Report of the Review of structures and governance for CDSMAC committees and subgroups

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November 2011

Preamble

This review of structures and governance for CDSMAC committees and subgroups was commissioned by the Executive of CDSMAC through the Chair, Ms Gill Callister, and the Secretariat.

The brief for the report can be found at Attachment 1.

As part of the Review a number of people in key roles related to CDSMAC were consulted. A full list can be found at Attachment 2.

Introduction

The processes of joint policy reform, as evidenced by the renewed legitimacy of Ministerial Councils and supporting Committees of officials, are important functions of governments.

They attract our pre-eminent political and bureaucratic leaders and enjoin them to the collaborative task of national reform.

As for all processes, over time they attract subsidiary functions and purposes which eventually are embedded or come to dominate the primary purposes of the Council. This may be to gain greater legitimacy for the activity, or because progress on reform is stalled, or through the authority of the attendees being diminished or avoided.

The permanence of intergovernmental processes, despite their difficulty, raises the question, put to the review by a CDSMAC member. "Why come back for more?" The answer is to do better, to continue to drive reform and in the case of CDSMAC, to improve the social condition of Australia's most disadvantaged groups.

The intellectual and emotional commitment to achieve reform, and the resilience required to sustain that commitment have a noble purpose. The time and energy of the leaders should be focused on this task rather than the management of a plethora of committees.

That is the underlying premise of this Review.

List of Recommendations

Recommendation 1:

CDSMAC formalizes an approach to establish Principal Committees reporting to CDSMAC. A CDSMAC member is assigned responsibility to chair any Principal Committee established and takes effective responsibility to ensure completion of the assigned task within the agreed timeframes set by CDSMAC.

Recommendation 2:

CSDRC and AJJA are no longer included in the CDSMAC Principal Committee structure.

Recommendation 3:

It is recommended that CDSMAC and HMAC merge as soon as practicable and, if required, a Principal Committee on social and subsidized housing is established as a Principal Committee of the merged Ministerial Advisory Council.

Recommendation 4

The number of committees, groups and working groups operating under the aegis of CDSMAC and its subcommittees must be drastically and immediately reduced.

Recommendation 5

Those Committees and working groups that CDSMAC retains must be focused around a common set of processes and be required to follow the business rules of the Council.

Recommendation 6:

The Board member nominated by CDSMAC is given clear authority to represent CDSMAC policy development requirements at the Board of AIHW and in its budget processes and also has the role with the Director (AIHW) to put an annual project budget to CDSMAC.

Recommendation 7:

If this is too onerous a role for a CDSMAC member to undertake given jurisdictional responsibilities, then CDSMAC consider a role similar to the AHMAC arrangements.

Recommendation 8:

The CEO of AIHW is included as a full participant in policy development activities of CDSMAC, with a view to providing both a clear perspective on evidence from existing data and opportunities for information to inform further consideration of key issues.

Recommendation 9:

All information management groups, data networks, performance and data committees, research information groups wind up and refer any outstanding issues requiring resolution to NCSIMG. This includes any areas of unresolved data classification, completion of commissioned research and any unresolved issues of appropriate representation.

Recommendation 10:

As a general principle, there should be a bias to neither establish Principal Committees of CDSMAC, nor allow the establishment of subcommittees by Principal Committees. Intergovernmental reform and strategic issues should be resolved by the most senior levels of CDSMAC and commit jurisdictions to a plan of action.

Recommendation 11:

The procedures outlined above for authorisation, communication and decision making are adopted by CDSMAC with immediate effect.

Recommendation 12:

A Priority Area Checklist is adopted (as amended by CDSMAC) as a mechanism for ensuring all CDSMAC committees meet necessary requirements for governance and process. The checklist is completed at no longer than six monthly intervals and the most current version is immediately available at the CDSMAC Secretariat.

Recommendation 13

A common template for Agendas, Papers, Decision Registers and Minutes is adopted by all Secretariats for all Principal Committees and Working Groups. The CDSMAC template is initially adopted for this purpose.

Recommendation 14

CDSMAC adopts one content management system and requires that all committees and working groups of CDSMAC use and maintain the system.

Background

Ministerial committees have been part of the Council of Australian Governments' (COAG) structures for decades. During that time, Ministerial committees have been subject to review on at least three occasions, 1993, 2001 and 2010.

In 1993 the COAG Communiqué issued following a review of Ministerial Councils said:

"This rationalisation will also improve the quality of policy development emanating from these Councils. Bringing together interrelated functions and activities in this way will result in more integrated policy development and will enable Ministerial Councils to take a strategic view of the issues beyond the interests of a particular group.

The reduction in the number of Councils is to be achieved by the combination of a number of existing Councils after consideration of portfolio arrangements across jurisdictions, common membership, existing back-to-back meeting arrangements and overlap of responsibilities.

Although in many instances existing Councils will be combined, this will not mean that constituent Councils will necessarily lose their identity entirely. In several cases, legislation requires that some combining Councils retain a separate identity.

The Council further endorsed recommendations to improve the efficient operation of Ministerial Councils specifically relating to the powers, scope, organisation, formation, chairing, meeting arrangements, agenda prioritising and confidentiality of Ministerial Councils. In this regard the

Council agreed that meetings of Ministerial Councils would only take place in the capital cities of Australia and Alice Springs.

Heads of Government reaffirmed that Ministerial Councils play a vital role in the facilitation of consultation and cooperation between Governments, and noted that when Ministers have the authority of their respective Governments, then Councils determine matters to finality in their area of concern quickly and efficiently."

Following the most recent review in 2010, COAG released a Handbook for COAG Councils.

It says:

"*1.3.1 Scope*

The scope of each Council as directed by COAG is set out in its terms of reference. Each Council is expected to work within its terms of reference. COAG uses Councils as vehicles for driving its reform agenda and co-operative federalism. Councils develop and coordinate policy, problem-solve and provide a ministerial forum for joint action by jurisdictions within the Federation.

Only significant intergovernmental reform work should be progressed through the Council System, with all other work delegated to Senior Officials' level."

In addition:

"*1.3.8 Council Operations*

Councils should establish effective operational arrangements to ensure they achieve their priorities and responsibilities. Councils will generally be supported by a Senior Officials Group and may set up other sub-groups.
Senior Officials Groups will generally develop and progress issues for upcoming Council meetings. Items of a procedural and technical nature should be delegated to officials to determine, or be dealt with out-of-session.

Differing secretariat arrangements apply to each of the Councils. Further detail in relation to establishing and maintaining the most effective secretariat support is discussed under the *Best-practice Secretariat Operations* heading in this Handbook."

Effective Management of the Strategic Agenda

The purpose of Ministerial Councils and their Senior Officials remains to drive the strategic agenda of Australian governments, working collaboratively.

In 2011 the strategic agenda is the COAG Reform Agenda which encompasses:

- a long term strategy for economic and social participation
- a national economy driven by our competitive advantages
- a more sustainable and liveable Australia
- better health services and a more sustainable health system for all Australians
- Closing the Gap on Indigenous disadvantage

For this review of structures and governance of CDSMAC committees and subgroups, the latest formulation of the role of Ministerial Councils and their supporting Senior Officials sets the scene.

That scene, although changing remains focused on strategic issues for governments, the importance of integrated policy development and the need to conduct business in an efficient and cost effective way.

Somewhat undefined is the role of bodies like CDSMAC. A clear purpose is to support the Ministerial Council achieve '"their priorities and responsibilities"' but how far does its role extend beyond that? (COAG, February 2011)

What is the "'other work'' that is delegated to CDSMAC?

This review has started from the view that the role of CDSMAC has been in the past, and will be in the future, primarily focused on assisting Ministers to meet their priorities and responsibilities, rather than a broader remit of intergovernmental liaison and information sharing.

It is therefore against the benchmark of reform and cooperative federalism that this report is written.

Strategic Leadership

At the CDSMAC level, there is a high level of commitment from officials of all Governments to invest into the CDSMAC forum. The main reason advanced for this is the understanding that it is important to be engaged with and have influence on the national agenda.

Particularly with the COAG Reform Agenda and the new Commonwealth/State financial arrangements in place, CDSMAC is seen by officials as providing the opportunity to influence policy and resource allocation in the areas in its remit.

Senior Officials from NSW, Victoria, Queensland, WA and the Commonwealth currently accept responsibility to Chair CDSMAC and the current five CDSMAC Standing Committees as well as the Housing Ministers Advisory Council (HMAC). This arrangement is similar to the AHMAC approach where there is a formalized agreement that only an AHMAC member can chair a Principal Committee.

Recommendation 1:

CDSMAC formalizes an approach to establish Principal Committees reporting to CDSMAC. A CDSMAC member is assigned responsibility to chair any Principal Committee established and takes effective responsibility to ensure completion of the assigned task within the agreed timeframes set by CDSMAC.

Other Jurisdictional Cooperation

The importance of jurisdictional cooperation in the broad areas of government activity is acknowledged by COAG. The key question, however, is whether these activities constitute issues of strategic importance to Ministers and their Heads of Government in a COAG context?

If not, and yet it is important to one or more jurisdictions that they are addressed, how can this be arranged?

There is a range of conflicting views about the utility of the CDSMAC, particularly where these drivers are not present. Some see the arrangements as "a lot of national activity on top of jurisdictional responsibility". For others, attaching an issue to CDSMAC is perceived as a means of elevating the profile or gaining a focus on a particular subject matter.

The Terms of Reference for the COAG Standing Council allows for the Council in its annual status report, due 31 July each year, to provide COAG with "any additional priorities that it believes should be addressed and submitted to COAG for consideration".

Three of the five current CDSMAC Standing Committees have limited impact on national reform agendas or strategy although one of these can be seen to have an important instrumental role (National Community Services Information Management Group,(NCSIMG)).

The Community Services Disaster Recovery Committee (CSDRC) has Commonwealth representation in the form of two operational agencies, Centrelink and Emergency Management Australia. Its Terms of Reference, approved by CDSMAC in October 2010, refer to ''develop(ing) and influence(ing) policy and planning relating to the human, social and community consequences of disaster''' and go on to describe a range of cooperative activities.

The Australian Juvenile Justice Administrators (AJJA) has no Commonwealth involvement in their activities, despite the interest of the Attorney General, and a mandate to "set the strategic direction for juvenile justice in Australia".

In considering these committees, it can be argued that jurisdictional cooperation within the Australian federation requires lots of information exchange at both a

policy and an operational level and therefore should be supported through the CDSMAC arrangements. This will not, in the opinion of this review, meet the test of a strategic agenda focused on reform and cooperative federalism.

Other ways for such activities to be carried out need consideration by Ministers.

Recommendation 2:

CSDRC and AJJA are no longer included in the CDSMAC Principal Committee structure.

The Inclusion of Housing

The decision of COAG to form a new Standing Council on Community Services, Housing and Disability Services was recently activated by the Prime Minister in her letter of 17 September 2011 to the Minister for Families, Housing, Community Services and Indigenous Affairs.

That letter attached the Terms of Reference for the Council, including three priority issues, and its membership. It also nominated "indigenous disadvantage, gender equality, homelessness, juvenile justice, and equal access to services for persons with a disability and those in regional Australia" as "cross cutting issues".

In addition, COAG established a Homelessness Select Council, one of six Select councils "to work on specific reform tasks of critical national importance that are of sufficient importance to warrant Ministers' direct attention". An additional Select Council comprising Treasurers and Disability Ministers was later established to consider the Productivity Commission's Report on a National Disability Insurance Scheme.

The precise way in which the Standing Council and the two Select Committees will work is unclear as is the role of CDSMAC and Housing Ministers Advisory Council (HMAC) in relation to them.

HMAC and CDSMAC share a secretariat service based in Adelaide. CDSMAC and HMAC share common departmental Secretaries in the Commonwealth and all States and Territories except WA and NT.

Recommendation 3:

It is recommended that CDSMAC and HMAC merge as soon as practicable and, if required, a Principal Committee on social and subsidized housing is established as a Principal Committee of the merged Ministerial Advisory Council.

Standing Committee Working Groups, other subcommittees and projects

CDSMAC Standing Committees currently also establish "Standing Committee Working Groups" to progress their activities. It is difficult to be precise about the number of these. Some have been created but not established (e.g. Group Conferencing Working Group of AJJA, the Find and Connect Service Scope and Design Construct Group, the National Framework Advisory Group), others "completed their work" during the timeframe of the review but have not yet been clearly disestablished (e.g. National Community Recovery Workforce Working Group of CSDRC), others have been audited to establish their ongoing relevance(the 14 working groups of DPWRG), and others are being established (the 6 project reference groups for the NFIWG).

Others claim affiliation with CDSMAC yet are not apparent on the list of Working Committees provided to the review (e.g. the Intercountry Adoption Alternative Models Working Group and the Intercountry Adoption Harmonisation Working Group); both supported by the Commonwealth Attorney Generals Department and both of which apparently report the key outcomes of their meetings to CDSMAC "as required by their Terms of Reference".

In total there are at least 36 working groups of one form or another reporting at this time or around the time of the review.

Additionally CDSMAC has representatives on 8 other external committees.

Even with the best bureaucratic resources and tools available, it is not practicable to have this number of reporting intergovernmental committees effectively managed and reporting to a peak intergovernmental committee.

Nor is it possible with a small Secretariat of staff with no policy oversight responsibility to manage the work of the Council. Their task, working with the CDSMAC Executive, is to bring forward an agenda package for effective consideration by the most Senior Officials, meeting as an intergovernmental committee and managing the agenda and work of Ministerial Council.

As expressed in the interview process, "there is a need to maintain an approach, focus and strategy". There are many positive reasons why individuals, subcommittees and even possibly the Council itself establish these processes. The predominant reason appears to be that by attaching a committee to CDSMAC there is an implicit attempt to gain a focus on the particular issue or actions with the possibility of "influencing the national agenda" or to attract resources.

This must be balanced against the limits to the participation by Senior Officials themselves and the high levels of investment involved where in "an ideal world you would want less". Perversely, it was observed by one interviewee that although this (the Council and its committees) "provides many opportunities for a focused conversation, a key challenge is to get people to provide information".

A number of jurisdictions are putting in substantial commitment by some of their most senior personnel but this is tempered by a personal time horizon for their effort. Also it is clear that if the Commonwealth is not in a position to work on a collaborative or cooperative basis, the processes do not work well.

In making these observations, it is evident that there are essential ingredients for CDSMAC to work optimally. These include:

- a high level of personal commitment from the most senior officials to invest in intergovernmental processes;
- authority delegated from the Prime Minister and Premiers to work on a reform agenda in a strategic way;
- good underpinning business processes to support the Council;
- commitment from Commonwealth to work cooperatively on key issues;
- a pragmatic approach from State jurisdictions to do business with the Commonwealth.

Impeding this are the:

- limits to the personal investment senior leaders can commit to such processes in the context of their own jurisdictional responsibilities;
- need for the processes to arrive at ""the right decision" to put to CDSMC;
- silo-ed nature of many of the conversations; and
- "discordance between what is trying to be achieved and how people go about it".

Most importantly, enthusiasm wanes after a period. Personal leadership alone is insufficient to maintain the necessary focus on outcomes.

Recommendation 4

The number of committees, groups and working groups operating under the aegis of CDSMAC and its subcommittees must be drastically and immediately reduced.

Recommendation 5

Those Principal Committees and working groups that CDSMAC retains must be focused around a common set of processes and be required to follow the business rules of the Council.

Mechanisms to reduce the Number of Committees

The COAG Standing Council on Community, Housing and Disability Services (SCCHDS) priorities must drive the business of CDSMAC and CDSMAC priorities must define the scope of work of committees and subgroups, not the reverse.

An efficient way to remove committees from the purview of CDSMAC is to apply a simple set of rules such as to wind-up committees or working groups that:

- are without senior Commonwealth (Group Manager or above) active involvement;
- have not been directly established by CDSMAC resolution within the past two years;
- have reached their nominated period of activity; or
- have not been established within three months of a CDSMAC decision.

Any responsibilities left uncompleted are resumed by CDSMAC itself, or by the relevant Principal Committee for completion or termination.

This proposal is not a reflection on the importance of an area of government activity or possibly the need for some inter-jurisdictional information sharing. What is essential is the establishment and continuation of CDSMAC Committees and Working Groups that address Council priorities and to direct resources to those areas.

This review's recommendations seek to reduce the likelihood of the types of comments provided by CDSMAC members. These included:

- Overall committees bring outlier issues to table;
- There is not much focus on priority issues;
- A lot of noting papers are received - need more output, outcome focus;
- Committees need to spend more time/effort on a realistic work program;
- There is insufficient time spent on integration;
- The major concern is they have been very operational and not policy focused.

How an issue may be handled.

COAG provides for Ministerial activity outside the formal arrangements it has recently established.

"Outside of the Ministerial Council arrangements, Ministers may meet from time to time on a private and informal basis with colleagues from other jurisdictions to

discuss matters of common interest and facilitate collaboration and information sharing." (COAG, February 2011)

For example, Juvenile Justice has been identified as a "cross cutting issue" for the new Standing Council, but it does not meet this review's requirements for the establishment of a Principal Committee of CDSMAC.

Other options could include:

- A special meeting of CDSMC, as provided for in the current operating guidelines;
- A national conference to consider issues of importance in Juvenile Justice;
- A lead jurisdiction progresses a priority issue and liaises with nominated contacts from other jurisdictions as work is undertaken;
- CDSMAC embeds the cross cutting issue within its own mandate and in the terms of reference of its Principal Committees.

The Future for Information Management

Information management, common data sets and definitions, and the creation of data linkages have been a major focus of CDSMAC activity since the early 1980s. Much has been achieved in that time from the beginnings of Welstat. The formation of information management groups and the development of AIHW as the key national agency supporting data collection and analysis for CDSMAC, HMAC and AHMAC has been an important response to increasing demands for information on the effectiveness of government investment.

Today AIHW has a budget of some $50m, 17% of which is revenue from the Commonwealth Government and the remaining $30m through direct funding for specific projects or issues emanating from committees. It produces some 150 reports a year in a number of different areas and provides data it has collected for the Productivity Commission's Report on Government Services and to the COAG Reform Council as part of its brief to monitor targets adopted for National Agreements and National Partnerships.

Data has become the currency of political discourse and influence. This is reflected in the number of working groups which focus predominately on data standards, data comparability across jurisdictions and the like. They include the Research Information Group of AJJA, the National Disability Data Network of the DPRWG, the Performance and Data group of NFIWG and the NCSIMG. There is no specific connection between any of these other than the constancy of AIHW staff attendance and frequent secretariat support. Many of these committees contribute to the Project Budget revenues of AIHW.

How might CDSMAC engage with information management into the future?

It is timely to reconsider the current arrangements for the relationship between CDSMAC, the AIHW, the ABS, the NCSIMG and the various other groups and working parties.

The National Community Services Information Agreement and a similar Housing Data Agreement has cemented the objectives and activities in this field.

"The National Community Services Information Agreement (NCSIA) is a multilateral agreement between government community services and statistical agencies to provide the framework for a cooperative approach to national community services information development. The Agreement operates under the auspices of the Community and Disability Services Ministers' Advisory Council (CDSMAC).

For the purposes of the Agreement, the scope of community services is disability services, aged care, children and family services, homelessness services, juvenile justice, gambling, income support, emergency relief services and concessions". (AIHW)

The NCSIA is a major achievement of CDSMAC and the AIHW.

Key objectives for information management into the future, important to CDSMAC, include:

- providing jurisdictions with a clearer perspective about what is evident from data;
- winding up the plethora of ongoing working groups under CDSMAC to gain greater efficiency of resource utilisation;
- engaging jurisdictions to speak about policy challenges and how information might inform consideration of them.

A number of mechanisms are available to CDSMAC and AIHW in particular.

1. Board member role

CDSMAC nominates a representative to the AIHW Board, currently Mr. Jim Moore from NSW Department of Family and Community Services who is also the Chair of the NCSIMG and the NDDIMG. This conjunction of roles opens up an immediate opportunity to rationalize activity.

As Board member, this role is both part of the budget planning for AIHW and also the conduit between AIHW and CDSMAC. There is a question as to how this

role can be managed over the mid term when the person also has substantive roles in a jurisdiction.

In the AHMAC context this role is carried by a former senior executive with access to CEO's, strategic understanding and technical proficiency.

Recommendation 6:

The Board member nominated by CDSMAC is given clear authority to represent CDSMAC policy development requirements at the Board of AIHW and in its budget processes and also has the role with the Director (AIHW) to put an annual project budget to CDSMAC.

Recommendation 7:

If this is too onerous a role for a CDSMAC member to undertake given jurisdictional responsibilities, then CDSMAC consider a role similar to the AHMAC arrangements.

2. Partner with AIHW

Major data and data related issues now emerge in the policy and research areas rather than technical committees. CDSMAC can provide the opportunity for the AIHW to be a full part to the conversations regarding policy challenges and how information and data might inform these.

AIHW provides jurisdictions in return a clearer perspective about what is evident from existing data sets and work with CDSMAC to rescind the current arrangements for a myriad of technical working committees in each of the policy areas

CDSMAC could also look to the possibility, already active in DPRWG, where the NCSIMG meeting is a special meeting of CDSMAC rather than a separate committee.

Additionally, given the new Standing Council arrangements there could be a single NCSIMG covering all policy areas outlined in the NCSIA. Optimally the arrangement will also include housing.

This would substantially reduce the load on AIHW in supporting and attending a large number of working committees and free staff to work on the agreed policy areas. Similarly it would free considerable resources from jurisdictions which are currently captured in these processes.

Recommendation 8:

The CEO of AIHW is included as an active participant in policy development activities of CDSMAC, with a view to providing both a clear perspective on evidence from existing data and opportunities for information to inform further consideration of key issues.

3. Better use of available information and data.

Many key government reports rely on the data collected through the main information management systems. This includes the Productivity Commission in the preparation of its Report on Government Services and the COAG Reform Council in its Reports on the COAG Reforms.

Additionally CDSMAC and its subcommittees use various other data sources to inform policy development including from ABS surveys, and reports from other research organizations which both draw on the current data sources and undertake specifically commissioned research e.g. Australian Institute of Criminology and the Australian Institute of Family Studies. This will continue.

Recommendation 9:

All information management groups, data networks, performance and data committees, research information groups wind up and refer any outstanding issues requiring resolution to NCSIMG. This includes any areas of unresolved data classification, completion of commissioned research and any unresolved issues of appropriate representation.

Understanding of Roles and Functions of Committees and Subgroups

At present the establishment of committees and working parties is often employed as a means of allocating specific responsibilities to an individual working group. This is done sometimes in a very thorough way but on occasion without clear accountabilities and timelines.

Comments received by the review from CDSMAC members on the functioning of working groups were referred to earlier in the report. These related to questions of priority setting and action orientation.

A second group of issues raised concerned the need to focus on greater integration of effort. A strong theme to come through interviews was the challenge to focus on issues based discussions rather than sector based discussions. CDSMAC ceasing the sponsorship of mechanisms which increase

the likelihood of separate discussions will assist the achievement of this outcome.

Third, there should be a bias against setting up a new committee. As a group CDSMAC and its Principal Committees need to be more disciplined to prevent too many groups being formed with the consequent splintering of responsibility and accountability.

If there is an imperative to have a specific discussion it needs to be initially consolidated into the broad CDSMAC Agenda. Only once there is clarity around a strategic agenda can the specific actions required be delegated to those who need to implement the strategy.

Where a sub committee is decided upon, critical factors in success include a clear specification of the deliverables, appointment of members with delegated decision making authority on behalf of their jurisdictions and a clear articulation of those matters which require reference back to the authorizing Council.

AJJA for example has recognized the ''huge crossover'' of clients between youth justice and child protection. It has decided to focus efforts on something simple, straightforward and powerful that they can do. Such an approach is encouraged.

Recommendation 10:

As a general principle, there should be a bias to neither establish Principal Committees of CDSMAC, nor allow the establishment of subcommittees by Principal Committees. Intergovernmental reform and strategic issues should be resolved by the most senior levels of CDSMAC and commit jurisdictions to a plan of action.

Secretariat processes and CDSMAC

The processes around the provision of secretariat services to CDSMAC are well established and with clear business rules. Similarly its Standing Committees have established reasonably well functioning secretariats either through a levy on jurisdictions (eg DPRWG, AJJA) or through the function being taken on by an agency or government (e.g. NCSIMG,NFIWG). Agendas are established, meetings are held and minutes recorded and distributed.

This finding is also reflected at the level of Working Parties which commonly have agendas and minutes of meetings. The review obtained minutes of the last three meetings of Standing Committees and many of the working groups which in the main were well documented and clear.

Despite this there remain ongoing difficulties. Papers from Standing Committees are commonly Out of Session, and information shared with CDSMAC is often a list of Decisions and Actions with little context. Many papers are simply for noting and recommendations are not clear. Members of CDSMAC mentioned that the quality of the papers is lacking, specifically in assisting CDSMAC to make well formulated recommendations to Ministers.

The following framework, drawing on the work of DPRWG, outlines the authorisation, communication and decision making procedures that can provide a basis for the future operation of subcommittees and working groups:

Authorisation

- CDSMAC or its Executive authorise the establishment of any Principal Committee or subcommittee or working group of CDSMAC and any subcommittee or working group proposed by a Principal Committee.
- Minuted decisions and actions are clear and unambiguous.

Communication

- CDSMAC ensures the committee is appropriately briefed on the relevant CDSMAC decision, the rationale behind the decision and the required deliverables.
- CDSMAC nominates one of its members to either Chair the Principal Committee, or to manage communication, feedback and direction from CDSMAC to any other relevant committee or working group.
- Where an important assigned task is being progressed through another portfolio area or a process that is beyond CDSMAC scope (e.g. Select Councils), CDSMAC should actively seek updates from the area or Council on achievements against milestones

Decision making

- The committee or working group is clear from the outset those decisions which require authorisation by CDSMAC.
- There is a clearly agreed work plan for finalising the task of the committee.
- Where agreement cannot be reached among working group/project team members on a *significant* issue then the matter is referred to CDSMAC Executive for decision.
- For less significant matters that do not require full agreement working groups will endorse the majority view, and brief CDSMAC on the minority view and any evident risks.
- Jurisdictions are clear on their internal procedures for endorsement so that joint decisions can be made in a timely manner.
- The opportunity for a strategic discussion by CDSMAC is activated when the deliverable is met or abandoned.

Recommendation 11:

The procedures outlined above for authorisation, communication and decision making are adopted by CDSMAC with immediate effect.

Assigning Responsibilities

There is an acknowledgement in the minutes of some committees of the changing COAG landscape for Standing Councils and Select Councils, of future strategy as reform oriented, and a more precise specification of project milestones by central agencies. Despite this, there is little evidence of a change of focus in most existing committees or acknowledgement that current work may no longer be a priority.

A negative interpretation of this phenomenon might be that redefinition of Council and Committee roles may be like a bushfire burning a landscape that will simply regenerate.

An alternative is that so many of the committees are embedded in the activities of Departments and their programs rather than part of the essential processes of intergovernmental relations and broader policy development. They undertake operational work because that is what they are.

Responsibility and accountability for such activities must be accepted by jurisdictions acting alone or on occasion collaboratively, not through the intergovernmental policy processes. Their intergovernmental construct is a convenience for gaining a broader mandate.

As part of its recent audit of its priority tasks and its working groups, DPRWG developed a set of Principles for Work Area Governance and Process and an accompanying checklist (Attachment 3). The checklist provides a useful guide which, with some modifications, could be adopted by CDSMAC.

Specifically, in relation to creating additional work areas:

"DPRWG consider the following options before agreeing to the governance process for any additional work priority area:
- Do we understand the end product?
- What process will get us there?
- What is the governance relationship between DPRWG and the work area?
- Is a working group structure the most effective way to progress the work?
  - have all options been considered….."

That same document goes on to canvas important options not requiring the formation of a working group. These include a lead jurisdiction:

- progressing the priority and periodically reporting back to the full Council;
- progressing the priority in consultation with other jurisdictions using tools such as surveys, questionnaires and templates;
- requesting other jurisdictions to nominate a key contact person who is consulted as required as the work is progressed.

These are sensible options which if adopted by CDSMAC will reduce the future reliance on working groups. In particular, a lead jurisdiction must be able to manage its priorities by consulting or liaising with other jurisdictions without the establishment of CDSMAC committees. The simple requirement for cross jurisdictional sharing of information and experience is not a sufficient reason to enjoin CDSMAC or its Principal Committees to the task.

CDSMAC currently has a set of Operating Guidelines and Procedures (2006) which touch on the formation of sub committees. These need to be updated following determination of this review's recommendations.

A bias to progressing actions related to Departmental priorities within the processes of the particular Department rather than through CDSMAC will reduce the pressures of working groups on CDSMAC.

Only in this way can CDSMAC be relieved of the overarching responsibility for a range of subcommittees and working groups that is neither a priority for CDSMAC nor for which CDSMAC is resourced to manage.

Recommendation 12:

A Priority Area Checklist is adopted (as amended by CDSMAC) as a mechanism for ensuring all CDSMAC committees meet necessary requirements for governance and process. The checklist is completed at no longer than six monthly intervals and the most current version is immediately available at the CDSMAC Secretariat.

A Shared Platform?

Other difficulties of committees and working groups do not primarily relate to issues of formalization of meetings. They appear to predominantly fall into two categories.

First there is limited recognition that actions and tasks are interrelated and build to an outcome. There is no regular way of linking the sub committee and working group outcomes at any level. Also, there is no one place in the CDSMAC arrangements where there is a record of the cumulative activities carried out in the name of CDSMAC.

The second and more important difficulty for working groups and their secretariats is a lack of awareness of their place in an interconnected agenda. Working groups burrow in on their own prescribed tasks oblivious in the main to the broader policy landscape and the outcomes set by governments.

All CDSMAC members and the CDSMAC Secretariat must have full access to all records of all committees at all times; all Principal Committees must have access to working group materials and the CDSMAC Decisions and Actions. At present, there is no standard decision tracking mechanism across CDSMAC, its committees and working groups.

Different secretariats also have used or tried different content management systems for their own particular activities (e.g. Sharepoint, DROOPL, and Govdex) but there has been no progress on a shared platform for CDSMAC as a whole.

Two actions will remove the onus that is now with CDSMAC to seek out and find the activities within its infrastructure and place the onus for lodgment of documents and record keeping with the group assigned the deliverable.

Recommendation 13

A common template for Agendas, Papers, Decision Registers and Minutes is adopted by all Secretariats for all Principal Committees and Working Groups. The CDSMAC template is initially adopted for this purpose.

Recommendation 14

CDSMAC adopts one content management system and requires that all committees and working groups of CDSMAC use and maintain the system.

Review Brief

The Consultant must provide the following Services:

Provision of Consultant services to the CDSMAC Executive for a review of structures and governance for CDSMAC committees and subgroups.

The review will include:

Recommendations for a best practice model for the CDSMAC structures and governance to ensure:

- Effective management of the Community and Disability Services Ministers' Conference (CDSMC) strategic agenda from the Ministers' group through to the committees and subgroups;

- Clear oversight, accountabilities and lines of reporting from committees to CDSMAC;

- Clear understanding of the roles and functions of the committees and subgroups, noting that some duplication and redundancy may exist under current arrangements;

- Recommendations for the roles, functions and work plans that should transition from current arrangements to the new recommended model for CDSMAC structures and governance;

- Recommendations for best practice reporting and advice mechanisms from committees and subgroups to CDSMAC and through to the CDSMC.

- Recommendations for mechanisms for reporting and advice giving across the CDSMAC structures, including development of a set of templates for CDSMAC papers.

- Recommendations for alignment of CDSMAC committee structure within the new SCCHDS

The review will be presented as a comprehensive report to the CDSMAC Executive. The CDSMAC Executive may require a presentation of the review from the Consultant.

CDSMAC

Ms Gill Callister	Chair CDSMAC, Secretary, Department of Human Services, Victoria
Mr Jim Moore	Chair DPWRG, A/g Director General, Department of Family and Community Services, NSW
Mr John Hubby	Chair AJJA, Chief Executive, Juvenile Justice, Department of Attorney General and Justice, NSW
Ms Bette Kill	Chair CSDRC, Associate Director-General, Department of Communities, Queensland
Mr Tony Murphy	Co-Chair NFIWG, Director-General, Department for Child Protection, WA
Ms Serena Wilson	Member CDSMAC, Deputy Secretary, Department of Families, Housing, Community Services and Indigenous Affairs, Commonwealth
Ms Liza Carroll	Executive Member CDSMAC, Deputy Secretary, Department of Families, Housing, Community Services and Indigenous Affairs, Commonwealth

HMAC

Mr Mike Allen	Chair HMAC, Chief Executive, Housing, NSW

AIHW

Mr David Kalisch	Director, Australian Institute of Health and Welfare

Central Agencies

Ms Rebecca Cross	Deputy Secretary, Department of Prime Minister and Cabinet
Mr Chris Eccles	Secretary, Department of Premier and Cabinet, NSW

Secretariats

Ms Ann Chipperfield	CDSMAC Secretariat
Mr Lynton Huxley	CDSMAC Secretariat
Mr Paul Heath	DPRWG (NSW)
Ms Corinne Beasley	DPRWG (NSW)
Ms Elspeth Driscoll	Australasian Juvenile Justice Administrators, (NSW)
Ms Kelli Brown	Community Services Disaster Subcommittee (QLD)
Ms Alison Verhoeven	NCSIMG (AIHW)
Ms Rachel Croome	NFIWG (Commonwealth)

DPRWG PRIORITY AREA CHECKLIST

Principles	Meets Principle
Governance	
Clear governance document (such as a terms of reference)	Yes ☐ No ☐
Work plan document (approved by DPRWG)	Yes ☐ No ☐
Discussion and decisions of meetings are clearly minuted.	Yes ☐ No ☐
The lead jurisdiction for a work area should ensure that the DPRWG member(s) for that jurisdiction are actively involved in progressing the priority.	Yes ☐ No ☐
Work Areas provide regular reports back to DPRWG at either key milestones or at least once in a 6 month period.	Yes ☐ No ☐
Membership	
Work Areas have at least one DPRWG member involved in the implementation of key work.	Yes ☐ No ☐
Where dependencies are identified between work areas this is clearly reflected in the work plan or through the working group membership.	Yes ☐ No ☐
Level of decision making authority of officers nominated by jurisdictions is appropriate.	Yes ☐ No ☐
Does the mix of officers involved in progressing a priority area reflect the subject matter of the priority area.	Yes ☐ No ☐
Decision making	
If agreement cannot be reached among working group/project team members on a significant issue is it escalated to DPRWG for decision.	Yes ☐ No ☐
Is DPRWG appropriately briefed when consensus is not able to be reached.	Yes ☐ No ☐
The work area determines which decisions need to go to DPRWG.	Yes ☐ No ☐
Are jurisdictions clear and timely in their internal processes for endorsement.	Yes ☐ No ☐

Principles	Meets Principle
Is the work area referred to DPRWG for a strategic discussion at the appropriate time.	Yes ☐ No ☐
There should be understood steps for closing the work of priority area.	Yes ☐ No ☐
Communication with DPRWG	
Has DPRWG appropriately briefed on relevant DPRWG decisions, the rationale behind the decisions and the required actions.	Yes ☐ No ☐
Are minutes clear and unambiguous.	Yes ☐ No ☐
Where the work area is being progressed through another portfolio area is there a process to provide DPRWG with regular updates.	Yes ☐ No ☐

SUMMARY TABLE ON CDSMAC SUBCOMMITTEES

Subcommittee Name
1. **Australasian Juvenile Justice Administrators (AJJA)**
Research Information Group
Research Task Group
Group Conferencing Working Group
Standards Working Group
Data Linkage Project
2. **Community Services Disaster Recovery Sub Committee (CS DRSC)**
National Community Recovery Workforce Working Group
Cross Border Arrangements for Disaster Relief & Recovery Working Group

Other Workplan Projects (unspecified number)
3. Disability Policy Research Working Group (DPRWG)
National Disability Data Network
National Disability Research and Development Steering Committee
Older Carers Working Group
National Quality Framework Working Group
Access to Aids and Equipment Working Group
National Disability Agreement Realignment Working Group
Advocacy Working Group
Transition to Work and Retirement Working Group
Assistance Dogs Working Group
National Companion Card Working Group

Yiprac Subcommittee
National Portability Subcommittee
Restrictive Practices Cross Jurisdictional Working Group
People with Disability and the Criminal Justice System Working Group
Other NDA Priorities (various approaches)
4. National Community Services Information Management Group (NCSIMG)
Welfare Expenditure Advisory Group
Project Governance Groups (unspecified number)
5. National Framework Implementation Working Group (NFIWG)
National Framework Advisory Committee
Improving Support for Carers Working Group
Transition to Independence Working Group

Performance and Data
National Out of Home Care Steering Committee
Filling the Research Gaps
Closing the Gap
Responding to Sexual Abuse
Building Capacity and Expertise
6. Subcommittee on Unaccompanied Humanitarian Minors
Other Subcommittees and Working Groups/Projects
National Research Study on Past Adoption Practises
Carer De-Registration Information Sharing Working Group
Child Health and Wellbeing Sub Committee
Volunteer e-Passport

Find and Connect Service Scope and Design Construct Project
National Compact Working Group
Intercountry Adoption Alternative Models Working Group (with Attorney-General's Department)
Intercountry Adoption Harmonisation Working Group (with Attorney-General's Department)
Other Related Officials Committees
Housing Ministers Advisory Council
Other Related Councils
Standing Council on Law and Justice
Homelessness Select Council
National Disability Insurance Scheme Select Council