher	Memorandum of Understanding between Defence and DVA and the relationship between DVA and	<p>I understand one key goal of the MoU is to improve the handover from Defence to DVA for eligible members separating on medical grounds –</p> <p>Can the Department provide details as to the number of ADF members separating on medical grounds that have liability determined before discharge?</p> <p>If yes -</p>	Written Q	04/12/15	04/02/16

			Defence.	<p>a. What percentage of members separating on medical grounds does this represent?</p> <p>b. Does this represent an improvement compared to before the implementation of the MoU?</p> <p>If no –</p> <p>a. How does the Department judge performance against this objective?</p>			
14	DVA General	Gallacher	Memorandum of Understanding between Defence and DVA and the relationship between DVA and Defence.	<p>I understand that the Department has been working with defence to encourage personnel to lodge claims closer to the time when the injury occurred, have these efforts been successful?</p> <p>If yes -</p> <p>a. What is the average time between when an injury occurs and when assessment and liability determination takes place?</p> <p>b. How does this compare to before the implementation of the MoU?</p> <p>If no –</p> <p>c. Why do you think there has been no improvement?</p> <p>d. What strategies have been put in place to resolve this?</p>	Written Q	04/12/15	04/02/16

15	DVA General	Gallacher	Memorandum of Understanding between Defence and DVA and the relationship between DVA and Defence.	<p>I understand that unless a member opts out Defence notifies the DVA when personnel transition out of the military and contact them to make them aware of services, is that correct?</p> <p>a. What percentage of transitioning members opt out of having their personal details provided to DVA?</p> <p>b. Has there been an increase in the number of transitioning personnel who agree to have their details provided to the DVA?</p> <p>c. Is there a follow up process if a member does not require anything from the Department immediately?</p>	Written Q	04/12/15	04/02/16
16	DVA General	Gallacher	Issue - Privacy Breaches/Administrative errors	<p>a. The hearings ended discussion whether applications and claims are stored in hardcopy form or electronically, so what determines how a particular document or file is stored?</p> <p>b. I imagine that there are instances where a client's file, claim or application needs to be accessed by different sections of the department, sometimes in a different state to where it is received -</p> <p>i. when this occurs can DVA staff access these documents electronically or are hardcopy files physically moves around?</p> <p>ii. what determines whether a file/document is physically sent to a different DVA office location</p>	Written Q	04/12/15	04/02/16

				and when it is made available electronically?			
17	DVA General	Gallacher	Lost or misplaced information	<p>a. Have there been any instances where client files, claim or related documents have been lost or misplaced?</p> <p>If yes –</p> <p>i. How often does this occur?</p> <p>ii. Have you found these instances to be a result of human or system error?</p> <p>What is the process when a file, claim or document is lost or misplaced?</p> <p>a. Is there an attempt to locate the lost documents?</p> <p>b. Is the client given additional support to recomplete/resubmit required documents?</p> <p>c. Is the processing of that claim/application given priority if the loss or misplacement of the file has resulted in delay?</p>	Written Q	04/12/15	04/02/16

18	DVA General	Gallacher	File mix ups	<p>Have there been any instances where client files have been mixed up with another client's during the processing of claims and applications or when information is disclosed for a permitted purpose (i.e.: to facilitate treatment)?</p> <p>If yes –</p> <p>a. How often does this occur?</p> <p>b. Have you found these instances to be a result of human or system error?</p> <p>c. What kind of impact does this have on the processing of claims and the veterans wellbeing?</p>	Written Q	04/12/15	04/02/16
19	DVA General	Gallacher	Online Services	<p>a. I understand that DVA have made investments in its online capacity for clients.</p> <p>i. Can the Department explain the purpose of providing services online?</p> <p>ii. Have the current online services met this purpose/expectations?</p> <p>iii. Can the Department identify areas of its current online services which require improvement?</p> <p>b. On average how many people access the Entitlement Self-Assessment Tool (per month)?</p>	Written Q	04/12/15	04/02/16

20	Outcome 1	Gallacher	Online services	<p>How many veterans have registered for My Account?</p> <p>a. What percentage of DVA clients does this represent?</p> <p>b. Can the Department provide a breakdown of the demographics of DVA clients who have registered with My Account?</p> <p>c. Can the Department provide information around which features of My Account are the most frequently used/which are least frequently used?</p>	Written Q	04/12/15	04/02/16
21	Outcome 1	Gallacher	Online services	<p>Does the Department expect overpayments resulting from the non-notification of changing personal or financial circumstances within prescribed periods to reduce as a result of features on My Account?</p> <p>If no –</p> <p>a. why not?</p> <p>If yes -</p> <p>b. Will this form part of any evaluation of the efficacy of My Account?</p> <p>c. Has the Department completed any modelling that shows a likely reduction in overpayments?</p>	Written Q	04/12/15	04/02/16
22	Outcome 1	Gallacher	Online services	<p>How many people have utilised the online claims and applications tool since its introduction?</p> <p>a. How does this compare to alternative forms of claims and applications?</p>	Written Q	04/12/15	04/02/16

				<p>b. Is it possible or the Department to provide a breakdown of the demographics of those who have utilised the online claims and applications tool?</p> <p>c. Can the Department provide a breakdown of which online claims have been the most frequently used/least frequently used?</p> <p>d. Has the use of online claims and applications had a positive impact on claims processing times? How?</p> <p>e. Have there been any instances of system error which have affected the processing of a claim? How was that dealt with?</p>			
23	DVA General	Gallacher	Social Media	<p>What is the size of the DVA Facebook community?</p> <p>a. On average how many private messages are received by the DVA Facebook page? How are these dealt with (i.e.: forwarded to appropriate section?)</p> <p>b. How often does DVA post new content to the page?</p> <p>c. What is the reach of posts shared on the DVA Facebook page?</p>	Written Q	04/12/15	04/02/16
24	DVA General	Gallacher	Social Media	<p>How many people are employed to run/monitor the DVA Facebook page?</p> <p>a. Is the page monitored solely during business hours?</p> <p>b. Are those who monitor the Facebook page DVA staff</p>	Written Q	04/12/15	04/02/16

				<p>or contractors?</p> <p>If they are contractors –</p> <p>a. What training do they receive?</p> <p>b. How much does this cost?</p>			
25	Outcome 2	Gallacher	Social Media	<p>What is the size of the VVCS Facebook community?</p> <p>a. On average how many private messages are received by the VVCS Facebook page? How are these dealt with (i.e.: forwarded to appropriate section?)</p> <p>b. How often does VVCS post new content to the page?</p> <p>c. What is the reach of posts shared on the VVCS Facebook page?</p>	Written Q	04/12/15	04/02/16
26	Outcome 2	Gallacher	Social Media	<p>How many people are employed to run/monitor the VVCS Facebook page?</p> <p>a. Is the page only monitored during business hours?</p> <p>b. Are those who run/monitor the page DVA staff or is the function contracted out?</p> <p>If contracted –</p> <p>a. What training do these people have?</p> <p>b. Do they have experience working in mental health?</p>	Written Q	04/12/15	04/02/16

				c. How much does this cost?			
27	DVA General	Gallacher	Social Media	<p>Does the DVA have a strategy for improved outreach for DVA and VVCS through social media?</p> <p>a. How does the DVA evaluate the efficacy and outreach of their social media communications?</p>	Written Q	04/12/15	04/02/16
28	Outcome 3	Gallacher	Restoration of trench in Mont Saint-Quentin	<p>1. In 2010 an intention to restore remnants of an original communication trench captured by Australians during the attack on Mont Saint-Quentin was announced, what was the purpose of that restoration?</p> <p>2. The section of land has been leased with the support of the Australian Government, is that correct?</p> <p>3. Has there been any excavation or surveying of the site since that time? Can details be provided?</p> <p>4. Was the intention that Australia would support the restoration of the trench through the provision of funding?</p> <p>a) How much was the restoration expected to cost?</p> <p>b) Was funding expected to come out of the \$10 million provided for the Australian Remembrance Trail in France and Belgium?</p>	Written Q	04/12/15	04/02/16

29	Outcome 3	Gallacher	Restoration of trench in Mont Saint-Quentin	<p>Is it still the intention that the trench will be restored/and Australia will provide the funding for that restoration?</p> <p>If not –</p> <ul style="list-style-type: none"> a. Why was the decision made to withdraw funding? b. Are the funds being spent on alternative projects? c. Which ones? Why were they considered a higher priority? <p>If yes –</p> <ul style="list-style-type: none"> a. When is it expected that the restoration will take place? b. Will Australia be providing the funding? c. How much is it expected to cost? 	Written Q	04/12/15	04/02/16
30	Outcome 2	Gallacher	Data collection/identifying veterans	<p>In previous estimates and other formats the Department has indicated that they can only be aware of the issues facing those veterans who are clients which can be as little as 1 in 6 former serving personnel.</p> <p>Particularly in the area of homelessness it has become clear that a comprehensive data collection system is lacking.</p>	Written Q	04/12/15	04/02/16

				<p>South Australia is currently undertaking a project to improve and consolidate data collection on veterans as a means of identifying priorities and requirements of the veterans' community.</p> <p>In an answer to questions on notice for Additional Estimates in February of this year the Department stated that it 'does work closely with other government and non-government organisations agencies in identifying and assisting members of the veterans community at risk of homelessness' –</p> <p>a. Can the Department provide details of the programs or processors by which this is achieved?</p> <p>i. Is the inclusion of a question about a person's service history on intake forms or in intake interviews encouraged as a way to identify veterans?</p> <p>ii. Which agencies or organisations does the Department work with?</p> <p>iii. How are these agencies or organisations identified?</p> <p>b. Does the DVA receive or collect information in relation to ex service personnel presenting to any other federal, state or territory agencies? (ie: Does the Department of Human Services identify persons who have served in the ADF and notify DVA)</p>			
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31	Outcome 1 and Outcome 2	Gallacher	Projections and costs	<p>a. DVA population projections suggest that the overall number of DVA clients is expected to decline significantly out to 2030 –</p> <ul style="list-style-type: none"> i. Are income support and compensation payments expected to decrease in line with these population projections? ii. Can the Department provide numbers? iii. Which beneficiary categories are expected to experience the greatest decline? <p>b. Is DVA expecting to see an increase or decrease in the number of veterans receiving income support and compensation payments under the MRCA out to 2030?</p> <ul style="list-style-type: none"> i. Can the Department provide numbers? ii. How much is this expected to cost? 	Written Q	04/12/15	04/02/16
32	Outcome 2	Gallacher	Health Cards	<p>a. Does the Department expect the number of Gold, White and Orange Health Card holders to decline in line with population projections?</p> <p>b. Does the Department expect spending on health and support services to decrease in line with the decline in the beneficiary population?</p> <p>If not –</p> <ul style="list-style-type: none"> i. Under which programs do you expect to see the 	Written Q	04/12/15	04/02/16

				<p>greatest increase in demand for related services?</p> <p>ii. Are there any programs that you expect will see a fall in demand for related services? Which ones?</p>			
33	DVA General	Gallacher	Staffing	<p>How many staff does the DVA currently employ?</p> <p>a. How many of these are ongoing and how many are non-ongoing positions?</p> <p>b. Can the Department provide a breakdown of staff by pay level?</p>	Written Q	04/12/15	04/02/16
34	DVA General	Gallacher	Staffing	<p>Are the Department's staffing requirements (ie: the number of staff required) expected to remain at the same level or decrease in line with the beneficiary population?</p> <p>If yes –</p> <p>a. Why is that the case?</p> <p>b. Will the decline of the beneficiary population combined with the increasingly complex needs of an aging veterans' population require a restructuring in the way staff are allocated between different business sections of DVA? Can details be provided?</p> <p>If no –</p> <p>a. How many fewer staff will DVA require?</p> <p>b. What sections of DVA will those reductions in staff</p>	Written Q	04/12/15	04/02/16

				likely come from? c. Will these be junior or more senior management positions? d. What does this mean in terms of staffing costs?			
35	DVA General	Gallacher	Expansion of Online services - Staffing	Does the Department expect the expansion of online services such as My Account and the online claims process to impact staffing requirements over the longer term?	Written Q	04/12/15	04/02/16
36	Outcome 1	Xenophon	Location profiles	<p>In response to Questions on Notice from Additional Estimates 2015 DVA advised it has: "received four location profiles from the Defence Abuse Response Taskforce (DART). Location profiles provide aggregated, de-identified data about 'cluster' of abuse reports to the DART involving particular military establishments."</p> <p>DVA also advised that it has requested DART provide DVA with a total of 14 location profiles.</p> <p>In response to Question on Notice 17 from Budget Estimates, DVA advised that as at 1 July 2015, profiles for a total of six locations have been provided by DART.</p> <p>Have any more of the location profiles requested by DVA been provided by DART to date?</p>		04/12/15	04/02/16

37	Outcome 1	Xenophob	Location profiles	<p>The response to QoN 17 also advised that representative locations for 'clusters' of abuse were identified by considering the 'total number of reports (of abuse) submitted by DART for that location'.</p> <p>a. Can you provide a de-identified summary of each location profile, including:</p> <ul style="list-style-type: none"> i. the number of reports of abuse alleged to have occurred there, ii. the nature of the abuse reported, iii. the characteristics of the individuals who experienced abuse; AND iv. the characteristics of the alleged abusers? 	Written Q	04/12/15	04/02/16
38	Outcome 1	Xenophob	Location profiles	<p>DVA advised in QoN17 that it has "not yet commenced using the location profiles for claims assessment purposes. However, work is underway to provide guidance to claims delegates about how such data could be used".</p> <p>a. Can you please explain how much weight the 'guidance' provided by abuse cluster location profiles will be given when assessing DVA claims?</p> <p>b. What form will this 'guidance' take? For example, will it be contained in a guidance note?</p> <p>c. Will the 'guidance' be publicly available?</p> <p>d. Given the response to QoN17 states "to provide guidance to claim delegates about how such data could be used", to what extent will DVA claim</p>	Written Q	04/12/15	04/02/16

				delegates be bound by this 'guidance'? e. When do you expect work on the 'guidance' to be provided will be complete?			
39	DVA General	Xenophon	Legal Costs	In 2013-14 DVA spent a total of \$9.429 million on legal services (external and internal). Can DVA advise how much has been spent in 2014-2015 on: a. Total legal services b. External legal services c. Internal legal services	Written Q	04/12/15	04/02/16
40	DVA General	Xenophon	Legal Costs	Can DVA provide a breakdown of the legal services expenditure spent contesting military compensation payments in: a. 2012-2013 b. 2013-2014 c. 2014-2015	Written Q	04/12/15	04/02/16
41	Outcome 1	Xenophon	Legal Costs	I refer to the Safety, Rehabilitation and Compensation Act 1988 (SRCA) with regards to Permanent Impairment under which it is possible for the Department to award lump sum compensation for permanent whole person impairment suffered by members and former members of the ADF who were injured or suffered disease due to their service prior to 1 July 2004. I refer to the case May v Military Rehabilitation and Compensation Commission [2015] FCAFC 93 (30 June 2015).	Written Q	04/12/15	04/02/16

				<p>a. Can DVA provide an update on the status of this claim?</p> <p>b. Can DVA advise how much in total it has spent on the legal costs of this claim, including on DVA employees, legal teams and Mr May's legal costs?</p> <p>c. What is the total amount of compensation payable in this type of claim?</p> <p>d. How does DVA determine whether or not to pursue such claims where the legal costs may outweigh the value of the compensation payable? Please provide details.</p> <p>e. What undertaking is completed by DVA to estimate total legal costs before pursuing such claims?</p>			
42	Outcome 1	Xenophon	Legal Costs	<p>I note the findings of May v Military Rehabilitation and Compensation Commission [2015] FCAFC 93 (30 June 2015) which recently found:</p> <p>'no warrant... to require diagnosis or medically ascertained cause' at [209]; and '[t]he requirement for objective medical evidence and diagnosis misdirected the enquiry' at [211] cf. [212], [220]; and '...these erroneous approaches also led the Tribunal to look for a causal link of a kind not required...' at [231], cf. [224].</p> <p>I understand it was ordered that:</p>	Written Q	04/12/15	04/02/16

				<p>(a) the decision of the Administrative Appeals Tribunal dated 14 December 2011 be set aside;</p> <p>(b) the matter be remitted to the Tribunal for determination according to law; and</p> <p>(c) the respondent pay the appellant's costs.</p> <p>The findings accepted "that a differently constituted Tribunal, properly instructed about what needs to be established to come within the concept of "injury", may take a different approach to significant aspects of the evidence, including the appellant's accounts of what he experienced."</p> <p>a. Assuming a compensation claim for injury is not excluded (e.g. by self-harm), what are the minimum criteria that need to be met under the SRC Act to satisfy the concept of "injury" other than a disease?</p> <p>b. Was this instruction given by internal or external legal services?</p> <p>c. What action is DVA taking given that the ruling suggests that they were not properly instructed about what needs to be established to come within the concept of "injury"?</p> <p>d. I understand the SRC Act does not require workers who suffer non-disease injuries during employment</p>			
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				to prove causal contribution. Therefore, why does DVA require workers to prove causal contribution, and to prove other things (e.g. suddenness) which are not required by law?			
43	Outcome 1	Xenophoph	Non Liability Health Care (NLHC)	<p>The FADT Committee noted that people damaged by abuse in the ADF – especially boys and other vulnerable young recruits - may have left the ADF well before the three year minimum service required for NLHC. Accordingly, the Committee recommended (Recommendation 5):</p> <p>Recommendation 5</p> <p>The committee recommends the Australian Government introduce amending legislation to remove the three year minimum service requirement for eligibility for Non-Liability Health Care (NLHC) and to make NLHC available to any person who has had completed any service.</p> <p>Government Response - Noted.</p> <p>An expansion of eligibility for NLHC along these lines would enable a greater number of victims of abuse to access treatment for specific mental health conditions. This proposal will need to be considered in the context of the Government's broader budget priorities.</p>	Written Q	04/12/15	04/02/16

				<p>a. What is DVA doing to enable the Government to make a substantive decision on this recommendation 'in the context of the Government's broader budget priorities'?</p> <p>b. Has DVA gathered information about the cost implications of removing the three year service precondition to enable the Government to make an informed decision on this recommendation in the next Budget process?</p> <p>c. If not, what will DVA do to gather that information in time for an informed decision in the next Budget process?</p> <p>Access to NHLC makes it more likely that the people affected will be able to live productive lives.</p> <p>d. Has or will DVA's analysis of the budget implications of implementing Committee Recommendation 5 take into account the possible reduction in the claims which the people who benefit from NHLC might make otherwise make on social welfare?</p> <p>e. Apart from cost, is there any policy reason for having a three year minimum service precondition for access to NLHC for former members of the</p>			
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				ADF?			
44	Outcome 1	Xenoph n	NLHC	<p>NLHC – with a three year service precondition – came into effect in 1 July 2013.</p> <p>a. When NLHC was introduced, what was the rationale for the three-year service precondition?</p> <p>b. What assessment was made of the financial impact of NLHC before it came into operation?</p> <p>c. Has DVA tracked the Budget impact that the introduction of NLHC has had since it came into effect?</p> <p>d. Has DVA carried out any analysis of the ongoing budget implications of the introduction of NLHC?</p> <p>e. If yes – what is the outcome of that tracking and analysis?</p> <p>f. Has the experience since NLHC was introduced been consistent with the financial impact assessment which was done before it was introduced?</p>	Written Q	04/12/15	04/02/16
45	Outcome 1	Xenoph n	NLHC	a. What has DVA done to publicise the availability of the existing NLHC (with a three year service precondition) to potential claimants?	Written Q	04/12/15	04/02/16

				<p>b. In particular – has DVA publicised NLHC to the medical professionals and support groups such as Alcoholics Anonymous who work with persons affected by mental health and substance abuse issues?</p> <p>c. Persons affected by mental health problems are more likely to be in receipt of social welfare benefits. Has DVA publicised the availability of NLHC through entities - such as Centrelink and Nursing Home facilities - likely to be working with persons damaged by abuse and their carers?</p>			
46	Outcome 1	Xenophonia	Access to DVA benefits (other than NLHC)	<p>Recommendation 6 - The committee recommends that the Minister for Veterans ' Affairs direct the Department of Veterans ' Affairs (DVA) to commence consultation with veterans' representative organisations and to report back on:</p> <p>the legal and practical barriers there are to victims of abuse in the ADF succeeding in establishing the facts necessary to access entitlements to DVA benefits;</p> <p>what Defence and DVA could do and what resources they will require to gather and share information which could assist such individuals to establish those facts to the satisfaction of DVA and tribunal decision-makers;</p> <p>what can be done in liaison with veterans' groups, other Australian Government agencies and community groups, and what resources will be required to reach out</p>	Written Q	04/12/15	04/02/16

				<p>to individuals affected by abuse who may be eligible for DVA benefits — including individuals who have previously applied and been rejected.</p> <p>Government Response - Noted.</p> <p>The Government currently engages with a number of veterans ' representative groups and ex-service organisations on a range of issues affecting the veteran community. The Government is committed to ongoing consultation with veterans ' representative groups and to reviewing its consultative mechanisms and will consider options to broaden engagement in order to better support abuse victims.</p> <p>The findings of the consultation will be reported back to the Minister for Veterans ' Affairs.</p> <p>a. What is the status of this consultation and consideration of options?</p> <p>b. Has the consultation and consideration of options commenced?</p> <p>c. What has or will the consultation consist of?</p> <p>d. Which groups have been consulted or will be consulted?</p> <p>e. What is the timetable for consultation and reporting</p>			
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				to the Minister?			
47	Outcome 1	Xenophono	Financial Assistance	<p>What is DVA doing to:</p> <p>a. examine options to provide financial assistance to support a national, sustainable community-based approach to assisting veterans who have suffered abuse? and</p> <p>b. enable the Government to make a substantive decision on this recommendation 'in the context of the Government's broader budget priorities' in time for an informed decision in the next Budget process?</p>	Written Q	04/12/15	04/02/16
48	Outcome 1	Xenophono	DVA liaison with Defence -Government response to FADT Committee report on support for victims of abuse	<p>In October 2014 the Senate Foreign Affairs, Defence and Trade Committee tabled its report - Processes to support victims of abuse in Defence.</p> <p>The Government response to this Report was tabled on 16 June 2015.</p> <p>A number of recommendations relate to the Department of Veterans' Affairs. Some of the Government responses indicated that the recommendations would be further considered by Government in budgetary contexts and/or that there would be further consideration and consultation before Government decisions were made.</p> <p>Shortly before the change in Ministers I met with the</p>	Written Q	04/12/15	04/02/16

				<p>then Minister for Defence Kevin Andrews and I expressed to him my concerns that these matters not be left to drift while people damaged by abuse in the Defence Force and their families are continuing to suffer without assistance they could be getting.</p> <p>I was particularly concerned that we not get to the next Budget process without sufficient work having been done to enable the Government to make substantive decisions.</p> <p>Minister Andrews agreed to take up these concerns with the then Minister for Veterans' Affairs and on 4 September 2015 I wrote to him to confirm my concerns.</p> <p>I have written to the new Minister for Defence Senator Payne and provided her with a copy of my letter to Minister Newman.</p> <p>QUESTION</p> <p>a. Has Defence provided DVA with a copy of my 4 September 2015 letter to Minister Andrews?</p> <p>b. Have Defence and DVA commenced consultation on the matters set out in that letter?</p>			
49	AWM	Ludwig	Departmental Rebranding	<p>Has the department/Agency undergone a name change or any other form of rebranding since the leadership change in September, 2015? If so:</p> <p>a. Please detail why this name change / rebrand were considered necessary and a justified use of departmental funds?</p>	Written Q	04/12/15	04/02/16

				<p>i. Please provide a copy of any reports that were commissioned to study the benefits and costs associated with the rebranding.</p> <p>b. Please provide the total cost associated with this rebrand and then break down by amount spent replacing:</p> <p>i. Signage.</p> <p>ii. Stationery (please include details of existing stationery and how it was disposed of).</p> <p>iii. Logos</p> <p>iv. Consultancy</p> <p>v. Any relevant IT changes.</p> <p>vi. Office reconfiguration.</p> <p>c. How was the decision reached to rename and/or rebrand the department?</p> <p>i. Who was involved in reaching this decision?</p> <p>ii. Please provide a copy of any communication (including but not limited to emails, letters, memos, notes etc.) from within the department, or between the department and the government regarding the rename/rebranding.</p>			
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50	AWM	Ludwig		<p>a. Following the changes does the department share any goods/services/accommodation with other departments?</p> <p>b. What resources/services does the department share with other departments; are there plans to cease sharing the sharing of these resources/services?</p> <p>c. What were the costs to the department prior to the Machinery of Government changes for these shared resources? What are the estimated costs after the ceasing of shared resource arrangements?</p>	Written Q	04/12/15	04/02/16
51	AWM	Ludwig	Staffing - employment of non-Australian citizens	<p>I refer you to section 22 (8) of the Public Service Act 1999 which says:</p> <p>"An Agency Head must not engage, as an APS employee, a person who is not an Australian citizen, unless the Agency Head considers it appropriate to do so."</p> <p>a. Does the department have guidelines or similar to assist Agency Heads to assess when it is appropriate to hire non-Australian citizens? If no, do individual agencies have their own guidelines? If yes to either:</p> <p style="margin-left: 40px;">i. Please provide a copy.</p> <p style="margin-left: 40px;">ii. When did they come into effect?</p> <p style="margin-left: 40px;">iii. Can Agency Heads decide to go against the advice? If yes, under what circumstances?</p> <p>b. Are Agency Heads required to provide a reason to anyone for hiring non-Australian citizens? If yes:</p> <p style="margin-left: 40px;">i. Who are they required to report the reason to?</p>	Written Q	04/12/15	04/02/16

				<ul style="list-style-type: none"> ii. Does this reporting happen before or after the hire has been made? iii. Is this reason provided in writing? If no, how is it provided? iv. Can you please provide a list of reasons that have been used since the Federal election in September, 2013. <p>c. Are there any provisions to over-rule a Head of Agency's decision to hire a non-Australian citizen? If yes:</p> <ul style="list-style-type: none"> i. Who can over-rule this decision? ii. Under what circumstances can it be over-ruled? iii. How many times has this occurred since the Federal election in September, 2013. 			
52	AWM	Ludwig	Ministerial Staffing	<p>Since the leadership change in September, 2015:</p> <ul style="list-style-type: none"> a. Has there been any change to the staffing profile of the Minister's office? b. Provide a list of changes to staffing numbers, broken down by classification level, and role. c. Please provide a breakdown of any redundancies that have been paid to staff who left the Minister's office since the change in leadership. d. Please provide the total cost of Ministerial staff salaries in the office from before the change. e. Please provide the total cost of Ministerial staff 	Written Q	04/12/15	04/02/16

				salaries in the office as of now. f. Were any staff hired for the office since the change, but have subsequently left in the time between then and now? If yes, how many? How long did each stay? What was their role?			
53	AWM	Ludwig	Ministerial Personalised Stationery	Since the leadership change in September, 2015, how much has been spent by the Ministerial office on personalised stationery for the Minister and the Minister's staff? Please provide a cost breakdown by type of stationery purchased and the quantity of each and whether it was for the Minister or for staff.	Written Q	04/12/15	04/02/16