

SOUTH AUSTRALIAN BILATERAL AGREEMENT

A BILATERAL COMMONWEALTH STATE TERRITORY DISABILITY AGREEMENT (“this Bilateral Agreement”) is made the 30th day of June 2003 between

- (1) THE COMMONWEALTH OF AUSTRALIA (“the Commonwealth”)** of the one part
and
- (2) The STATE of SOUTH AUSTRALIA (“the State”)** of the other part

RECITALS

A. The Commonwealth and the State are parties to an Agreement made between the Commonwealth and the States/Territories dated the 30th 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 State 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 Agreement 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.

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 2002-03 Budget measures.

Both 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 South Australian Government is committed to improve and expand services for people with a disability and their families, through a clearly stated range of disability reforms. People with disabilities are a vulnerable population group and within this group there are specific sub groups who experience double disadvantage due to their special needs and circumstances. The South Australian Government is committed to ensuring that those in greatest need receive priority support and access to services in health, housing and community services.

Within this environmental and reform context, South Australia 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.

2. Implementation and Management

Parties to this agreement will meet at least every quarter to implement and monitor the progress of bilateral projects and evaluate outcomes.

The Bilateral Agreement will be reviewed annually by a steering committee consisting of senior officials from both parties.

3. Policy Priorities and Activities

3(1) Strengthening across government linkages

Common Goal: Parties acknowledge the need to ensure people with disabilities using the service system can have fair opportunities to access different services as their needs change during the normal course of the 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.

Activity areas:

Both parties will work to make the transitions between day services and employment services (in particular) operate for people experiencing routine life transitions. In particular parties will undertake collaborative work in the following areas:

- a) Improving the communication and coordination between the South Australian Options Coordination Program and Centrelink to ensure people with disabilities currently accessing the State support system, including school leavers, are provided with opportunities to access relevant Commonwealth employment support programs.**

Performance Information:

1. Development of workable strategies to encourage people with disabilities to access and move between Commonwealth and State services by December 2003.
2. Agreed shared Commonwealth and State assessment and referral processes for consumers newly accessing Commonwealth/State services arising out of the workable strategies by July 2004.
3. The development of data collection mechanisms to measure specific performance indicators outlined below by July 2004.
4. Reporting on specific performance indicators once mechanisms have been established:
 - a. Number and percentage change from the previous year of clients transferring between Commonwealth and State services
 - b. Number and percentage change of clients from the previous year referred by Options Coordination to Centrelink
 - c. Number and percentage change of clients from the previous year referred by Centrelink to State funded services
 - d. Number and percentage change from the previous year of school leavers entering an employment service
 - e. Number and percentage change from the previous year of clients in employment services
 - f. Number and percentage change from the previous year of clients transferring from a Commonwealth employment service to a State funded service
 - g. Number and percentage change from the previous year of school leavers taking up pre-vocational/employment support/educational opportunities
 - h. Number of training sessions provided to Options Coordination Program on the role of Centrelink

b) Commonwealth and South Australia will collaborate on information sharing to support South Australia in the implementation of a service excellence framework that is comparable to the Commonwealth's resulting in the reduction of certification processes for agencies providing both Commonwealth and State services.

Performance Information:

1. Establishment of a working group to look at the alignment of Commonwealth and State Quality Assurance mechanisms to minimise duplication and examine implications for streamlining tender and funding processes by June 2003.
2. Implementation of joint certification processes for agencies receiving both Commonwealth and State funding by July 2004.
3. Development of a collaborative Commonwealth and State approach to supporting continuous improvement principles within quality assurance mechanisms.
4. Annually reporting on the following specific performance indicators:
 - a. Number and percentage change from previous year of disability service providers certified out of total number of service providers

- b. Number and percentage change from previous year of agencies undertaking joint certification processes

c) Commonwealth and South Australia will meet regularly to share planning and service information such as census data on a regional basis between the Commonwealth and the State to encourage:

- **gap identification through geographical mapping analysis of Commonwealth and State services;**
- **opportunities for coordinated planning;**
- **opportunities for joint service development, particularly in rural and remote areas.**

Performance Information:

1. Commonwealth and South Australia using the shared planning data to better inform policy decisions regarding service provision to better meet the needs of consumers through a more coordinated and integrated approach to service delivery.
2. Geographical mapping analysis of Commonwealth and State services and gap identification completed by December 2003.
3. Joint planning meetings held twice a year to provide updates to the mapping exercise and discuss strategies for addressing gaps in the system.

d) The Commonwealth and South Australia will establish productive communication channels at the local level to work towards improving the management of the Aged Care/Disability Interface in South Australia.

Particular issues to be discussed are:

- **improving the coordination between Commonwealth Carer Respite Centres and State Government services/planning;**
- **adapting the service system to accommodate the frail aged with a lifelong disability; and**
- **improving residential options for young people currently residing in nursing homes.**

Performance information:

1. Establishment of a working group comprising the Commonwealth Department of Health and Ageing and the parties of this Agreement to progress collaborative approaches on aged care and disability services interface issues at the local level.
2. Commonwealth and State protocols on appropriate access to the disability and aged care service system for people with a disability who are ageing.
3. The development of data collection mechanisms to measure the number of clients currently residing in State funded accommodation who transfer to a Commonwealth aged care facility if deemed appropriate or receive support from both the State disability and Commonwealth aged care system.

4. Annually reporting on the following specific performance indicator:
 - a. Number and percentage change from previous year of young people in nursing homes finding more appropriate accommodation

3(2) Strengthen individuals, families and carers

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

Activity Areas:

- a) **The Commonwealth and South Australia will work together in targeted metropolitan and regional communities to promote improved participation and access to support services for indigenous people with disabilities and their families and carers.**

Performance information

1. Establishment of a working group to:
 - a. assess the involvement of appropriate stakeholders;
 - b. select targeted communities from a metropolitan and regional area; and
 - c. develop collaborative approaches that will work towards developing networks and establish dialogue among stakeholders to improve service appropriateness and accessibility for indigenous consumers in targeted locations.
2. Annually reporting on the following specific performance indicators:
 - a. Number and percentage change from previous year of indigenous people accessing Commonwealth and State services.
 - b. Number and percentage change from previous year of indigenous people in the two targeted communities accessing Commonwealth and State services

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

Parties to this Agreement will encourage a more coordinated framework for community consultation and advice on national and local disability issues. The Commonwealth will continue to contribute to the South Australian disability advisory body as per the CSTDA. A Commonwealth officer will be invited to attend meetings of the South Australian disability advisory body as ex-officio observer. Membership, appointment and administrative procedures for the South Australian disability advisory body rest solely with South Australia.

Outcome: Maximise collaboration and opportunities to build stronger effective partnerships across governments and the disability community.

Performance information: Feedback from meetings is communicated to the relevant authorities by attending South Australian/Commonwealth officers and incorporated in policy development and decision-making.

3(3) 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.

Context: South Australia's Disability Services Office is committed to the revised minimum data set collection which will align data on service actually provided with services funded under the CSTDA. Strategies for improved vacancy management will be put in place and regionalised planning will better target allocation of new monies. A process of better identification of disability support services with improved priority setting will be in place.

Activity Areas:

The need to establish and reform systems to improve demand management over time is recognised. The State will provide information to the Commonwealth on improvements made in any or all of the following areas:

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

Outcome: Regular progress on building robust demand management capacity for disability 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 South Australia 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 S KEY**
MINISTER FOR SOCIAL JUSTICE, YOUTH AND STATUS OF WOMEN,
for and on behalf of the State of **South Australia**
in the presence of: