



Australian Government

Department of Social Services

Committee Secretary
Senate Community Affairs References Committee
PO Box 6100
Parliament House
Canberra ACT 2600

Senate inquiry into violence, abuse and neglect against people with disability in institutional and residential settings, including gender and age related dimensions, and the particular situation of Aboriginal and Torres Strait Islander people with disability, and culturally and linguistically diverse people with disability (the Senate's report).

Dear Committee Secretary

I am writing to advise the Senate Community Affairs References Committee (the Committee) that the Department of Social Services (the Department) is continuing to give priority to finalising the Government response to the Senate's report.

The Federal election period, 9 May to 30 August 2016, impacted the finalisation of the Department's draft response to the Senate's report. Prior to Parliament reconvening on 30 August 2016, the Department commenced an additional consultation and clearance process across a number of Commonwealth agencies to ensure that the response remains current. The Department's goal is to have the Government response completed by early December 2016.

The Senate's report, its finding and recommendations, as well as related reports by the Victorian Ombudsman and the Victorian Parliament, have been used to inform the development of the National Disability Insurance Scheme (NDIS) Quality and Safeguarding Framework (the Framework), and I would like to take this opportunity to provide the Committee with a brief update on progress achieved towards developing the Framework.

On 2 September 2016, the Commonwealth and the majority of state and territory ministers responsible for disability, reached agreement on the Framework for NDIS full scheme roll-out. The Framework will proceed to the Council of Australian Governments (COAG) later in the year. I have attached the relevant section of the COAG Disability Reform Council Communiqué which provides further information on the issues agreed between the Commonwealth and state and territory ministers.

The Government believes that the Framework is one of the key tools in preventing violence, abuse and neglect against NDIS participants. A nationally consistent approach to quality and safeguarding will help empower and support participants to make informed choices about providers, while also ensuring that there are appropriate safeguards in place to facilitate safe and high quality support provision in a developing market.

The foundations for the framework are drawn from the *UN Convention on the Rights of Person with Disabilities*, the *National Disability Strategy 2010-2020* and the *National Disability Insurance Scheme Act (2013)*, together with key principles such as choice and control, national consistency, human rights, proportionality and risk responsiveness.

Until the full implementation of the NDIS, state and territory governments remain responsible for disability services and delivery of quality and safeguarding arrangements in their jurisdictions. This includes responsibility for complaints, regulations, quality assurance and law enforcement.

Please be assured that the Senate report on violence, abuse and neglect against people with disability and our response to it, is continuing to be given serious consideration.

If you have any questions about the response, please don't hesitate to contact Mr John Riley, Branch Manager, NDIS Program Transition

Regards

Margaret McKinnon
Group Manager
NDIS Market Reform Group

17 October 2016