

3.

Significant issues and trends

In this section we identify internal and external factors that could impact on the services we deliver.

3.1. Responding to policy initiatives and reform programs

It is critical that HaDSCO is positioned to appropriately respond to policy initiatives and reform programs which impact on service delivery now and into the future.

This includes the implementation of the National Code of Conduct for Health Care Workers (National Code) in Western Australia. As the Health Complaints Entity in Western Australia, HaDSCO is responsible for enacting (or amending) legislation to give effect to the National Code consistent with a decision of the Council of Australian Governments (COAG) Health Council made on 17 April 2015 when health ministers agreed to the terms of the first National Code.

Legislative changes are required to give effect to the National Code in Western Australia. HaDSCO is developing a policy framework to present to the Deputy Premier; Minister for Health; Mental Health to underpin the new National Code jurisdiction. More information can be found under 'The National Code of Conduct for health care workers' on page 36.

The *National Disability Insurance Scheme Amendment (Quality and Safeguards Commission and Other Measures) Bill 2017* (the Bill) establishes an independent national Commission, to protect and prevent people with disability from experiencing harm arising from poor quality or unsafe supports or services under the National Disability Insurance Scheme (NDIS). One of the functions of the Commission will be the management and resolution of complaints about NDIS providers. A Complaints Commissioner will be responsible for managing the Commission's complaints function.

HaDSCO has been continuing to seek clarification from the Disability Services Commission about jurisdiction issues associated with the Bill. HaDSCO will seek further clarification with the new Department of Communities in 2017-18. In the meantime, HaDSCO is continuing to manage complaints in accordance with the *Disability Services Act 1993* and consistent with existing practices. HaDSCO remains committed to working with stakeholders to ensure the efficient and effective transition to new arrangements. More information can be found under 'Managing complaints about disability services' on page 50.

In response to the WA Health Reform Program 2015–2020 and the implementation of the *Health Services Act 2016*, HaDSCO has adapted service delivery to meet the changing needs of the public health sector. The establishment of the five Health Service Providers has resulted in a change in client groups. Where previously HaDSCO dealt directly with the Department of Health, it is now dealing with the five

Health Service Providers. Further, as part of the Reform Program, the Department is devolving some financial functions to HaDSCO. HaDSCO is continuing discussions with the Department regarding this process to ensure it is adequately equipped to take on the devolution of these functions.

The Sustainable Health Review, which was announced by the Deputy Premier; Minister for Health; Mental Health, on 20 June 2017 may impact on HaDSCO's services. HaDSCO has informed the Department that it would welcome the opportunity to contribute to this review.

3.2. Review of legislation

Section 79 of the *Health and Disability Services (Complaints) Act 1995* requires that the Minister for Health must carry out a review of, and prepare a report on, the operation and effectiveness of the Act and Part 6 of the *Disability Services Act 1993* as soon as practicable after five years after the date on which the *Health and Disability Services Legislation Amendment Act 2010* (Amendment Act) came into operation. This Amendment Act came into operation in October 2010.

There are two key factors which impact on the commencement of the review. Firstly, HaDSCO is progressing work for the implementation of the National Code as a priority through a separate process outside of the legislative review. In addition, before commencing the review, it is also considered appropriate to await a decision on the implementation and roll-out of the NDIS in Western Australia and the enactment of the *National Disability Insurance Scheme Amendment (Quality and Safeguards Commission and Other Measures) Bill 2017* which may impact on HaDSCO's disability complaints jurisdiction and, consequently, a review of Part 6 of the *Disability Services Act 1993*.

3.3. Governance and accountability

In 2016-17, there was an internal focus on developing a sound governance framework in the areas of financial management, human resources management and records management. To support this outcome, the Code of Conduct was strengthened and launched in May 2017 to coincide with Accountable and Ethical Decision Making training for staff. In addition, a Risk Management Framework and Policy were adopted and a number of human resource policies were reviewed and updated. Enhanced records management and stronger compliance controls were also achieved in finance and human resources. More information can be found under 'Compliance with Public Sector Standards' on page 124.

3.4. Providing awareness of, and access to, our services

HaDSCO continues to implement strategies to ensure its services are accessible to all Western Australians and people in the Indian Ocean Territories. In 2016-17, HaDSCO implemented a Stakeholder Engagement Strategy to further develop, implement and utilise a range of programs to inform and educate communities about the role of the Office and further enhance accessibility to HaDSCO's complaint resolution services. More information can be found under 'Awareness and Accessibility' on page 77.