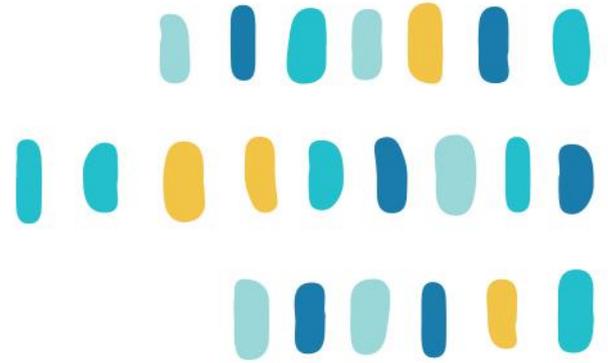




Government of **Western Australia**
Department of **Communities**



Information Statement 2019

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Introduction

This Information Statement is provided in accordance with the requirements of sections 96 and 97 of the *Freedom of Information Act 1992 (WA)*.

The purpose of the Information Statement is to ensure that information concerning the structure and functions of the Department of Communities and types of documents held by the Department is available to the public. Comprehensive information regarding the operations of the Department may be found on the [Department of Communities website](#).

The Organisation

In 2017, the Premier of Western Australia announced a series of Machinery of Government changes to the public sector commencing with the amalgamation of a number of government departments.

These structural changes are aimed at creating collaborative departments focused on whole-of-government objectives and delivering services in a more efficient and effective way.

The Department of Communities (the Department) comprises several existing agencies and their components, including:

- Department for Child Protection and Family Support
- Department of Housing (including Housing Authority)
- Disability Services Commission
- The communities component of the Department of Local Government and Communities
- Regional Services Reform Unit
- The regional coordination and engagement component of the former Department of Aboriginal Affairs.

Organisational Structure

Office of the Director General

Undertakes the functions of the Director General's office, including ministerial liaison, corporate executive secretariat, corporate communications and audit.

Strategy and Transformation

Operates at a whole-of-system, and whole-of-agency level. It is focused on setting direction, outcomes and priorities, driving our transformation agenda internally and externally and acting as a catalyst for system changing initiatives – such as Regional Services Reform.

Policy and Service Design

Operates at a portfolio (often called 'program') level and is focused on how we can get better outcomes for people. Responsible for developing evidenced-based strategies, policies, service response, models and initiatives to deliver better connected outcomes across all of our portfolio responsibilities.

Commissioning and Sector Engagement

Commissioning and Sector Engagement is focussed on developing and overseeing a responsive and high-performing service system. It has a vital stewardship role and will shape provider markets to respond to client needs and policy outcomes, manage service contracts and relationships, and oversee and regulate non-government providers.

Service Delivery

Because of the fundamentally different issues facing our metropolitan, regional and remote communities, Service Delivery will be represented by two divisions: Metropolitan Communities; and Regional and Remote Communities. The role of both Divisions will be to deliver outcomes with, and for, the people and communities they serve, incorporating child protection and family support, community, disability and housing services.

Corporate Operations

Responsible for ensuring the best planning, use and development of corporate resources (including human, financial and physical resources) to deliver departmental outcomes. It oversees our internal governance, standards and integrity, and is accountable for corporate assurance and performance.

Commercial Operations

Delivering housing and community assets in support of our 'people, place and home' ethos. The division has a significant focus on partnering with the private sector to develop new and renewed communities, and practically delivering place-based inclusion, diversity and affordability outcomes.

Legislation Administered

The Department administers the following Acts and Regulations on behalf of Ministers;

- *Adoption Act 1994*
- *Adoption Regulations 1995*
- *Children and Community Services Act 2004*
- *Children and Community Services Regulations 2006*
- *Working with Children (Criminal Record Checking) Act 2004*
- *Working with Children (Criminal Record Checking) Regulations 2005*
- *The Disability Services Act 1993*

- *Disability Services Regulations 2004*
- *Declared Places (Mentally Impaired Accused) Act 2015*
- *Declared Places (Mentally Impaired Accused) Regulations 2015*
- *Housing Act 1980*
- *Country Housing Act 1998*
- *Government Employees' Housing Act 1964*
- *Residential Tenancies Act 1987*
- *Aboriginal Housing Legislation Amendment Act 2010*
- *Child Care Services Act 2007*
- *Education and Care Services National Law (WA) 2012*
- *Cares Recognition Act 2004*
- *Child Care Services Regulations 2006*
- *Child Care Services (Rural Family Care) Regulations 2010*
- *Volunteers and Food and Other Donors (Protections from Liability) Act 2002*

The Department also has varying responsibilities under acts administered by other authorities.

Services

Child Protection and Family Support

The Department protects and cares for Western Australian children and young people who are in need, and supports families and individuals who are at risk or in crisis.

We work proactively with families to build safety around children, and prevent the need for children to enter the out-of-home-care system. We also support children and young people who are in out-of-home care to thrive by working with community sector organisations and foster carers to provide them with a safe, stable environment.

We provide and fund a range of child safety and family support services throughout the state including mandatory report investigations and training, Working with Children Checks, fostering and adoption services, counselling and outreach programs, crisis accommodation, homelessness services and emergency services support.

Community Grants, Funding and Initiatives

The Department works in collaboration with Western Australia's community services sector to oversee the delivery of programs and services that support and strengthen the State's diverse communities. It is committed to achieving the best possible outcomes for seniors, young people, women, volunteers, carers, children and families.

The Department provides grants annual funding of nearly \$30 million to more than 130 community sector organisations and local governments to deliver a range of services and programs throughout Western Australia.

Disability Services

From 1 July 2017 the Disability Services Commission has become part of the new Department of Communities. Until legislation is changed, the Commission will continue to operate under the requirements of the *Disability Services Act 1993*.

Under the new Department, the Disability Services team will continue its work to advance opportunities, community participation and quality of life of people with disability, to provide services and supports, and to fund non-government agencies to provide services to people with disability, their families and carers.

The Department also partners and collaborates with disability sector organisations, business and government, and other stakeholders to improve participation, inclusion and access for people with disability across the community.

Housing

The Department operates across the land, housing, property finance and human services sectors to facilitate affordable housing opportunities for people who would otherwise be unable to access housing through the private market.

The Department works in partnership with the private, government and not-for-profit sectors to deliver affordable housing in Perth, and in regional and remote locations, providing support for people who would otherwise struggle to rent or buy.

In addition to delivering houses, the Department assists with housing finance through its Keystart Home Loans business, and provides rental assistance options for people in need.

Our focus is on innovation and working with and through the market to ensure that low to moderate income households have access to safe, appropriate, secure and affordable housing in successful inclusive communities. We facilitate social and economic outcomes for individuals, communities and the State to contribute to a better, stronger Western Australia.

The Housing team is responsible for:

- managing over 36,000 public housing dwellings that provide a home for more than 64,000 Western Australians on low incomes, making Housing the biggest landlord in Western Australia
- managing around 5,300 properties for Government Regional Officers' Housing (GROH)
- providing housing for 114 Aboriginal communities in remote locations involving 2,662 properties.

The Housing portfolio includes:

- [Housing Authority](#)
- [Country Housing Authority](#)
- [Keystart Housing Scheme Trust](#)

Regional Services Reform

The Regional Services Reform team is working to address the significant and historic gap between the life outcomes of Aboriginal and non-Aboriginal West Australians in regional and remote areas, with a particular focus on the Kimberley and Pilbara.

The vision for regional services reform is for Aboriginal families in regional and remote Western Australia to be more resilient and for Aboriginal communities to be stronger.

Our work focuses on long-term, systemic change. It aims to improve outcomes and provide Aboriginal people in regional and remote areas with access to the life opportunities enjoyed elsewhere in the State.

The reform concentrates on three concerns:

1. Improved living conditions that enable families to prosper and don't hold them back.
2. Supporting families to build their skills, and overcome any barriers to doing so, through improved service redesign and delivery.
3. Education, employment and housing opportunities, and support for families to take them up.

Collaboration between the State Government, Aboriginal people, Commonwealth Government, local government and service providers is integral to the implementation and the success of regional services reform.

Ministers

The Department's functions and services fall within the portfolios of a number of Western Australian State Government Ministers. These are:

- Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services
- Minister for Disability Services (Environment)
- Minister for Regional Development (Minister assisting Minister for State Development, Jobs and Trade)
- Minister for Seniors and Ageing; Volunteering (Sport and Recreation)
- Minister for Housing; Youth (Veterans Issues).

Public Participation in the Formulation of Policy and Performance

Through continuing processes of review and restructure, the Department has in place an infrastructure which permits services to be “tailored” to meet the needs of individuals or groups – appreciating that the needs of one may differ markedly from another. This infrastructure is capable of developing and growing in parallel with the growth of the state, economically, socially and environmentally. The Department encourages individuals or groups to write to the Department on matters of agency policy and performance.

Documents held by the Department

The Department holds an extensive range of documents relating to all the services it provides. The Department maintains hard copy and virtual (electronic) files containing information on clients and administrative matters, as well as computerised recording systems.

The Department also produces a range of publications, some of which are only available online, and utilises a number of internal manuals in the performance of its functions.

The Department is usually able to supply, free of charge, sections from most manuals, handbooks and guidelines. The Department reserves the right to charge for large documents or manuals.

Further information on documents held by the Department can be found by visiting the appropriate ‘Our services’ link via the [Department of Communities website](#).

Freedom of Information (FOI)

The *Western Australian Freedom of Information Act 1992* (the Act) gives every person the right to apply for access to documents held by State Public Sector agencies. The Act also provides an individual the right to apply for amendment of personal information about the person if the information is inaccurate, incomplete, out of date or misleading.

It is the aim of the Department to make documents available promptly for the lowest possible cost, and where possible, documents will be provided outside of the FOI process. Where information is not routinely available, the Act provides the right to apply for access to documents held by the Department.

Applications for access to documents

Access applications have to:

- be in writing
- give enough information so that the documents requested can be identified
- give an Australian address to which notices can be sent
- be lodged at the agency (any office) with any application fee payable.

Further information on how to lodge an application for documents specific to Child Protection and Family Support, Housing or Disability Services, can be found by visiting the relevant 'Our services' link on the [Department of Communities website](#).

Enquiries and lodgement of applications for any other documents held by the Department:

By email or post:

Freedom of Information
Department of Communities
Locked Bag 5000
FREMANTLE WA 6959

Email: foi@communities.wa.gov.au

Telephone (08) 6217 6888

Fees and charges for access applications

Application fee

There is no fee for applicants seeking their personal information. Personal information is defined in the Act as being information or opinion *about an individual*.

Applications involving non-personal information require payment of an application fee of \$30. A fee payable for non-personal information CANNOT be waived, irrespective whether the Department provides access to the requested documents, or not, and regardless whether the applicant is impecunious. Applications for non-personal information are invalid unless accompanied by payment for the application fee.

The nature of documents held by the Department is such that many documents invariably contain a mix of information about the applicant and other individuals, and other non-personal information. Applicants should consider the need to pay the application fee if they choose not to limit the scope of the application to personal information about themselves.

Processing charges

A range of discretionary charges is set under the FOI Act Regulations. If a charge is levied, for financially disadvantaged applicants or those issued with prescribed pensioner concession cards, the charge payable is reduced by 25%.

The following charges may apply:

- Time dealing with non-personal information applications (per hour, or pro rata): **\$30.00**
- Photocopying – per page: **\$0.20**
- Transcribing from tape, film or computer (per hour, or pro rata): **\$30.00**
- Charge for access time supervised by staff (per hour, or pro rata): **\$30.00**
- Duplicating a tape, film or computer information: **Actual Cost**
- Delivery, packaging and postage: **Actual Cost**

Where the FOI processing fees are likely to exceed \$25.00, FOI Staff will provide applicants with an 'Estimate of Costs'. This process provides an opportunity to reduce the charges by re-considering the number of documents required to satisfy the application.

Deposits

- A deposit may be required for part of the estimated charges: **25%**
- Further deposit may be required to meet the charges for dealing with the application: **75%**

Access arrangements

Access to documents may be granted by way of inspection, a copy of a document (or part thereof), a copy of an audio or video tape, a computer disk, a transcript of a recorded, shorthand or encoded document from which words can be reproduced.

Notice of decision

As soon as possible, but in any case within 45 days, applicants will be provided with a notice of decision, which will include details such as:

- the date on which the decision was made
- the name and the designation of the officer who made the decision
- if the document is an exempt document the reasons for classifying the matter exempt
- the fact that access is given to an edited document
- information on the right to review and the procedures to be followed to exercise those rights.

Internal review

Applicants who are dissatisfied with a Freedom of Information response are entitled to ask the Department for an internal review of the initial decision made by the Department. Applications for internal review must be made in writing within 30 days of receiving the notice of decision. Applicants will be notified of the outcome of the review within 15 days.

If an applicant disagrees with the internal review decision they may then apply to the Information Commissioner for an external review. Details of the rights to review are provided in notices of decision.

Amendment of personal information

The Act also provides a right to amend personal information about the applicant in documents of the Department if the information is inaccurate, incomplete, out of date or misleading. The onus is on the applicant to satisfy the Department that information requires amendment.

Applications to amend personal information about the applicant must:

- be in writing
- give enough details to enable the document that contains the information to be identified
- give details of matters in relation to which the person believes the information is inaccurate, incomplete, out of date or misleading
- give the person's reasons for holding that belief
- give details of the amendment that the person wishes to have made*
- give an address in Australia to which notices under this Act can be sent
- give any other information or details required under the regulations
- be lodged at an office of the Department.

*The application must state whether the amendment is to be made by altering information; striking out or deleting information; inserting information; inserting a note in relation to the record, or in two or more of those ways.

As soon as possible, but in any case within 30 days, applicants will be provided with a notice of decision, which will inform:

- the reasons for the decision
- the right of appeal or review, and
- the right to request that a notation be added to the document, disputing the accuracy of the information.

The Department is not allowed to obliterate or remove information or destroy a document unless the Information Commissioner has certified in writing that it is impracticable to retain the information or that, in his or her opinion, the prejudice or disadvantage to the FOI applicant of the continued existence of the information outweighs the public interest in maintaining a complete record of information.