

## **NORTHERN TERRITORY BILATERAL AGREEMENT**

**A BILATERAL COMMONWEALTH STATE TERRITORY DISABILITY AGREEMENT (“this Bilateral Agreement”) is made the 25th day of June 2003 between**

- (1) THE COMMONWEALTH OF AUSTRALIA (“the Commonwealth”) of the one part and**
- (2) THE NORTHERN TERRITORY (“the Territory”) of the other part**

### **RECITALS**

A. The Commonwealth and the Territory are parties to an Agreement made between the Commonwealth and the States/Territories dated the 25th day of June 2003 (“the CSTDA”) the purposes of which Agreement are set out in paragraphs (a) to (g) inclusive of Recital A to the CSTDA including:

“(a) provide for a national framework outlining the objective and policy priorities for services for people with disabilities across Australia to be progressed over the life of the Agreement, and outline a means for measuring and publicising the progress of Governments towards achieving this national framework (clauses 4 and 7)”.

B. Recital B of the CSTDA provides that the Commonwealth and individual States/Territories may make Bilateral Agreements, the purposes of the Bilateral Agreements being set out in Recital B of the CSTDA, including to:

“(a) provide for action between the Commonwealth and individual States/Territories on strategic disability issues within the broad national framework.”

C. Clause 2 of Part II of the CSTDA provides that:

“2(1) A Bilateral Agreement made between the Commonwealth and a State/Territory shall come into effect in respect of those parties on a date to be specified in the Bilateral Agreement.

2(2) A Bilateral Agreement shall (unless otherwise agreed between the parties to the Bilateral Agreement) contain the same terms and conditions as those, which are contained in this Agreement.

2(3) The Commonwealth agrees that within one month of entering into a Bilateral Agreement with a State/Territory, or varying or extending a Bilateral Agreement with a State/Territory, it will supply a copy of that Bilateral Agreement to all other States/Territories that are parties to this Agreement.”

D. The Commonwealth and the Territory wish to make this Bilateral Agreement under which both parties will examine areas of mutual interest and develop processes to address issues of joint concern.

NOW IT IS AGREED AS FOLLOWS:

### **PART 1 – TERM AND DURATION**

- 1(1) This Bilateral Agreement shall come into force and effect on a nominated date agreed by both parties, which date is described as “the commencement date” in this Bilateral Agreement
- 1(2) This Bilateral Agreement shall continue in force and effect until the earlier of the following dates or events:
  - (i) 30 June 2007;
  - (ii) earlier termination of the CSTDA
- 1(3) The Bilateral Agreement may be varied at any time by agreement of both parties which agreement can be signified by exchange of correspondence.

### **PART 2 – CONDITIONS AND INTERPRETATION OF BILATERAL AGREEMENT**

- 2(1) Except where they are excluded by, or are inconsistent with, the conditions of the Bilateral Agreement, the conditions contained in the CSTDA are conditions of this Bilateral and the words and phrases used in the CSTDA have the same meaning when used in this Bilateral Agreement.
- 2(2) Although the parties are bound by the terms and conditions of both this Bilateral Agreement and the CSTDA, in the event of any inconsistency between the terms and conditions of each of the Bilateral Agreement or the CSTDA, the terms and conditions of the Bilateral Agreement will prevail.
- 2(3) The parties acknowledge the joint nature of the Bilateral Agreement and will use their best efforts to work co-operatively to achieve the intended purpose.

### **PART 3 - TERMS OF REFERENCE**

The purpose of the Bilateral Agreement is to provide a framework for the parties to work collaboratively to develop and implement strategies to improve the social and economic participation by people with disabilities in the community and to provide access to appropriate support which best meets their needs and abilities.

Areas of mutual concern that will be progressed through this Bilateral agreement are derived from the policy priorities of the multilateral agreement. Particular areas to be addressed are:

- 3(1) Strengthening access to generic services for people with disabilities as a complement to the focus on the funding and delivery of specialist disability services and supports.
- 3(2) Strengthening cross government linkages, particularly at critical life stages and transition points.
- 3(3) Strengthening supports and services based on individual needs to enhance the well-being, contribution and capacity of individuals, families and carers.
- 3(4) Improving long term strategies to respond to, and manage, demand for specialist disability services

### **Environmental Context**

The Commonwealth is increasing opportunities for people with a disability to participate economically and socially through initiatives included in the *Australians Working Together* package and Budget measures.

These initiatives represent a significant expansion of existing programs as well as the introduction of new programs that focus on education, rehabilitation, training and early intervention to address non-vocational barriers to employment. The improvements introduced by the Commonwealth will also focus on an individual's abilities and recognise the potential of people with a disability to become involved in the community or working life.

In addition to increasing opportunities for people with a disability to participate in the community, the Commonwealth is continuing to implement a broad reform agenda to improve the quality of disability employment assistance and rehabilitation.

The Northern Territory (NT) constitutes approximately one sixth of the land mass of Australia but its small, widely dispersed population represents only 1% of the national population. The Northern Territory has a young population compared to other jurisdictions, with a high rate of population transience. Of the total Territory population, 29% identify as Indigenous, with 71% of Indigenous people living in remote communities. Approximately 50% of disability services clients are Indigenous.

The Northern Territory's small and geographically dispersed population means that it is unable to achieve the same economies of scale as larger States. Geographical isolation, the widely dispersed population and the significantly higher burden of disease in the Aboriginal population significantly contribute to the costs of providing disability services in the NT. The provision of services to people with high support needs due to challenging behaviour is a major issue within the Territory.

These factors present the Northern Territory with a unique challenge in the delivery of effective supported accommodation and other specialist disability services.

Within this environmental and reform context, Northern Territory and the Commonwealth will work towards strengthening collaboration at program, planning and officer level to progress the implementation of the five policy priorities of the multilateral CSTDA, particularly where they require the cooperation of both levels of government.

## **Implementation and Management**

Parties to this agreement will meet at least twice a year to monitor the progress of the Bilateral and evaluate outcomes. They will meet as required to progress activities identified in the Bilateral.

The Bilateral will be reviewed annually by a steering committee consisting of senior officials from both parties to monitor progress on meeting activity milestones and performance indicators.

## **Activities**

### **3(1) Strengthening access to generic services for people with disabilities as a complement to the focus on the funding and delivery of specialist disability services and supports.**

#### **Common Goal**

Both parties acknowledge the need for a coordinated approach to service delivery that includes collaboration and partnerships between specialist and generic services. Both parties agree that prevention services are a high priority specifically in early childhood.

#### **Outcome**

Both parties work collaboratively to develop strategies to improve access to generic services particularly in relation to Early Childhood services.

#### **Performance Indicator**

- The development of strategies that provide a more integrated and coordinated approach to early childhood intervention, with a focus on strengthening access to generic services.

### **3(2) Strengthening cross government linkages, particularly at critical life stages and transition points.**

#### **Common Goal**

Both parties acknowledge the need to ensure people with disabilities using the service system have fair opportunities to access different services as their needs change during the normal course of lifecycle. Reforms of both Governments' programs permit opportunity to better align pathways, access, and to improve coordination of assessments and reduction of duplication for consumers.

#### **Outcome**

Both parties will look at developing strategies for strengthening government linkages between Commonwealth disability employment services and Territory disability services to improve the flexibility and accessibility of people with disabilities transitioning between services that best meet an individual's needs and stage of life. In particular parties will work together in the following areas:

- (a) The Commonwealth and the Territory will work collaboratively to develop strategies that will facilitate the transition of people with disabilities, particularly school leavers, to the most appropriate participation opportunity in either a Commonwealth or/and State support service depending on their needs and circumstances at a given time.

### **Performance Indicators**

- Both parties will develop workable strategies to encourage people with disabilities, with a particular focus on school leavers, to access and move between Commonwealth and State services based on their needs and stage of life; and,
- The percentage of clients receiving a mixed package of Commonwealth and State services.

### **Outcome**

- (b) The Commonwealth and Northern Territory will work towards opening communication channels with the Department of Health and Ageing to improve the management of the Aged Care/Disability Interface.

### **Performance Indicators**

- Participation of the Department of Health and Community Services and Department of Health and Ageing National with FaCS and Territory Office officers in regular meetings to discuss and recognise the issues surrounding the aged care and disability services interface; and
- Investigate opportunities to develop trials of models designed to accommodate the needs of people with disabilities who are ageing.

### **Outcome**

- (c) The Commonwealth and Territory will consider the findings of ongoing research looking at good practice in the delivery of Indigenous services especially in a rural and remote setting.

### **Performance Indicators**

- Both parties will assess whether further work is necessary and what form it should take after consideration of the research findings; and
- Both parties will report on investigations to explore opportunities for joint initiatives to address the needs of Indigenous people with disabilities.

### **3(3) Strengthening supports and services based on individual needs to enhance the well-being, contribution and capacity of individuals, families and carers**

#### **Common Goal**

Both parties agree that there is a need to improve access to support services for families and carers.

#### **Outcome**

- (a) The Commonwealth recognises the Northern Territory has specific issues relevant to the Territory such as people with challenging behaviours. The Commonwealth and the Northern Territory will work together to explore avenues of support for clients with challenging behaviours.

#### **Performance Indicator**

- Both parties will report on action taken to investigate avenues of support for people with challenging behaviours.

#### **Outcome**

- (b) Strategies to strengthen and increase opportunities for, individuals, families and carers to participate and influence the development and implementation of supports and service at all levels.

#### **Performance Indicators**

- The Commonwealth will continue to contribute to the Northern Territory disability advisory body, as per the CSTDA. A Commonwealth officer will be invited to attend meetings of the Northern Territory disability advisory body as an ex-officio observer. Membership, appointment and administrative procedures for the Northern Territory disability advisory body rest solely with the NT; and
- Information from the disability advisory body meetings will contribute to policy development and priority direction.

### **3(4) Improve long term strategies to respond to, and manage, demand for specialist disability services**

#### **Common Goal**

Both parties agree there is a need to jointly improve long-term demand management practices in specialist disability services.

#### **Outcome**

Both parties recognise the need to develop long-term strategies to better respond to and manage demand. This includes better planning to underpin the allocation of equitable funding to respond to demand; and the development of approaches that enhance prevention and early intervention outcomes, and improve coordination across service systems.

The Northern Territory will provide information to the Commonwealth on improvements made in any or all of the following areas:

- Improved systems for data collection and long term planning capacity;
- Systems to predict, monitor and manage inflows;
- Methods for assessment and prioritization of applicants;
- Strategies for early intervention and prevention;
- Systems for balancing long term accommodation demand with other early intervention; and
- Improved efficiency, accountability and achievement of outcomes by service providers.

The Commonwealth will provide a report annually on progress in systemic reform of employment services' including any improvements made in any or all of the following areas:

- Improved systems for data collection and long term planning capacity;
- Systems to predict, monitor and manage inflows;
- Methods for assessment and prioritisation of applicants;
- Strategies for early intervention and prevention;
- Improved efficiency, accountability and achievement of outcomes by service providers.

Both parties will also share outcomes from research and evaluations of the effectiveness of support strategies and demand for services.

### **Performance Indicators**

- Annual report provided to the Commonwealth for exchange amongst National Disability Administrators by 31 December each year in respect of the previous financial year addressing the areas listed above;
- Annual national employment progress report provided to the Northern Territory by 31 December each year in respect of the previous financial year; and
- Annual employment progress report specific to the Northern Territory provided to the Northern Territory by 31 December each year in respect of the previous financial year.

## **PART 4 - General**

### 4(1) Giving effect to this Agreement

Each party must do anything (including execute any document), and must ensure that its employees and agents do anything (including execute any document), that the other party may reasonably require to give full effect to this Agreement.

### 4(2) Entire Agreement

This Agreement and the CSTDA represent the parties' entire agreement on the subject matter. All representations, communications, statements, understandings and prior agreements in relation to this subject matter are merged in and are superseded by this Agreement and the CSTDA.

**EXECUTED** as an agreement.

<< signed >>

**SIGNED** by **THE HONOURABLE A VANSTONE,**  
**MINISTER OF TERRITORY FOR FAMILY AND**  
**COMMUNITY SERVICES** for and on behalf  
of the **Commonwealth of Australia** in the presence of:

<< signed >>

**SIGNED** by **THE HONOURABLE J AAGAARD**  
**MINISTER FOR HEALTH AND COMMUNITY SERVICES,**  
for and on behalf of the **Northern Territory of Australia**  
in the presence of: