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| Human Services Regulator PlanJuly 2019 – June 2021 |
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| To receive this publication in an accessible format 1300 651 160, using the National Relay Service 13 36 77 if required, or email the Human Services Regulator <hsstandards@dhhs.vic.gov.au>Authorised and published by the Victorian Government, 1 Treasury Place, Melbourne.© State of Victoria, Department of Health and Human Services.**ISBN** 978-1-76069-201-8 **(pdf/online/MS word)** Available at [Regulatory practice framework](file:///C%3A%5CUsers%5Cjnes1911%5CAppData%5CLocal%5CMicrosoft%5CWindows%5CINetCache%5CContent.Outlook%5CBCA5FUBZ%5CRegulatory%20practice%20framework) <https://www.dhhs.vic.gov.au/better-regulatory-practice-framework> |
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# Introduction

## Purpose of document

The Department of Health and Human Services (department) administers numerous Acts and regulations aimed at promoting health and wellbeing and protecting vulnerable clients. It has 10 internal business units and three statutory bodies that are recognised by the Department of Treasury and Finance as regulators of business and not for profit organisations.

An individual regulatory plan has been developed for each of the 10 department regulators. These documents are developed in line with the conceptual framework outlined in the department’s [*Better regulatory practice framework*](https://www.dhhs.vic.gov.au/better-regulatory-practice-framework) <https://www.dhhs.vic.gov.au/better-regulatory-practice-framework>.

If you have any feedback on the plan, please contact the Human Services Regulator at HSRegulator@dhhs.vic.gov.au

This plan is effective until 30 June 2021. It will then be updated:

* every two years – in line with the requirement for Ministers to develop and re-issue Ministerial Statement of Expectations every two years; or
	+ where key legislative changes are made that will impact on regulatory functions and the currency of the regulator plans.

## Document content

The structure of the regulator plan document includes:

* outcomes
* risk assessment and risk management strategy
* demonstrating impacts
* stakeholder engagement
	+ - overview of approach
		- key stakeholders (co-regulators)
			* key activities.

The Human Services Regulator was established following a consolidation of regulatory schemes previously dispersed across the department. This plan supersedes the former regulator plans for Standards and Regulation and Supported Residential Services.

The department is on a transformation journey to transform the Human Services Regulator into an integrated, risk-based and intelligence-led regulator of human services in Victoria. Following implementation of a new operating model for the Human Services Regulator in July 2020, this plan will be updated to reflect currency and accuracy.

## Principles

In order to achieve the department’s outcomes, the regulators’ approach to their regulatory roles is informed by regulatory practice principles. Consistent with better regulatory practice approaches interstate and internationally, the department’s regulators apply the following principles:

Table 1: Regulatory practice principles

| Principle | Commitment |
| --- | --- |
| **Collaborative** | Where the various departmental regulatory regimes, and those of other agencies, intersect, the regulators will work together to maximise effectiveness and minimise regulatory burden. Regulators will also cooperate and engage with internal and external stakeholders, including interstate counterparts and those representing various client groups within the Victorian community.  |
| **Consistent** | The regulators will work to provide a consistent experience for regulated entities and the community. Regulatory responses will be predictable (meaning that, to the extent possible, regulators provide similar responses in similar circumstances - consistent with policy) and where possible standardised, following clear processes and delivering consistent results. This will ensure that individuals / organisations are treated fairly, and that the regulators are objective in their decision-making.  |
| **Efficient** | The regulators will allocate resources in a proportionate way that aims to most efficiently achieve outcomes, considering the direct and indirect impacts on the relevant sectors. This includes minimising unnecessary administrative burden and any adverse impact of regulatory actions on businesses to a level that is not justifiable to achieve regulatory outcomes. |
| **Intelligence-led** | The regulators will analyse incoming intelligence and data in order to allow them to be responsive and accurate when assessing risk and undertaking compliance activities. |
| **Outcomes-focussed** | Processes and decision-making will be driven by outcomes, and the regulators will be effective in achieving their regulatory objectives. Progress against outcomes will be measured to ensure continuous improvement. |
| **Proportionate** | The work undertaken by regulators should be proportionate to the risk being addressed. The principle of proportionality should guide regulators decisions in relation to the level of resources assigned to manage a particular risk, the regulatory tools used and enforcement activities. |
| **Risk-based** | The regulators will be proactive in identifying, assessing and responding to risk, prioritising and targeting resources toward specific groups or behaviours that pose the greatest risk to the department’s outcomes. |
| **Transparent** | The regulators will be open in their decision-making and processes, documenting decisions appropriately, including the justification for decisions. The regulators will aim to assist regulated parties to understand the decision-making processes, areas of focus and performance. Regulators will follow standard reporting requirements, enabling the department to monitor and oversee the performance of its regulators. |

# Regulator’s context

## Regulatory framework

The Human Services Regulator is responsible for administering legislation intended to protect the safety and wellbeing of Victorians accessing human services. It regulates the delivery of human services to children, young people and families, and people who are frail, aged or have a disability.

The role of the Human Services Regulator is to:

* promote and protect the rights, safety and wellbeing of persons accessing department funded human services
	+ promote and protect the rights, safety and wellbeing of residents in privately operated supported residential services.

This is achieved through the following regulatory activities:

* the registration of entities and individuals under the *Children, Youth and Families Act 2005*, *Disability Act 2006* and *Supported Residential Services (Private Proprietors) Act 2010*
* timely, accessible and effective compliance-related advice and education to regulated entities
* monitoring of compliance with legislation and standards (the Human Services Standards, Child Safe Standards and Supported Residential Services Accommodation and Personal Support Standards)
	+ graduated and proportionate enforcement to address non-compliance with legislation and standards.

The Human Services Regulator is responsible for regulatory schemes under the following legislation:

* Children, Youth and Families Act
* Disability Act
* *Child Wellbeing and Safety Act 2005*
	+ Supported Residential Services (Private Proprietors) Act.

### Children, Youth and Families Act and the Disability Act

There are approximately 161 registered entities under the Children, Youth and Families Act and 735 registered under the Disability Act, a number of which deliver diverse services across multiple sites. The number of entities registered under the Disability Act is progressively reducing as disability service providers transition to the Commonwealth National Disability Insurance Scheme (NDIS) Quality and Safeguards Commission, thereby resulting in revocation of their registration under the Disability Act in Victoria.

Under both Acts, registered entities are required to achieve and maintain certification against the Human Services Standards every three years. The Human Services Standards represent a single set of service quality standards which comprise four service delivery standards and one governance and management standard of a department endorsed independent review body.

The Children, Youth and Families Act and the Disability Act require the department to maintain and publish a register of community services and disability service providers:

#### Register of disability service providers

<https://providers.dhhs.vic.gov.au/register-disability-service-providers-xls>

#### Register of community services

<https://providers.dhhs.vic.gov.au/register-community-service-providers-xlsx>

### Victorian Carer Register

Under the Children, Youth and Families Act, the Human Services Regulator oversees the registration of approximately 12,750 out-of-home carers in Victoria. This function includes the investigation and disqualification of carers as required. It is an important safeguarding mechanism to improve the safety and wellbeing of children and young people who are placed in out-of-home care.

Approximately 54 registered out-of-home care providers must complete disqualified carer checks before employing or engaging an out-of-home carer or approving a foster carer, and register the carer within 14 days of their appointment.

Allegations of physical or sexual abuse by a registered out-of-home carer against a child placed in their care must be reported to the Secretary once a reasonable belief is formed by the person in charge of the out-of-home care provider under section 81 of the Children, Youth and Families Act, or by any other person under section 82. Following a report under section 81 or 82, the Secretary will determine whether an independent investigation is warranted.

An out-of-home carer is disqualified from being registered on the Victorian Carer Register if the [Suitability Panel](http://www.suitabilitypanel.vic.gov.au/)[[1]](#footnote-1) determines that the person has physically or sexually abused the child and considers that the person poses an unacceptable risk of harm to children.

### Child Wellbeing and Safety Act

Under the Child Wellbeing and Safety Act, the department is a relevant authority which has responsibility for oversight and promotion of compliance with the Child Safe Standards for approximately 700 organisations that it funds and/or regulates (referred to as ‘entities’ in the legislation). Victorian organisations that provide services or facilities for children are required to comply with the Child Safe Standards.

The Child Safe Standards have been introduced to drive cultural change in organisations so that protecting children from abuse is embedded in everyday thinking and practice. The Child Safe Standards are outcome focused and principle based to reflect the diversity and size of organisations which are required to implement a child safe environment.

The Commission for Children and Young People has functions in relation to the oversight and enforcement of compliance with the Child Safe Standards. The Commission may request that a relevant authority (such as the department) take any action that is available to it under any applicable law, contract or agreement to promote or require compliance of an entity with the Child Safe Standards.

However, the Human Services Regulator does not have legislative powers to require that funded and/or regulated entities comply with the Child Safe Standards.

### Supported Residential Services (Private Proprietors) Act

Supported residential services are privately-operated services providing accommodation and personal support for people of varying ages and support needs. There are currently 114 proprietors in Victoria registered under the Supported Residential Services (Private Proprietors) Act.

In addition to its registration function, the Human Services Regulator monitors proprietors’ compliance with the legislation including the Accommodation and Personal Support Standards.

The Supported Residential Services (Private Proprietors) Act requires the department to maintain and publish a register of supported residential services in Victoria:

<https://www2.health.vic.gov.au/ageing-and-aged-care/supported-residential-services>

### Groups we rely on to undertake our regulatory function

The Human Services Regulator works with multiple stakeholders and co-regulators that have complementary objectives or functions, and/or regulate the same entities.

Co-regulators include:

* NDIS Quality and Safeguards Commission
* Disability Services Commissioner
* Commission for Children and Young People
	+ Housing Registrar.

The Human Services Regulator also works closely with internal stakeholders including the Office of Senior Practitioner, Operational Performance and Quality, Disability Worker Exclusion Scheme, operational divisions and relevant program and policy areas, for example, Mental Health and Disability and NDIS Branch.

## Regulatory activities

The regulatory functions of the Human Services Regulator include the following key activities:

**Advice and education** to prospective providers, regulated entities and registered carers. Examples include the provision of information sessions and training, development of guidance materials, policies and tools, and advice and information.

**Registration** of community service organisations, out-of-home carers, disability service providers, proprietors and premises of supported residential services. This includes management of entry to market and assessment and decision-making as to suitability of the entity to deliver services. These registration activities are predominantly application driven with processes and criteria prescribed in legislation or policy.

**Compliance monitoring** of regulated entities through proactive targeted or reactive inspections of supported residential services, independent reviews against the Human Services Standards, management of notifiable (high risk) issues relating to the Human Services Standards and assessments against the Child Safe Standards.

**Graduated and proportionate enforcement** to remedy non-compliance which may include[[2]](#footnote-2):

* issuing of guidance
* compliance instructions
* monitoring, inspections, independent reviews, assessments
* voluntary undertakings, infringement or compliance notices
* suspension of admissions
* conditions to registration or revocation of registration
* appointment of an administrator
	+ censure in Parliament or prosecution.

**Strategy and risk analysis** to **i**dentify, assess and manage emerging risks to regulatory objectives. Through this process, the appropriate regulatory action can be identified according to level of risk.

## Complementary activities

For department funded providers not registered under the Children, Youth and Families Act and/or Disability Act, the department uses contract arrangements (Service Agreement) to address risk or non-compliance with standards. For example, homelessness assistance services and family violence and sexual assault services are required to meet the Human Services Standards which is an essential requirement of the Service Agreement.

The Human Services Regulator also monitors department-managed services (that is services directly provided by the department) as these services are required to meet the Human Services Standards four service delivery standards.

# Defining outcomes

The outcomes sought for the regulation of entities under the Human Services Regulator are:

Table 2: Defining outcomes

|  |  |
| --- | --- |
| Regulatory scheme | Outcome |
| Regulation of human services under the: Children, Youth and Families Act Disability ActChild Wellbeing and Safety ActSupported Residential Services (Private Proprietors) Act | To promote and protect the safety and wellbeing of Victorians who receive human services through:* assistance to regulated entities to comply with legislative obligations
* registration of suitable entities and individuals
* prevention of poor service delivery by ensuring legislative obligations are met
	+ appropriate enforcement measures to address non-compliance.
 |

# Risk overview

## Identified risks

This section outlines current risks facing the Human Services Regulator:

1. Limited public visibility of the Human Services Regulator which impedes regulated entities’ access to compliance-related assistance.
2. Limited access to consolidated data and technology to inform risk-based, intelligence-led assessment of client and market risks.
3. The functions of the Human Services Regulator intersect with the department’s role as funder and contract manager which has the potential to cause confusion for regulated entities as to their legislative obligations.
4. Failure to comply with legislative and policy safety screening requirements which can lead to clients at risk of harm.
5. Security of tenure for supported residential services residents: disputes relating to challenging behaviours and changing needs of residents may lead to an increased likelihood of homelessness or displacement.

## Assessing and treating risks

This section demonstrates how the department responds to risk.

The risk rating process involves assessing the extent of the risk as well as the associated levels of harm, as shown below.

Table 3: Overall risk rating



| **Consequence** | Likelihood:Negligible (5%) | Likelihood: Minor (10%) | Likelihood: Moderate (20%) | Likelihood: Major (40%) | Likelihood: Extreme (80%) |
| --- | --- | --- | --- | --- | --- |
| **Extreme** | Medium | High | High | Critical | Critical |
| **Major** | Medium | Medium | High | High | Critical  |
| **Moderate** | Low | Medium | Medium | High | High |
| **Minor** | Low | Low | Medium | Medium | High |
| **Negligible** | Low | Low | Low | Medium | Medium |

## Identified risks

### Risk 1

| Likelihood | Consequence | Rating |
| --- | --- | --- |
| **Major** | **Moderate** | **High** |

**Limited public visibility of the Human Services Regulator which impedes regulated entities’ access to compliance-related assistance.**

#### Extent of the risk

The safety and wellbeing of Victorians accessing human services requires the Human Services Regulator to hold high public visibility and to effectively communicate to regulated entities, co-regulators and members of the public its purpose, functions and regulatory objectives.

Limited visibility impedes the transparency of the Human Services Regulator and regulated entities’ access to compliance-related assistance. This may result in regulated entities not fully understanding their regulatory obligations, especially those subject to multiple schemes.

#### Ongoing controls

Communication as to the purpose and functions of the Human Services Regulator is developing and ongoing. Presently, this is achieved through meetings with stakeholders including co-regulators and the development of information sharing protocols.

#### Planned activities for 2019-2021

Key priorities for 2019-2021 are:

1. Development of a communications strategy that will provide:
* increased visibility for the Human Services Regulator, its purpose and functions.
* strategic communications and engagement and targeted key messages to stakeholders across multiple channels
* a central and single contact centre across schemes for online, phone and written enquiries
* an integrated Human Services Regulator website, self-service options, online portal, training videos and tutorials to assist with compliance-related assistance.
1. Development and publication of the Human Services Regulator Risk-based Regulatory Framework including an annual compliance and enforcement plan which sets out:
* the enforcement powers available to the Human Services Regulator when responding to non-compliance
* stakeholder engagement and education to ensure regulated entities and individuals understand their obligations
* emerging or identified risks which will be the focus of compliance and enforcement activity for a given period
* key risk areas to be targeted via whole of sector education strategies.

By mid-2020, the Human Services Regulator is expected to reorganise to better enable it to deliver its functions including education and communications.

### Risk 2

| Likelihood  | Consequence | Rating |
| --- | --- | --- |
| **Major** | **Moderate** | **High**  |

**Limited access to consolidated data and technology to inform risk-based, intelligence-led assessment of client and market risks.**

#### Extent of the risk

At present, the Human Services Regulator does not have a single source of information from internal and external sources aggregated into a data repository to inform its assessment of client and market risks. Data for this purpose is largely derived from the regulatory activities underpinning each of its legislative schemes.

Access to information in a timely manner from multiple sources is crucial to identify and address risks and to detect system failures which may pose a risk to clients’ safety.

#### Ongoing controls

The Regulation, Health Protection and Emergency Management Division has implemented a registration and licensing platform for health and human services that can be used by the department’s multiple regulators including the Human Services Regulator.

The Human Services Regulator has also commenced implementation of a business analytics solution to visualise data, share insights from diverse data sources and support compliance monitoring.

#### Planned activities for 2019-2021

1. Continued roll-out of the registration and licensing platform and business analytics for all human services regulatory schemes.
2. By mid-2020, the Human Services Regulator is expected to reorganise to better enable it to capture, store and analyse information from multiple sources to support integrated, risk-based and intelligence-led regulatory practice.

### Risk 3

| Likelihood | Consequence | Rating |
| --- | --- | --- |
| **Moderate** | **Moderate** | **Medium** |

**The functions of the Human Services Regulator intersect with the department’s role as funder and contract manager which has the potential to cause confusion for regulated entities as to their legislative obligations.**

#### Extent of the risk

For department funded and/or regulated entities compliance with standards is both a legislative and Service Agreement requirement. Although the activities of the Human Services Regulator are distinct from the department’s contract management role, there are similar functions which have the potential to create confusion for regulated entities. For example, both the regulator and contract manager:

* provide information and education about the provider’s obligations
* require information from the provider for registration and contract establishment
* determine the appropriate approach to compliance monitoring based on risk and available resources
	+ conduct investigations (regulator) and enquiries (contract manager) in response to non-compliance or non-conformance.

Confusion for regulated entities may place clients at risk through non-compliance with legislative requirements.

#### Ongoing controls

The Human Services Regulator is undertaking ongoing dialogue with the department’s Operational Performance and Quality branch and operational divisions to mitigate the identified risks associated with the department’s dual function of regulator and contract manager.

#### Planned activities for 2019-2021

A key priority for 2019-2021 is the development and review of protocols across the department to further disentangle regulation and contract management, facilitate information sharing and clarify respective roles and responsibilities.

### Risk 4

| Likelihood | Consequence | Rating |
| --- | --- | --- |
| **Moderate** | **Major** | **High** |

**Failure to comply with legislative and policy safety screening requirements which can lead to clients at risk of harm.**

#### Extent of the risk

In 2018-19 there was an increase in the number of notifiable issues[[3]](#footnote-3) related to failure to comply with legislative and policy safety screening requirements such as Police Record Check, International Police Record Check, Working with Children Check, Disqualified Carers Check, the Victorian Carer’s Register and the Disability Workers Exclusion Scheme. This may be due to an increase in the number of registered entities subject to independent review against the Human Services Standards. Failure to comply with safety screening requirements can lead to clients at risk of harm.

#### Ongoing controls

The Human Services Regulator undertakes ongoing education and communications to support compliance with safety screening requirements, for example:

* online resources and hosted information sessions targeting out-of-home care services’ compliance with the Disqualified Carers Check and the Victorian Carers Register, including the launch of the Victorian Carer Register eLearning module in 2019
* screening practices for child safe organisations in accordance with the Child Safe Standards
* quarterly Child Safe Standards bulletins
* Human Services Regulator forum
* conduct education campaigns on safety screen requirements, as required.

Notifiable issues are managed by the Human Services Regulator’s Regulatory Compliance and Enforcement team. The role of the team is to ensure all non-compliances are addressed. Graduated enforcement is used in response to multiple or repeat breaches, and/or where risk to client safety is deemed high.

#### Planned activities for 2019-2021

Priorities include ongoing education, communications and graduated enforcement to promote and enforce compliance with safety screening requirements.

### Risk 5

| Likelihood | Consequence | Rating |
| --- | --- | --- |
| **Moderate** | **Major** | **High** |

**Increased complexity of residents in supported residential services may impact the rights of co-residents and proprietors’ capacity to ensure safe, responsive services.**

#### Extent of the risk

Many residents of supported residential services require increasing support due to their experience of addiction and/or mental illness. These residents may exhibit behaviours that threaten the rights of other residents including their safety.

Residents may be at risk where proprietors do not seek to engage appropriate health care and personal support from the existing service system in compliance with their legislative requirements.

#### Ongoing controls

The Human Services Regulator:

* monitors compliance with the relevant provisions of the legislation related to residents’ rights, safety and access to support services
* seeks input from community visitors as may be required.

#### Planned activities for 2019-2021

Training in *Recognising and Reporting Changes in Residents’ Health* and *Residents and Mental Health: Better Practice in Supported Residential Services* will be offered to proprietors of supported residential services.

# Regulatory tools

**Figure 1** is an enforcement pyramid which demonstrates the full range of tools available to the Human Services Regulator in line with the risks it seeks to manage. The enforcement pyramid illustrates a graduated and proportionate enforcement approach. The bottom of the pyramid outlines interventions such as advice and education to regulated entities, through to prosecution at the top of the pyramid.

Figure 1: Regulatory tools

The tools we use

# Measuring performance

This section sets out our understanding of how the activities that we undertake, as targeted by the identification and assessment of risks, contribute to our outcomes.

## Our contribution story

The regulatory objectives of the Human Services Regulator are to:

* protect the safety and wellbeing of residents in private supported residential services
* promote and protect the rights of persons accessing disability services funded by the department by supporting the provision of high-quality disability services
* provide for the protection of children, young people and families who receive community services by supporting the provision of high-quality community services
	+ support the Commission for Children and Young People to promote the safety of children and child safe organisations.

The above is achieved through:

* advice and education to prospective providers, regulated entities and registered carers
* registration of community service organisations, out-of-home carers, disability service providers, proprietors and premises of supported residential services
* compliance monitoring of regulated entities
* graduated and proportionate enforcement
	+ strategy and risk analysis.

The transformation of the Human Services Regulator into a risk-based, intelligence-led regulator will further strengthen regulatory practice underpinned by a new functional structure and enhanced data, technology and communications.

## Direct indicators

In this section, we have outlined a number of indicators that can be used to guide our activity and evaluate our effectiveness. To the extent possible, our indicators demonstrate our contributions to the outcomes that we are trying to achieve, rather than simply the activities that we are undertaking.

The section on the following page sets out the measures that we use to indicate success against our outcomes.

Table 4: Measures used to indicate success against outcomes

| Indicator | Baseline | Target | 2019actual | 2020actual | 2021actual |
| --- | --- | --- | --- | --- | --- |
| 1. Respond to enquiries from regulated entities to support compliance with legislative obligations | - | 100% are responded to within three working days |  |  |  |
| 2. Proactive inspections/audits to monitor compliance with legislation and standards | - | 100% completion of scheduled inspections/audits  |  |  |  |
| 3. Reactive assessments, audits or inspections in response to identified non-compliance or risk of non-compliance | - | 100% completion of assessments/audits/inspections as identified |  |  |  |
| 4. Survey regulated entities to gauge their experience of compliance-related assistance and advice.   | - | 70% or more of regulated entities report improved understanding of obligations and responsibilities |  |  |  |

# Stakeholder engagement

## Ongoing communications

The Human Services Regulator undertakes day-to-day education and communications to progress its regulatory objectives.

This includes:

* raising awareness and providing information and guidance about regulated entities’ obligations in relation to standards
* educating regulated entities on how to meet their obligations
	+ surveys and forums to solicit feedback from regulated entities.

Examples include education campaigns, engagement designed to build capability and development of advice and guidance materials.

## Planned activities

In 2019-2021, planned communication activities include:

* development of a communications strategy documenting targeted key messages to stakeholders across multiple channels
* enhanced visibility through an integrated Human Services Regulator website, self-service options, online portal, training videos and tutorials to assist with education
* a central and single contact centre across schemes for phone and written enquiries
	+ improved communications with internal stakeholders to further disentangle regulation and contract management, facilitate information sharing and clarify respective roles and responsibilities.

## Key stakeholders

Table 5: List of key stakeholders

| Key stakeholders  | Type |
| --- | --- |
| Registered and/or department funded entities | Regulated entities |
| Private proprietors of supported residential services | Regulated entities |
| Out-of-home carers | Regulated individuals |
| Departmental central program areas | Source of intelligence  |
| Departmental operational divisions | Source of intelligence |
| Independent review bodies  | Source of intelligence |
| Office of the Public Advocate  | Source of intelligence |
| Suitability Panel under the Children, Youth and Families Act which investigates allegations of physical or sexual abuse against a child or young person in out-of-home care | Source of intelligence |
| Peak bodies for organisations and individuals | Source of intelligence |
| Advocacy organisations | Source of intelligence |
| NDIS Quality and Safeguards Commission  | Co-regulator |
| Disability Services Commissioner | Co-regulator |
| Commission for Children and Young People | Co-regulator |
| Housing Registrar | Co-regulator |
| Disability Worker Commission | Co-regulator |
| Consumer Affairs, Department of Justice and Community Safety  | Co-regulator |
| Aged Care Quality and Safety Commission | Co-regulator |
| Local Government | Co-regulator |
| Victorian Civil and Administrative Tribunal | Court Tribunal  |
| State Trustees | State government owned company |
| Worksafe | Co-regulator |
| Centrelink | Government program |

1. The Suitability Panel is an independent panel which comprises a legal practitioner, the Chairperson and other members which are appointed by the Governor-in-Council under the Children, Youth and Families Act. The panel members have a relevant tertiary qualification in law, social work, psychology, the treatment of sex offenders or in any other relevant discipline. [↑](#footnote-ref-1)
2. Legislative regulatory tools available to the Human Services Regulator vary between schemes. [↑](#footnote-ref-2)
3. Notifiable issues related to client safety and wellbeing are identified through various sources such as, a department-endorsed independent review body, departmental staff and organisations, and apply to registered entities under the Children, Youth and Families Act and Disability Act. [↑](#footnote-ref-3)