

# Annual Report 2022-2023

Ageing and Disability  
Commission



# Acknowledgement of Country

We acknowledge Aboriginal People as the First Nations Peoples of NSW and pay our respects to Elders past and present. We acknowledge the ongoing connection Aboriginal people have to this land and recognise Aboriginal people as the original custodians of this land.

We also acknowledge that older people and people with disability have the right to be treated with dignity and respect, and to feel safe in their families and communities.

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# Letter to the Legislative Council and Legislative Assembly

23 October 2023

The Hon Benjamin Franklin MLC  
President  
Legislative Council  
Parliament House  
Sydney NSW 2000

The Hon Greg Piper MP  
Speaker  
Legislative Assembly  
Parliament House  
Sydney NSW 2000

Dear Mr President and Mr Speaker

## **Ageing and Disability Commission Annual Report 2022-23**

I am pleased to present the 2022-23 annual report of the NSW Ageing and Disability Commission, which covers the period of 12 months ending 30 June 2023.

This report is presented to the Parliament in accordance with section 25 of the *Ageing and Disability Commissioner Act 2019*.

In accordance with section 28 of the *Ageing and Disability Commissioner Act 2019*, I recommend that this report be made public immediately.

Yours sincerely

Robert Fitzgerald AM



**Ageing and Disability Commissioner**

# From the Commissioner

The time is now to take active steps to make our community a safer and better place to live for older people and adults with disability in their family, home and community.

Among other things, the outcomes from the Disability Royal Commission, the review of the National Disability Insurance Scheme and the new National Plan to Respond to the Abuse of Older People must serve to create meaningful systemic change. These changes need to focus on better understanding the drivers of abuse, and place a greater emphasis on the will and preference of older people and adults with disability to support them to make decisions that impact their life.

In New South Wales, I have seen a positive shift in attitudes and a growing awareness about what abuse and neglect is, and greater engagement with my office about how to address this seismic issue across various levels of government; with community leaders and influencers as well as policy and decision makers.

This is only confirmed from the results of our work over the past year.

**14,025 calls to the Ageing and Disability Abuse Helpline** (a 12% increase) demonstrates that the community is aware and seeks us out for help, support or to report abuse.

**4,258 statutory reports** (a 7% increase) prove we have become a vital reporting and safeguarding agency for adults at risk of abuse. Of significance, there has been an increase in reports from First Nations and culturally diverse communities, as our collaborations continue to strengthen.

**87% more resources** were sent across New South Wales and we had a **93% increase** in training and community events, meaning that we're out there with you and our work is strengthening responses to abuse, neglect and exploitation.

I want to call out paid workers who are now the main source of reports in relation to both older people and adults with disability. Thank you. Service providers and frontline staff are critical in the work we do to improve safeguards for older people and adults with disability at risk of abuse in their family, home and community.

We continued to administer the Official Community Visitor (OCV) scheme, with OCVs visiting 1,305 visitable services throughout NSW. I thank them all for their work over the past year. It's a tremendous effort that is not done alone.

I extend my sincere thanks to our 18 Abuse Prevention Collaboratives, ageing and disability sector and advocacy partners, and advisory groups for working with and supporting us.

The Ageing and Disability Advisory Board continues to inform and guide the ADC, with Chair, Eileen Baldry, driving a clear agenda that promotes the importance of fundamental human rights in our work.

I am particularly pleased with the cross sector systemic issues and initiatives we have proactively engaged with that speak directly to issues impacting older people, carers and people with disability. These include issues related to housing, supported decision making, safeguarding approaches and learnings from the COVID pandemic.

And, the strong commitment from The Hon. Jodie Harrison MP, Minister for Seniors and The Hon. Kate Washington MP, Minister for Disability Inclusion with the support from the Department of Communities and Justice will only serve to make our influence greater, making it possible for everyone to live free from abuse in their family, home and community. I also acknowledge the support of the former government Ministers and thank them for their engagement in the activities of the ADC.

Nevertheless, financial resourcing for the ADC remains a serious issue to be addressed given the increasing demand on all areas of our work, and, an increase in visitable services by OCVs. Without adequate and sustainable funding, the risks we see in the community will only continue to grow without appropriate safeguards that can improve outcomes for older people and adults with disability.

Thank you for taking the time to read our annual report.



A handwritten signature in black ink, appearing to read 'R Fitzgerald'.

Robert Fitzgerald AM  
NSW Ageing and Disability  
Commissioner

# 1. Overview

## About the Ageing and Disability Commission

The Ageing and Disability Commission (ADC) is an independent government agency that was established on 1 July 2019 to fill a critical gap in NSW to protect and promote the rights of adults with disability and older people, and to safeguard them from abuse, neglect and exploitation in their family, home and community.

### What we do

Most of the functions of the ADC are focused on adults with disability (aged 18 years and over) and older people (aged 65 years and over, or 50 years and over if Aboriginal and/or Torres Strait Islander). A small number of our functions have a broader focus.

#### Handling reports about abuse, neglect and exploitation

The Ageing and Disability Abuse Helpline handles enquiries and statutory reports about adults with disability and older people who are subject to, or at risk of, abuse, neglect and exploitation. The Helpline provides early intervention and help by giving information, advice, support, and referrals.

In certain cases, the ADC takes further actions, including making inquiries, working with the adult and other parties to improve the adult's safety and circumstances, and conducting investigations.

#### Building community capability to prevent and address abuse

We carry out a range of activities to raise awareness and educate the public about matters relating to the abuse, neglect and exploitation of adults with disability and older people in their family, home and community.

We seek to build and strengthen the capability of individuals and communities to prevent, identify, and appropriately respond to abuse.

#### Inquiring into systemic issues and making recommendations to Government

We inquire into and report on systemic issues relating to abuse, neglect and exploitation of adults with disability and older people, and/or the protection and promotion of their rights.

The ADC can also consult with the Ageing and Disability Advisory Board and provide advice and make recommendations to Government on these matters.

#### Coordinating the Official Community Visitor scheme

The ADC oversees and coordinates the NSW Official Community Visitor (OCV) scheme. OCVs are Ministerial appointees who visit vulnerable people living in residential care in NSW. Their main role is to raise issues affecting residents with providers, the Minister and other appropriate bodies to enable timely resolution of the issues and improved outcomes. The activities of OCVs are detailed in a separate annual report, available on the ADC [website](#).

#### Reporting on implementation of the National Disability Strategy in NSW

The ADC has the function of monitoring, assessing, and reporting on the implementation in NSW of Australia's Disability Strategy.

The ADC administers the *Ageing and Disability Commissioner Act 2019* (ADC Act). By way of agreement with the NSW Children's Guardian, we carry out our responsibilities to administer the OCV scheme under both the ADC Act and the *Children's Guardian Act 2019*.

# Our stakeholders

The focus of the ADC’s work is adults with disability and older people who are subject to, or at risk of, abuse, neglect and exploitation; and vulnerable adults and children living in the care of visitable services.

We work with a broad range of stakeholders to fulfil our role, including:

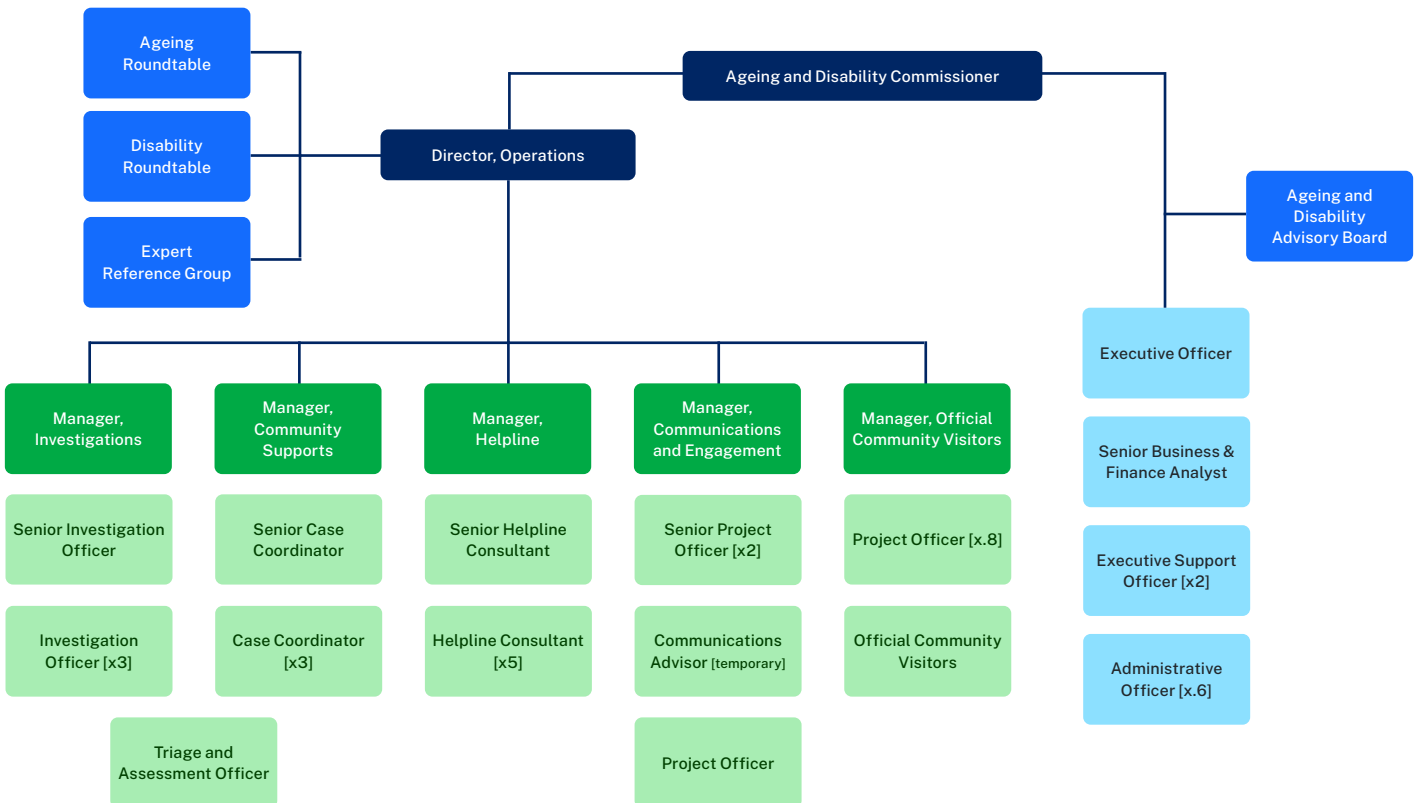
- NSW and Commonwealth government agencies, such as NSW Police, NSW Health, Department of Communities and Justice (DCJ), Office of the Children’s Guardian, National Disability Insurance Agency, and the Aged Care Quality and Safety Commission
- NSW Civil and Administrative Tribunal and NSW Trustee and Guardian
- non-government organisations, such as aged care and disability service providers, families and carers, ageing and disability advocacy and peak organisations
- the Ageing and Disability Advisory Board
- Ministerial Advisory Councils for Ageing, Disability and Carers
- private practitioners and agencies, including health, legal and financial services
- community members
- Official Community Visitors.

# ADC management and structure

## Principal officers

- **Robert Fitzgerald AM, Commissioner** – Bachelor of Commerce, Bachelor of Laws, Solicitor of the Supreme Court of NSW
- **Kathryn McKenzie** – Director, Operations – Bachelor of Education (Secondary – Humanities)

## Organisation chart 2022-23



# 2. Strategy

## Our strategic objectives

The ADC aims to promote and uphold the rights of older people and adults with disability so they can live free from abuse, neglect and exploitation in their family, home and community.

Our work is underpinned by, and reflects, the ADC values of:

<b>Service</b>	<b>Integrity</b>	<b>Accountability</b>
<b>Person-centred</b>	<b>Respect</b>	<b>Collaboration</b>

Our initial strategic plan (2020-22) had a focus on establishing our operations, generating community awareness of the ADC and our Ageing and Disability Abuse Helpline, and providing a quality response to reports about older people and adults with disability at risk of abuse.

This year, informed by a review of progress against our first plan, we developed a five-year ADC strategic plan to accomplish our strategic objectives. Further details about this strategic plan is available on our [website](#).

### ADC Strategic Plan 2023 – 2028

<b>Safeguard and uphold rights</b>	<b>Learn and influence</b>	<b>Educate and engage</b>	<b>Facilitate change</b>	<b>Organisational capability</b>
Support the community to identify and respond to abuse, neglect and exploitation of older people and adults with disability in their family, home and community.	Share information, data and practices to inform stakeholders on effective preventative measures in relation to abuse, neglect and exploitation of older people and adults with disability.	Build momentum and continually raise awareness about abuse, neglect and exploitation of older people and adults with disability and improve the capability of the service workforce to better identify and respond to abuse.	Use our experience and learnings to create broader, systemic change so responses to abuse, neglect and exploitation are improved and fewer older people and adults with disability are at risk.	Build and maintain organisational capability to effectively respond to current and emerging issues, and to ensure our staff are engaged and have the tools they need to do their jobs well.

During the reporting period, we progressed work against our previous and current strategic plans. Key actions and outcomes are reflected throughout this annual report, including (among others):

- Development of new, tailored resources to support our engagement with Aboriginal and culturally and linguistically diverse communities.
- A significant increase in the number of investigations into reports.
- A substantial increase in the number of matters referred by OCVs to appropriate complaint handling and regulatory agencies.
- An increase in the number of community engagement and training events attended by the Commissioner and ADC staff.
- Submissions to inquiries and reviews highlighting systemic issues relating to abuse, neglect and exploitation of older people and adults with disability, including in relation to housing, coercive control, and financial abuse.
- A comprehensive submission to the review of our Act to improve and strengthen our functions, informed by our operations to date.
- Embedding monthly staff development sessions to enable continuous improvement.
- Development of the ADC values in consultation with staff.



# 3. Operations and performance

## 3.1 Our activities to improve community prevention and responses to abuse

In the last financial year, we delivered against key strategic communications objectives to increase awareness of abuse, neglect and exploitation of older people and adults with disability.

### Strategic communications

During the 2022-23 reporting period, the ADC produced more communications across our owned channels, with:

- 40% more posts on Facebook, reaching over an estimated 515,000 users and increasing our page likes by 146.5%
- 87% increase in resources requested and distributed across NSW
- 69% increase in newsletters sent to our database
- 63% increase in members to our database
- Optimised website functionality to improve accessibility for people with disability.

### Campaigns

#### International Day of People with Disability

The ADC supports International Day of People with Disability (IDPwD) every year on 3 December. This year, we worked with CASS Care Services to promote cultural diversity and inclusion between people with disability from multicultural backgrounds and the broader community.

A video was produced and launched at an event held by CASS titled 'Celebrating Cultural Diversity and Inclusion - International Day of People with Disability 2022'. It was also supported via social media and through the Disability Abuse Prevention Collaborative.

#### World Elder Abuse Awareness Day

This year's campaign for World Elder Abuse Awareness Day centred on building the capability of workers and the community to better recognise and respond to the abuse of older people.

A communications toolkit was distributed to our database, all elder abuse prevention collaboratives, the Minister for Seniors and DCJ with resources to use in support of the day and beyond.

### Media and sponsorships

The ADC participated in a variety of on-air radio interviews, including one with the Ray Hadley morning show on 2GB, which has the highest audience share for morning radio.

We also featured in editorials with The Senior, which has a 585,444 print readership and 72,542 digital readership every month across Australia, and the Australian Ageing Agenda, with an 8,700 subscription base.

A sponsorship arrangement with the Radio for the Print Handicapped (2RPH) continued, with the segment Ageing with Attitude promoting the Ageing and Disability Abuse Helpline.

### Know Your Rights

The ADC repeated the previous Know Your Rights campaign to promote awareness of the abuse of older people and adults with disability. The campaign used a combination of radio, print and social media to reach a broad audience across metro and regional NSW.

This year, the ADC included a series of print advertisements in the Daily Telegraph and The Senior to raise awareness about the signs of abuse and to promote the Ageing and Disability Abuse Helpline.

Radio and social media targeted both English and culturally diverse audiences including Mandarin, Cantonese, Arabic, Persian, Korean and Hindi. The campaign continued into the new reporting period.

**Not providing basic everyday needs is neglect**

Neglect can also include not providing food, clean clothes or a safe place to live, or preventing someone from receiving the medical or social support they need.

If you have concerns about yourself, an older person or adult with disability in their family, home or community, call the NSW Ageing and Disability Abuse Helpline for information, support or to make a report.

**Limiting someone's access to their money is financial abuse**

Financial abuse also includes spending someone's money without permission, or abusing Powers of Attorney for financial gain.

If you have concerns about yourself, an older person or adult with disability in their family, home or community, call the NSW Ageing and Disability Abuse Helpline for information, support or to make a report.

**1800 628 221**  
(M-F, 9am-4pm) | [adc.nsw.gov.au](http://adc.nsw.gov.au)

Anyone can call, and you can be anonymous.

Call 000 in an emergency. Translation services available.

Ageing and Disability Commission



## Training and education

### Training and speaking engagements

The ADC participated in 61 training sessions, speaking engagements and community forums addressing the role of the ADC, the rights of older people and adults with disability, and how to make a report to the Ageing and Disability Abuse Helpline. This is a 93% increase compared to the previous year. The Commissioner participated in 15 of these speaking engagements.

We also completed our strategy with the Royal Australian College of General Practitioners (RACGP). The strategy included a range of interactive information sessions both online and in person, and evaluation reports consistently demonstrated that most participants felt their individual learning needs were met as a result of these sessions.

### Stakeholder and community forums

The ADC attended and held forums that supported local workers to better identify abuse and neglect of older people and to connect with the community. This included:

- hosting a stall at the NSW Seniors Expo in Sydney, where over 10,000 people passed through the halls on the first day
- holding two forums in St George and Blacktown local government areas to build the capability of local professionals across allied health, community services and sector support
- hosting a forum and launching a paper on the learnings from COVID-19 responses on older people, people with disability and carers in NSW, in conjunction with the NSW Ageing and Disability Advisory Board.

# Stakeholder engagement

## Abuse Prevention Collaboratives

The ADC actively supports 18 abuse prevention Collaboratives across NSW who drive local efforts to detect and respond to the abuse of older people and adults with disability. Over the last financial year, we:

- held three forums for Collaboratives to share best practices about their work and engaged senior leaders from across government, including members from the NSW Police Force
- attended events in the Illawarra Shoalhaven, Inner West, Canterbury-Bankstown and Wagga Wagga areas, including the Multicultural Seniors Fiesta in Wollongong
- launched new translated resources with the Inner Sydney Collaborative targeting Chinese and Indonesian communities
- worked with North Sydney Council to establish a new elder abuse prevention collaborative, scheduled to launch in October 2023.

## Local council engagement

In this reporting period the ADC released 66 community profiles to better support local councils to strengthen their responses to abuse and neglect. These profiles enable local councils to apply targeted and resource efficient strategies into their community that can improve safeguards for older people and adults with disability at risk of abuse.

## Multicultural engagement

We furthered our multicultural engagement strategy with DCJ's Multicultural Policy and Engagement Unit. As a result of this partnership, the ADC participated in a range of religious leaders forums and the 2022 DCJ Inaugural Multicultural Community Engagement Conference: *Filling in the Puzzle: The Bigger Picture of Engagement*.

The ADC encourages staff to celebrate diversity and continues to advocate for all people from multicultural backgrounds by being inclusive and respectful in all of our engagements. We continue to provide cultural awareness training for all staff in order to strengthen and improve our understanding of the diversity of communities in NSW and Australia, and better understand how to adapt our work and practice.

## Aboriginal engagement

We proudly sponsored an event in the Illawarra Shoalhaven for NAIDOC week and released new culturally designed resources to better promote an understanding of abuse, neglect and exploitation. We also commenced training and education sessions in the Dubbo region to raise awareness about the ADC and provide information about abuse, neglect and exploitation.

The ADC recognises the importance of building sustainable relationships with people from Aboriginal communities in order to support and promote their right to live free from abuse. We continue to provide cultural awareness training to all staff about Aboriginal culture and history, contributing to our broader values of encouraging diversity and inclusion in our work.

## NSW Retirement Villages

The ADC progressed an engagement program across NSW to better support retirement village operators to meet their legislative obligations to implement an elder abuse prevention strategy. The program was launched at the Aged and Community Care Providers Association (ACCPA) NSW and ACT conference.

As a key part of the program, we developed and disseminated a guide for retirement village operators, *Keeping residents safe from abuse*, which includes tools and resources to assist the development of their mandatory elder abuse prevention strategy.

We will progress further work on this engagement program in 2023-24, including activities with Seniors Rights Service and the Retirement Village Resident Association, and engagement with retirement village regulators.

Ageing and Disability Commission  
Keeping residents safe from abuse  
A guide for retirement village operators to meet Rule 10 in the mandatory rules of conduct  
May 2023

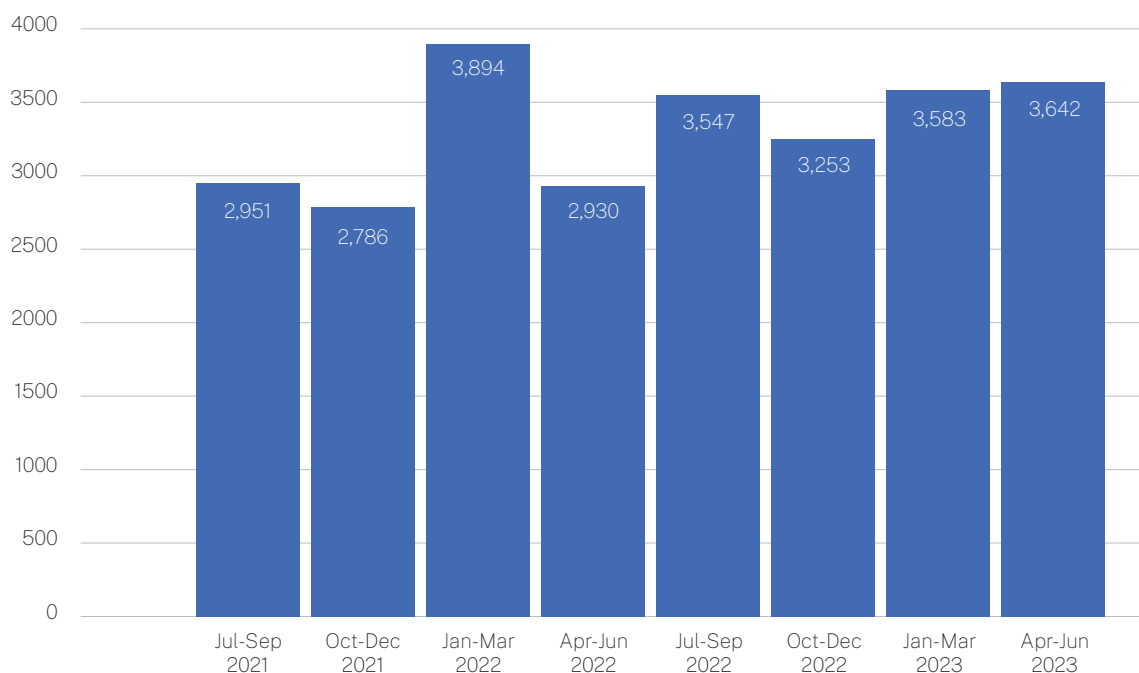
Ageing and Disability Commission | Retirement village operators guide

## 3.2 Our activities to respond to reports about abuse

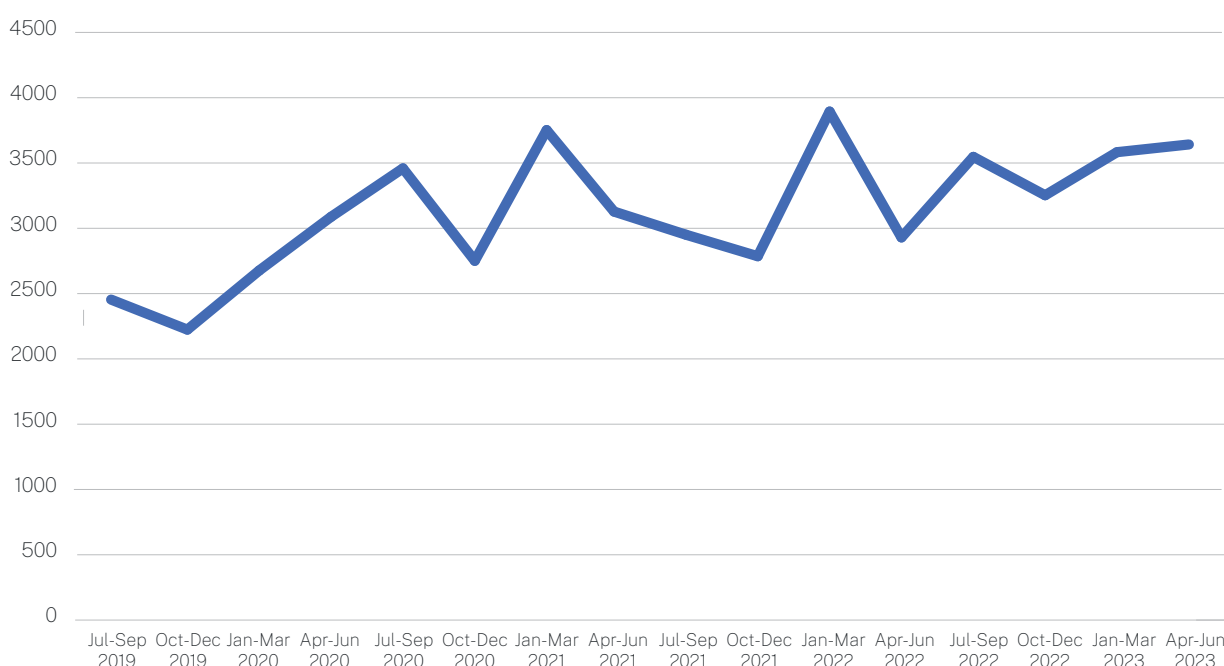
### Calls to the NSW Ageing and Disability Abuse Helpline

Our Helpline is the central point of contact for requests for information, advice and assistance from the ADC. In 2022-23, the Helpline received **14,025 calls**, which was a **12% increase** in calls on the previous year (12,561). Between 2019-20 and 2022-23, calls to the Helpline **increased by 34%**.

**Figure 1: Number of calls received by the Ageing and Disability Abuse Helpline, by quarter, July 2021 – June 2023**



**Figure 2: Number of calls received by the Ageing and Disability Abuse Helpline, by quarter, July 2019 – June 2023**



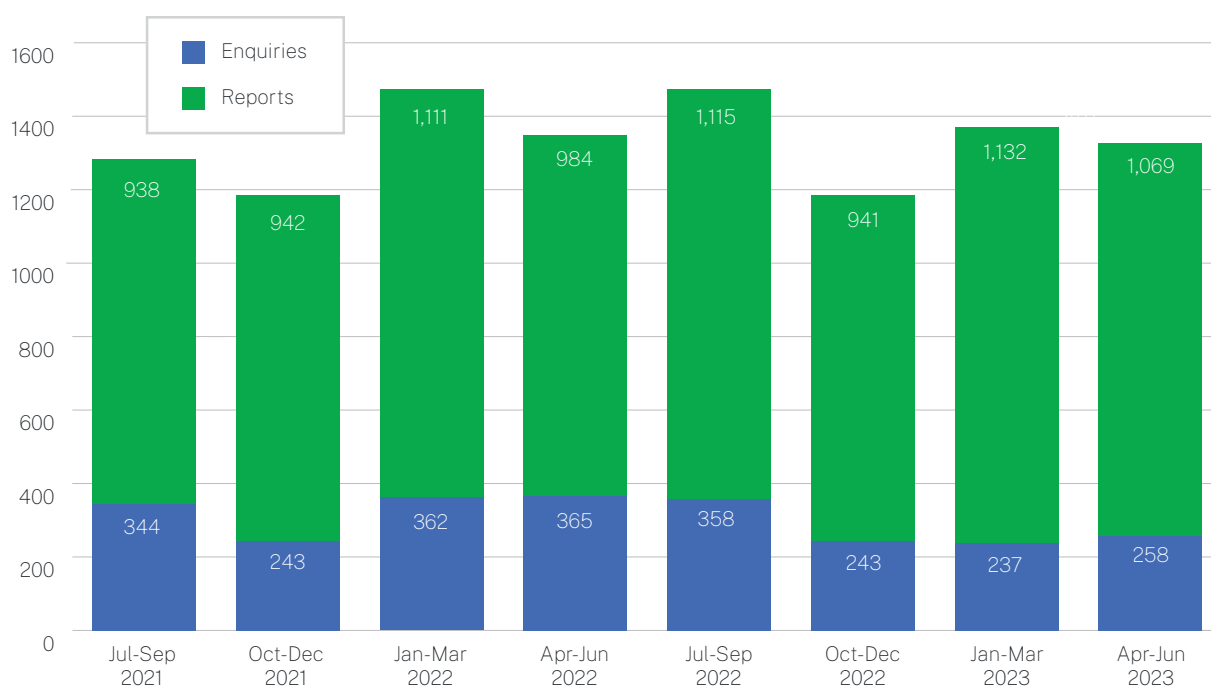
## Number of reports and enquiries

In 2022-23, the ADC received **5,353 matters**, comprising:

- **4,258 reports** under section 13 of the *Ageing and Disability Commissioner Act 2019*<sup>1</sup>
- **1,095 enquiries** – involving 446 general enquiries<sup>2</sup>, and 650 abuse-related enquiries<sup>3</sup>.

The number of matters received in 2022-23 was **1.2% higher** than 2021-22 (5,289). Between 2019-20 and 2022-23, the number of matters **increased by 37%**. Since the start of the ADC, the proportion of enquiries has reduced, while statutory reports have increased year on year.

**Figure 3: All matters received by the ADC, by quarter, July 2021 – June 2023**



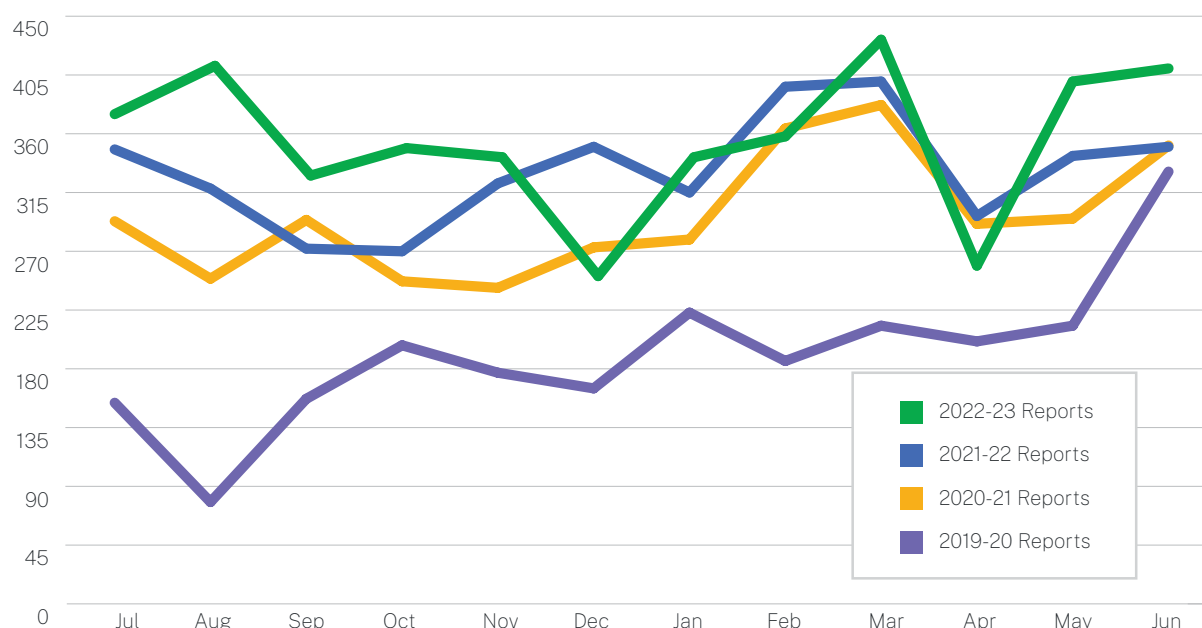
1. Under section 13(1) of the ADC Act, a person may **make a report** to the ADC about an adult with disability or older adult if the person has reasonable grounds to believe that the adult is subject to, at risk of, or in circumstances that will result in, abuse, neglect or exploitation.

2. **General enquiries** are contacts with the Helpline that do not relate to abuse, neglect or exploitation of an individual. They include, for example, queries about the role of the ADC, confirmation of the operating hours of the Helpline, and requests for publications.

3. **Abuse enquiries** are contacts that relate to alleged abuse, neglect and exploitation, but do not meet the criteria of a report under the ADC Act. They include, for example, contacts about individuals who are younger than 18 years or who live interstate; and matters that do not contain any identifying information for the ADC to take further action.

The number of reports to the ADC in 2022-23 was **7% higher** than the previous year (3,975). Between 2019-20 and 2022-23, the number of reports **increased by 85%**.

**Figure 4: Reports received by the ADC, by month and year, July 2019 – June 2023**



## Contact with the ADC

As shown in table 1, the majority of enquiries and reports to the ADC are via telephone to the Helpline, including 90% of all contacts in 2022-23.

Contacts via our web form have increased year on year since its introduction in 2020-21, comprising 9% of contacts this year (compared with 6% last year and 4% the year before that). Compared with last year, we also received a slightly higher number of contacts in person and initiated an increased number of reports using our ‘own motion’ powers.

**Table 1: Method of contact with the ADC, enquiries and reports received in 2022-23**

Method	Enquiries	Reports	Total	Percentage
Telephone	1,058	3,760	4,818	90
Web form	31	466	497	9
Email	5	19	24	<1
Letter	1	1	2	<1
In person	0	6	6	<1
Own motion	0	6	6	<1
<b>Total</b>	<b>1,095</b>	<b>4,258</b>	<b>5,353</b>	<b>100</b>

## Handling reports

A data snapshot of the 4,258 reports received by the ADC in 2022-23 is provided in Appendix A1, and also available on our [website](#).

The ADC Act enables us to take a range of actions in response to a report, depending on the circumstances of the individual case, including to:

- decline to take action on a report
- make a referral to another person or body
- make preliminary inquiries to decide to how to deal with a report
- conduct an investigation
- provide relevant information to a relevant agency to enable or assist the agency to provide a service to, make a decision or assessment, or take other action.

The majority of reports are handled solely by the Helpline, mainly through providing advice, information, support and making appropriate referrals. Where substantial further actions are required, the matter is assigned to our Community Supports and Investigations Unit.

Figure 5 identifies the main pathways used by the ADC in responding to reports, ranging from the early intervention and resolution approaches of the Helpline, through to investigations undertaken by our Community Supports and Investigations Unit. The following section provides more information about these pathways.

**Figure 5: Main pathways used by the ADC in responding to reports**



## Reports we handled and finalised in 2022-23<sup>4</sup>

The ADC closed 4,187 reports in 2022-23, an increase of 6% on the previous year. Over three-quarters of the reports (3,343) were handled at an early point by the Helpline providing assistance and support to the caller, referring matters to other appropriate parties, and providing early case coordination to the adult.

In 18% of the reports closed in 2022-23 (772), the primary action taken by the ADC involved further work on the report, including making inquiries; working with the adult and other parties to address risks and improve outcomes; referring the matter to NSW Police; and/or investigating.

Most of the reports (63%) were closed within seven days, reflecting the early assistance and resolution approach of the Helpline. This is consistent with 2021-22 (64%). Compared with last year, a slightly higher proportion of reports took more than 30 days to close (18% compared with 15%).

Table 2: Age of case at closure, reports closed in 2022-23

0-7 days	8-14 days	15-30 days	>30 days	Total
2,627	354	472	734	4,187





Table 3 outlines the primary action we took in relation to the reports we handled and finalised in 2022-23. The ADC took action on the vast majority of reports (98%); 72 reports were declined at the outset.

**Table 3: Primary action taken by the ADC, reports closed in 2022-23**

Primary action by ADC	Number
<b>1. Early intervention/resolution (Helpline only)</b>	<b>3,343</b>
a) Assistance and support provided	2,985
b) Referred externally	278
c) Early case coordination	80
<b>2. Closed after preliminary inquiries</b>	<b>340</b>
a) Appropriate actions underway to address/manage risks	238
b) No or low risk identified	73
c) Person has capacity and refused investigation/involvement	29
<b>3. Community supports</b>	<b>230</b>
a) Risk identified – risk removed or managed with intervention	139
b) No or low risk identified	39
c) Risk identified – risk remained or managed prior to intervention	34
d) Risk identified – risk removed	18
<b>4. Declined at outset</b>	<b>72</b>
a) Insufficient details to progress	56
b) Premature/ actions underway	16
<b>5. Consolidated into another matter</b>	<b>93</b>
<b>6. Investigation</b>	<b>62</b>
a) Risk identified – risk removed or managed with intervention	49
b) No/low risk identified	10
c) Risk identified – risk remained or managed with intervention	2
d) Risk identified – risk remained	1
<b>7. Referred to Police</b>	<b>34</b>
<b>8. Referred externally (not at Helpline)</b>	<b>13</b>
<b>Total closed reports</b>	<b>4,187</b>

4. The names of individuals in all case studies in this report have been changed to protect their identity.

## Early intervention and resolution

Our Ageing and Disability Abuse Helpline carries out early intervention and resolution actions in response to reports, including in relation to 3,343 (80%) of the 4,187 reports closed by the ADC in 2022-23. In most of these cases (2,985), the actions involved providing information, assistance and support to the reporter and, wherever appropriate and possible, to the adult with disability or older person.

In 80 reports closed this year, Helpline staff provided early case coordination – involving repeated contact with the adult with disability, older person, or service provider over a more extended period of time (up to 12 weeks) to support them to take actions to reduce risks and improve the adult's safety and circumstances.

Actions typically include providing information about options for improving the adult's safety and situation, linking the adult to supports, providing practical guidance and strategies, and coordinating early actions as needed. In some cases, we make preliminary inquiries with relevant agencies to assess the adult's safety and appropriate actions.

Case studies 1, 2 and 3 provide examples of reports in which the Helpline undertook an early intervention and resolution approach. The names of people mentioned in all of the case studies have been changed.



### Case study 1

#### Reducing risks through addressing carer stress

The Helpline received a report about risks faced by an older man with physical disability, Denis, who relied on very high levels of in-home support from services to meet his daily needs. The Helpline was advised that Denis' wife was repeatedly removing staff members or making them leave, despite high risks to her husband. She had reportedly also threatened to leave Denis if certain staff were not dismissed.

The Helpline ascertained that Denis wanted to retain the service provider and needed consistent support. The Helpline connected with his wife, and heard about the situation from her perspective, including that she felt that she was constantly having different staff in her home and personal space, and she needed her own supports but did not know how to do this.

The Helpline facilitated an aged care assessment for the wife, noting the impact of a range of stressors on her health and wellbeing. At case closure, Denis' wife felt heard, was allowing workers into the home to maintain the required level of care for Denis in line with his wishes and was going to receive support for her needs.



## Case study 2

### Quick actions to facilitate police involvement

The Helpline received a report about ongoing financial and psychological abuse of an older man with dementia, Ken. Approximately 12 months earlier, Ken had lost his wallet, and it had been returned by an unknown woman who had attended his home and demanded \$500 as a reward. The woman had reportedly been targeting Ken ever since, coming to his home regularly, stealing cash from his home, and coercing him to give her money.

The reporter told the Helpline that they had previously reported this matter to police but had been advised that they could not take further action due to insufficient details about the woman.

The Helpline contacted police to provide new information and to reiterate that Ken is a vulnerable person with dementia who is being targeted by the woman, and the abuse is continuing. Following the Helpline's referral, police advised that they would investigate the matter and were taking steps to ascertain the woman's identity.

The reporter, a family member, had taken steps with Ken to help protect his finances, and was helping him to have security cameras installed outside his home and to increase his aged care services.



## Case study 3

### Focusing on the will and preference of the older person

The Helpline received a report about an older woman, Jan, raising concerns that Jan's grandson was returning home from interstate to 'sort everything out' for his grandmother after the recent death of her daughter. Jan was currently residing in a residential aged care facility.

The main concerns were that the grandson was allegedly pressuring Jan to make immediate decisions and to change her Enduring Power of Attorney (EPOA) to appoint him, was staying in her home without her consent, and was clearing the home of all belongings.

The Helpline called the aged care facility to speak directly with Jan to clarify her wishes and was advised the grandson had already called stating he was coming to speak with his grandmother about becoming the EPOA. The Helpline upskilled the manager, reinforcing the importance of understanding Jan's wishes and how best to support her. The Helpline then asked the manager to facilitate a conference call with Jan the following day.

The Helpline also received calls the same day from various family members, all concerned about the conduct of the grandson, to which we reinforced the importance of taking time to understand Jan's wishes and how to slow things down. In these calls, it was disclosed that the grandson had a gambling addiction and a history of pressuring family members for money.

The Helpline spoke with Jan, who clearly stated her wishes that she wanted to see her grandson when he visited but did not want to change any documentation and did not want her grandson staying in her home permanently, only temporarily. Jan stated that she wanted to wait to make any decisions until after her daughter's funeral. She also stated that her current EPOA was her son and she trusted him to support her decisions.

The Helpline then received a call from this son at Jan's request and we discussed both short and long-term safeguarding, including being present when the grandson visited, speaking with his mother daily, agreeing not to sign anything at this time without legal advice, and clarifying concerns about money and jewellery in the home.

The ADC monitored concerns during the grandson's visit, supporting the aged care facility when the grandson came, advising to clarify Jan's wishes daily. This resulted in them respecting her wish not to continue to receive visits from her grandson after she spoke with him initially, not changing any documentation, continuing to answer any questions Jan had in relation to her right to decline visits, and supporting her decision to change the locks of her home with the assistance of her son. The case was closed once the grandson returned interstate.

After the case was closed, the reporter called thanking the ADC for our support during this difficult time, as it allowed the family to remain focused on Jan's wishes and identify how best to support her. As a result, Jan remained the main decision-maker, outside of the many opinions of family members.

## Referrals to other agencies

### Referrals to complaint-handling agencies

The ADC Act requires us to refer certain reports to other agencies. In particular, if we receive a report (or part of a report) that could be the subject of a complaint to the Health Care Complaints Commission (HCCC), Aged Care Quality and Safety Commission, NDIS Quality and Safeguards Commission, or the Office of the Children's Guardian, we must refer the information to the relevant agency.

In 2022-23, we referred:



Appendix A2 provides information on the outcomes of the above referrals.

### Referrals to NSW Police

Where we receive a report (or part of a report) that may provide evidence of a criminal offence, we must refer the information to NSW Police or the Director of Public Prosecutions.

In 2022-23, the ADC referred 200 matters to NSW Police that involved potential criminal offences. We referred a further 19 matters to NSW Police that related to other matters – such as to obtain a welfare check on the adult, or to link the adult to crime prevention information and assistance.<sup>5</sup>

Table 31 in Appendix A2 provides information on the outcomes of the referrals to NSW Police.

### Inquiries and community supports

In 18% of the reports closed in 2022-23 (772), the primary action taken by the ADC involved further work on the report, including making inquiries; working with the adult and other parties to address risks and improve outcomes; referring the matter to NSW Police; and/or investigating.

In 340 reports closed this year (8%), we closed the matter after making preliminary inquiries. We typically conduct inquiries with the reporter, the adult, and/or with other parties for the purposes of deciding how to deal with the report. In some cases, we close the report after making these inquiries – because there were already appropriate actions underway to address the concerns; there were no or low risks for the adult; or the adult had decision-making capacity and did not want our involvement.

### Referrals to other agencies

In the course of responding to reports, we often make referrals to a range of agencies. In some cases, we may make multiple referrals, such as for an aged care assessment, advocacy support, and legal assistance.

In 2022-23, the ADC made 165 referrals to other agencies. Appendix A2 provides information on the agencies we made referrals to, and the outcomes of those referrals.

In 230 reports closed in 2022-23 (61%), our primary action on the matter was to undertake a 'community supports' approach – typically comprising case coordination with the adult and relevant other parties to examine the issues and risks and facilitate appropriate actions and support to improve the adult's safety and outcomes.

Case studies 4 and 5 provide examples of reports we handled this year that involved preliminary inquiries and/or a community supports approach to assess and resolve the concerns.

5. Note: while table 3 identifies 34 reports that were referred to NSW Police, this reflects: a) reports that were closed in the reporting period; and b) the number of reports in which the referral was the primary action taken by the ADC in the case.



## Case study 4

### Preserving family connections

Through community engagement activities, the ADC received a report that an Aboriginal man with disability, Steven, was being financially exploited by his sister. His disability support pension was reportedly going into her account, his rent in disability supported accommodation was not being paid, and she was not responding to attempts to contact her.

At the time the report was received, NSW Trustee and Guardian had recently been appointed as Steven's financial manager due to concerns about the situation. The ADC spoke with Steven's support services about the discussions to have with NSW TG to ensure that his funds would be safeguarded, he would obtain a new card, and he would be able to access his funds in accordance with an agreed plan, including to enable him to obtain glasses, dental services and clothes.

After initial discussions with the ADC, one of the support services submitted a guardianship application, as Steven was not able to make his own decisions in key areas, and services were continuing to defer to his sister for decisions as the NDIS Plan Nominee, notwithstanding the ongoing concerns about the decisions being made and the communication problems.

In the course of the report, Steven became very unwell and was admitted to hospital, where he remained for some weeks. The ADC spoke with his sister, who indicated an intention to repay the money she had taken but then continued to make decisions that were against Steven's interests, including preventing access to necessary NDIS supports.

We met with Steven while he was in hospital, and he confirmed that he was happy for the ADC to assist to resolve the problems with his money but became withdrawn when asked about where he would live when discharged from hospital. The ADC identified that the hospital discharge planner was making arrangements for Steven to be discharged home to his sister, despite the current issues and his own preferences.

The ADC liaised with NCAT about the need for a more urgent hearing and arranged to meet with Steven's aunt and brother who had been visiting him in hospital and were concerned for his welfare. Both family members had been unaware of the recent problems and indicated that they were keen to support Steven's wish to continue to live in supported accommodation. After the ADC provided information about guardianship and the role of a guardian, Steven's brother identified that he wanted to provide assistance by taking on this role. The ADC facilitated the family's involvement in the guardianship hearing, and Steven's brother was appointed as his private guardian.



## Case study 5

### Support to remain living at home with dignity

The ADC received a report about the circumstances of an older person from a culturally and linguistically diverse background, Dom; the reporter only knew of Dom's first name and address. The report included concerns that:

- Dom appeared confused and was wandering around the shops and stealing food
- He was living in a house in a state of significant disrepair, with a hole in the roof that flooded the house each time it rained; substantial mould; and rubbish filling the front yard.
- Dom had been seen to urinate off his balcony.
- Attempts to raise these concerns with Dom's son (and primary carer) had not resulted in any change.

We were advised that Dom had a hearing impairment and would need a translator to communicate.

Our preliminary inquiries identified that an aged care assessment had been cancelled six years ago and had not occurred since. Dom was attending a day program once a week, and that service had additional concerns about the care provided to Dom and his living environment. They advised that they had raised the issues with Dom's son without success, and he had declined additional services.

Our contact with Dom identified that he had limited ability to engage in meaningful discussions about the issues, even with support. We heard from Dom's son that he was overwhelmed by the experience of caring for his father with his changing support needs. He advised that he had his own mental health concerns and found engaging with the aged care system to be too much and he had 'given up'. He indicated that he was open to additional assistance to address the concerns about the physical environment and his father's support needs.

We engaged with the GP, ACAT and a multicultural aged care provider to facilitate Dom's access to a comprehensive aged care assessment, noting the concerns for Dom and the likely need for his son to have a single point of contact and step-by-step assistance with the process.

The services found that the son was continuing to block Dom's access to the assessment and necessary supports, notwithstanding his advice to the ADC.

We conducted home visits with an interpreter, identified significant hoarding that presented risks, and worked with Dom and his son to connect to My Aged Care to obtain an assessment and supports. There were significant challenges associated with:

- My Aged Care (MAC) closing the referral due to challenges in contacting Dom's son, and delays in MAC attempting to recontact him after we reactivated the referral.
- Dom's son continuing to cancel appointments for Dom to obtain an aged care assessment, despite his self-reported carer stress, Dom's need for supports, and the assistance provided by the ADC.

In light of the risks to Dom, we commenced an investigation and wrote to the son advising of this and the need for him to support Dom to engage in the assessment process. As a result, the aged care assessment was scheduled, and a geriatrician review was arranged. Dom was subsequently approved for a level four home care package, and received support for home modifications, home repairs, occupational therapy, and hoarding and squalor cleaning. Connection to community was maintained through transport services to a culturally specific day program.

We identified the need for ongoing case coordination to support the implementation of supports. Consistent with many cases handled by the ADC, the carer was not intentionally neglecting the older person's needs but was overwhelmed by the decision-making, bureaucracy and paperwork required to arrange and sustain services, leading to them shutting down communication and avoiding appointments. The involvement of the ADC enabled Dom to remain at home with dignity.

## Investigations

In 2022-23, the ADC commenced 92 investigations, including 41 investigations into reports about adults with disability, and 51 investigations into reports about older people.<sup>6</sup> The number of investigations in 2022-23 was a 119% increase on the number of investigations commenced in the previous year (42).

As identified in table 4, in 64 cases (70%), we commenced the investigation without the consent of the adult – either because the adult was unable to provide consent (42), and/or because of the seriousness of the allegations or the risk to the personal safety of the adult (22)<sup>7</sup>.

**Table 4: Consent status in relation to investigations commenced in 2022-23**

	Adults with disability	Older people	Total
<b>Consent obtained</b>	13	15	<b>28</b>
<b>Investigation commenced without consent – adult incapable of giving consent despite receiving support</b>	17	25	<b>42</b>
<b>Investigation commenced without consent – seriousness of the allegations/risk to adult’s personal safety</b>	11	11	<b>22</b>
<b>Total</b>	<b>41</b>	<b>51</b>	<b>92</b>

Case studies 6 and 7 provide examples of our investigations this year.

6. The 62 investigations identified in table 3 reflect the investigations closed in 2022-23. Some of these investigations commenced prior to 2022-23.

7. In a range of cases, we commenced an investigation without the consent of the adult because they were unable to consent AND because of the seriousness of the allegations or the risk to the personal safety of the adult.





## Case study 6

### Addressing abuse linked to NDIS funding

The ADC received a report raising concerns about a woman with intellectual disability, Dee, who had significant NDIS funding for daily supports. Dee's brother was blocking her access to NDIS services and being aggressive towards workers, despite Dee explicitly requesting more support.

Parts of Dee's NDIS plan were 'plan-managed', and her plan nominee was her ageing mother. However, her brother was able to contact the NDIA and make himself the plan nominee without any involvement of Dee or her mother.

With Dee's consent, we conducted an investigation. We worked with Dee's existing support providers to meet with her and made inquiries with the NDIA that raised concerns about fraudulent spending of the NDIS plan. The information revealed that:

- There were large claims submitted by a service provider, despite no evidence that the supports had been provided. Dee confirmed that she had not received the funded supports.
- An SDA funding application that had been submitted for Dee was linked to a provider and property that had the same residential address as her brother.
- Dee had funding for support coordination, and the NDIA held information that this support was being provided by the same service that was linked to her brother. However, we found no evidence that support coordination was being provided, and Dee confirmed that she had not received this support.

In discussions with the ADC about supports, Dee said she did not want her brother involved in any decisions about her NDIS plan. We supported Dee to change her NDIS plan to 'agency-managed' to enable increased oversight of her plan; to remove her brother as her plan nominee; and to access a new support coordinator to connect her with her preferred choice of providers.

However, an error in NDIS processes saw Dee's plan revert back to 'plan-managed'. The brother was also suspected of impersonating his mother to implement service agreements for plan management services to pay invoices for the provider he was linked to, and he left a large number of invoices for other supports unpaid.

We repeatedly raised this issue with the NDIA and highlighted the risk this posed to the continuity of Dee's supports. We also made a report to the NDIA Fraud Unit.

We worked with Dee, the NDIA, the new support coordinator, and Dee's parents to ensure she had appropriate decision-making support, to change the plan back to agency-managed, and to put an alert on her brother with the NDIA to safeguard her funding from future misuse.



## Case study 7

### Getting his life back

The ADC received a report about the circumstances of a man with intellectual disability, Philip, who was alleged to have been kept in a shed by a family member for many years. The report stated that Philip had limited access to food, warmth and no access to his own funds and was subject to threats of violence.

We liaised with police and the Aged Care Assessment Team to arrange transportation for Philip to hospital, where he was found to be dehydrated and malnourished. We visited him while in hospital and with his consent made a referral for disability advocacy. Philip described being kept in the shed for a period of 16 years, with the backyard boarded up. He had access to a tap in the yard and a bucket for personal hygiene and had no access to his funds. He had no identity documents and reported he had not been allowed to leave the property.

We commenced an investigation and obtained records from Centrelink and Medicare to establish where Philip's pension was going, whether a carer payment was being paid, and his access to health care services. We provided supporting documentation to assist him to obtain his birth certificate.

We referred the allegations of neglect back to police and their investigation is continuing. We made an NCAT application for a limited period of financial management and guardianship to enable Philip to set up services and his finances. A guardian and financial manager were appointed for a period of three months to enable consideration of Philip's decision-making capability as he recovers from the alleged neglect and re-enters the community after an extended period of isolation.

An application for the NDIS was made by hospital staff, and at the time of writing Philip was receiving NDIS supports and was excited to have his first night in supported accommodation.

## Outcomes

In relation to the 4,187 reports closed in 2022-23, key outcomes for the older people and adults with disability included that their views and wishes were ascertained and respected; and they were assisted to access and receive increased aged care, disability and legal supports.

Key outcomes in relation to the subject of allegation included that actions were taken to reduce or manage their contact with and access to the adult with disability or older person (including through an ADVO). In appropriate cases, subjects of allegation were also provided with education or advice and linked to additional supports.

Tables 26 and 27 in Appendix A2 provide more details of the outcomes for adults and in relation to subjects of allegation in reports closed this year.

## Activities to assist our work on reports

This year, we continued to convene six-monthly roundtable meetings with peak, representative and advocacy agencies in the disability and ageing sectors and participated in four-monthly meetings of the Adult Safeguarding Community of Practice with like agencies in the ACT, Queensland and South Australia. We also undertook the following specific activities.

### Information sharing arrangements

Our work in handling reports is assisted by information sharing arrangements we have put in place with key agencies under section 14 of our Act. In 2022-23, we finalised an information sharing arrangement with NSW Health, including NSW Ambulance, Local Health Districts, Specialty Networks and pillar organisations.

The arrangement facilitates the appropriate exchange of information between our agencies to enable timely and informed actions in relation to reports about abuse, neglect and exploitation of older people and adults with disability and provides clear guidance to staff about the requirements.

### Review of Helpline operations

In the context of continuing growth in the volume of calls and reports to our Helpline, during the year we undertook a review of Helpline operations. We had a particular focus on identifying options to better meet demand during peak times and better support the wellbeing of Helpline staff, within existing resources.

Our analysis of the data identified opportunities to increase the number of calls handled at first contact and the timeliness of our response through three main measures:

- adjusting the Helpline staff roster to maximise staff levels at peak periods
- reducing the operation of the Helpline by one hour per day (finishing at 4pm)
- introducing a direct referral option for callers to key complaints bodies to make it easier for them to connect to the right agency at an early point.

We identified that the number of calls received between 4pm and 5pm was consistently low, and the earlier closure time would enable improved service levels across the day while providing greater scope for staff to progress key work. The change to the Helpline operations commenced on 1 July 2023, and the ADC is monitoring the impact by tracking key performance indicators, including the proportion of calls handled at first contact.

## 3.3 Our activities on systemic issues

In 2022-23, we undertook a range of projects and other activities targeted at systemic issues relating to abuse, neglect and exploitation of adults with disability and older people and their rights, including issues contributing to, and/or affecting the identification and response to, abuse. In relation to two key areas, we worked in partnership with the Ageing and Disability Advisory Board.

### Housing

Last year, we made a submission and gave evidence to the NSW Legislative Council Inquiry into homelessness amongst older people aged over 55 in NSW. This year, we made a supplementary submission to the inquiry, and undertook substantial work in relation to housing, in partnership with the Ageing and Disability Advisory Board and the Ministerial advisory bodies in relation to ageing, disability and carers.

At a meeting of the leads of the advisory bodies in 2022, they identified that housing was the common dominant and critical issue affecting older people, people with disability and carers in NSW. In this context, the Chairs of the advisory bodies and the ADC agreed that there was a need to produce a paper that would draw together existing public information on the housing issues affecting the three intersecting cohorts in NSW to:

- highlight the particular housing issues for older people, people with disability and carers, and the impact of those issues

- inform discussions with the NSW Government, and the advice of the four advisory bodies
- inform the considerations of the NSW Government to progress actions to address the issues.

In 2022-23, the ADC developed and released the joint paper on Housing issues for people with disability, older people and carers in NSW. In 2023-24, the paper will be discussed with key Ministers and government agencies, including options for developing and implementing a cohesive and targeted approach to boosting accessible, safe and secure housing for these cohorts. The paper is available on the ADC [website](#).

### Learning from the impact of the COVID-19 response

In last year's annual report, we provided information about the work that the Advisory Board had agreed to undertake in response to their concerns about the impact of the response to the COVID-19 pandemic on people with disability, older people and carers in NSW. The Advisory Board had agreed to develop a paper to bring together existing research and evidence on the impact of the pandemic response on the three cohorts, with a view to holding a public forum on the issues.

In 2022-23, Carers NSW drafted the paper – *Preparing for the future: Learning from the impacts of the COVID-19 response on older people, people with disability and carers in NSW* – using residual funding from DCJ, with the department's agreement.

At the end of June 2023, the Advisory Board launched the paper at a public forum at the State Library, supported by the ADC and two stakeholder panels. The paper and the forum discussions highlighted the significant impact of the pandemic response on the three cohorts, the key outstanding issues that need to be addressed, and opportunities to improve planning for future pandemics and other crisis events.

The paper and a related summary document are available on the ADC [website](#).

## Supported decision-making forum

Progressing supported decision-making in NSW is a priority for the ADC and the Advisory Board. In November 2023, we held a targeted roundtable forum in partnership with NSW Council for Intellectual Disability (CID) to identify and discuss actions that could reasonably be taken in the short to medium-term in NSW to progress supported decision-making and develop a plan for next steps.

The roundtable involved key government and non-government agencies and involved discussion of, among other things:

- the need to move away from the binary assessment of ‘decision-making capacity’ to focus on ‘decision-making capability’, comprising the person’s ability + support and accommodations

- identification of options for providing guidance on alternatives to going to NCAT; exploring decision supports through the NCAT process; facilitating decision supports for young people; and changing practice in assessing ‘capacity’.

The ADC developed and obtained input on a draft action plan for further exploring the identified action areas. This work will be further progressed in 2023-24.

## Improving safeguards for adults eligible for redress payments

This year, we continued our work with SAMSUN to progress options to reduce financial abuse of older people and people with disability receiving redress payments through the National Redress Scheme (or similar). Our work included meeting with key agencies, including the Commonwealth Department of Social Services, DCJ, knowmore and Financial Counselling Australia to discuss the establishment of a Community of Practice to explore options to reduce financial abuse of survivors.

We also made submissions to the Standing Committee on the Implementation of the National Redress Scheme and the review of the Commonwealth Privacy Act, to highlight the need to:

- remove barriers to enable banks and financial institutions to take necessary actions where they identify or suspect that a customer may be subject to financial abuse and it is unreasonable or impracticable to obtain their consent
- improve the nature and timing of information to survivors about financial abuse associated with their redress payment
- review National Redress Scheme forms to simplify the language, improve accessibility, and make it easier for survivors to make informed decisions.

## Coercive control of adults with disability and older people

Coercive control is endemic in the reports we receive about abuse, neglect and exploitation of adults with disability and older people. We previously made a submission and gave evidence to the NSW Parliamentary Inquiry into coercive control, drawing on the extensive information we hold about the particular ways coercive control plays out for people with disability and older people in a range of domestic relationships.

This year, we made a submission in relation to the Crimes Legislation Amendment (Coercive Control) Bill 2022 and provided ongoing input to the NSW Government’s Coercive Control Implementation and Evaluation Taskforce as a member of the People with Disability and Older Persons reference groups. Among other things, the ADC provided feedback and messaging to inform activities to develop a coercive control microsite for the public.

Our focus has been on ensuring that public messaging and information on coercive control is accessible and accurately reflects the experience of people with disability and older people, and that our cohorts are appropriately represented. This work will continue in 2023/24.

## 3.4 Research and development

During the year, we undertook a range of research and development activities targeted at helping to better understand, prevent and address abuse, neglect and exploitation.

- **Knowledge Hub** – following internal testing, we launched a Knowledge Hub on our website to provide public access to the latest research on the prevention and response to abuse, neglect and exploitation.
- **Carers project** – with Carers NSW, we progressed the final stage of our DCJ-funded project to develop guidance and resources to improve support for carers of adults with disability and older people and prevent abuse. This year, training modules on recognising and responding to carer stress were developed for staff of the ADC and service providers, and guidance was developed for carers to better understand the ADC and our role. The project will be finalised in 2023-24.
- **Helpline minimum dataset** – we contributed to an AIHW project under the National Plan to Respond to the Abuse of Older Australians aimed at identifying and working towards the implementation of a common minimum dataset for elder abuse helplines across Australia.
- **Neglect project** – towards the end of 2022-23, we reached agreement with DCJ to deliver a funded research project over the next two years to better understand factors contributing to neglect of older people and adults with disability, and to develop prevention and early intervention strategies. The project will commence in 2023-24.



## 3.5 Our activities to coordinate the Official Community Visitor scheme

Official Community Visitors (OCVs) are independent statutory appointees of the Minister for Families and Communities and the Minister for Disability Inclusion. They operate under Part 4 of the ADC Act and Part 9 of the *Children's Guardian Act 2019*. OCVs visit:

- accommodation services where residents are in the full-time care of the service provider – including children and young people in residential out-of-home care (OOHC), and people with disability living in supported accommodation, and
- assisted boarding houses.

OCVs provide a vital safeguard for vulnerable people and help to facilitate the early and local resolution of issues. The Visitor's role is to engage with residents, identify any issues at the time of their visit, and raise those issues with the service provider in the first instance. They can report concerns to the Minister, the ADC, and the Children's Guardian, and can also refer matters affecting residents to other appropriate bodies. OCVs are independent from the services they visit and provide a critical point-in-time consideration of service provision and support for residents.

As of 30 June 2023, there were 27 active OCVs, and three inactive OCVs. Following further recruitment in 2022-23, a further nine Visitors commenced in July 2023.

In this reporting period, OCVs spent 7,101 hours visiting residents, and raising and monitoring issues affecting residents, conducted 2,636 visits, and, visited 1,305 visitable services.

More of the activities of the OCVs are detailed in a separate annual report, which can be found on the ADC [website](#).

The ADC has a general coordination and oversight role in relation to the OCV scheme and supports OCVs on a day-to-day basis. In 2022-23, key activities of the ADC in relation to the OCV scheme included:

- supporting the work of OCVs on a daily basis through the provision of advice, information, training, and technical support
- holding the annual OCV conference and regularly consulting with Visitors on OCV scheme practice and emerging issues through consultation group meetings
- recruiting 15 additional OCVs to fill gaps in target areas across NSW (six commenced visiting in 2022-23)
- holding monthly OCV Practice Forums and providing training to OCVs to ensure the currency of their skills and knowledge of the visitable sector areas and issues

- providing trend and pattern data relating to issues identified in OCV visits to the Children's Guardian, NDIS Quality and Safeguards Commission, and the Minister
- facilitating and supporting OCVs with complaints and referrals of matters of concern to the Children's Guardian, the Ombudsman's office, the NDIS Commission, and DCJ
- facilitating professional supervision sessions for OCVs visiting residential OOHC services, to support Visitor wellbeing
- facilitating a meeting of a representative group of OCVs with the Minister and Parliamentary Secretary.

This year, we also undertook additional areas of work:

- 1 We developed and worked with OCVs to commence a 'systemic issues project'. Visitors agreed on three systemic issues to focus on in their visits during the year: compatibility; involvement in meaningful activities, including skills development; and leaving care planning. We analysed this information to identify and report on what Visitors were seeing in relation to these issues and the impact on residents, and to highlight positive practice and areas for improvement. The details and results of the project are provided in the OCV annual report.
- 2 To increase the number of services visited during the year with a limited pool of Visitors, we commenced a trial of 100 'one-off' visits, targeting services that had not been visited before or for an extended period.
- 3 We joined with our state and territory counterparts to hold bi-monthly meetings of the national community visitor schemes in relation to the NDIS. The joint meetings provide a forum for information sharing about practice and scheme operations and enable discussion of options for achieving greater alignment between the schemes that visit NDIS accommodation services.

The OCV scheme provides an important voice for residents and a vital means to resolve issues affecting them. However, the continuing growth in the number of visitable services coupled with an unchanged recurrent budget for more than a decade presents significant risks to the operation of the scheme. Consistent with recent years, part of the activities of the ADC in relation to the OCV scheme in 2022-23 involved submitting an 'extreme risks' budget proposal to seek to address the increasing sustainability and viability issues. As the budget submission was unsuccessful, the ADC will continue to pursue this issue in 2023-24.

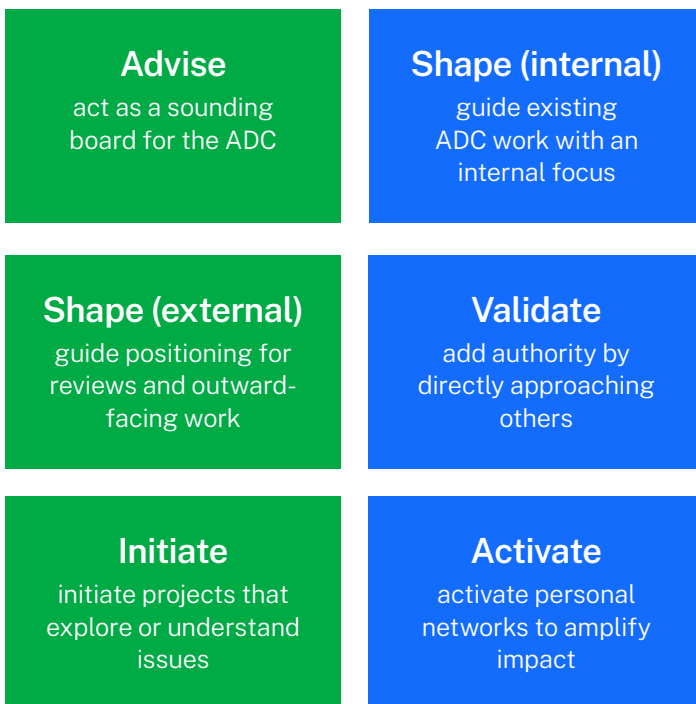
## 3.6 Our activities with the NSW Ageing and Disability Advisory Board

The Ageing and Disability Advisory Board operates under the ADC Act to advise the Commissioner on matters relating to the abuse, neglect and exploitation of adults with disability and older people, and any other matter the Board or Commissioner considers appropriate.

In 2022-23, the Advisory Board comprised 13 members, including the Chair, Eileen Baldry AO, and Deputy Chair, Joan Hughes. Details of the Advisory Board are maintained on the ADC [website](#).

At the end of the reporting period, Kathryn Greiner AO resigned from the Advisory Board. No members were removed.

During the year, the Advisory Board developed its 2023-26 Strategic Plan. The plan is focused on key priority areas relating to abuse, neglect and exploitation of adults with disability and older people, with the Advisory Board's activities targeted at helping to shape the strategic thinking of the ADC and its engagement with contemporary social issues. The work of the Advisory Board under the strategic plan is focused on six areas:



The Advisory Board's strategic plan can be found on the ADC [website](#) and provides more details on the work of the Advisory Board.

During the year, the Advisory Board:

- Developed and publicly released a paper on the impact of the COVID response on people with disability, older people and carers. The paper was launched at a public event at the State Library in June 2023. The paper was commissioned by the Board and written by Carers NSW with funding from DCJ and is available on the ADC [website](#) (see also information in section 3.3).
- With the assistance of the ADC, and in collaboration with the Chairs of key ministerial advisory bodies, developed and released a paper on housing issues for people with disability, older people and carers in NSW. The paper is available on the ADC [website](#) (see also section 3.3).
- Wrote a statement of support for the Indigenous Voice to Parliament. The statement can be found on the ADC [website](#).

The members of the Advisory Board during this reporting period were:

- Eileen Baldry AO (Chair)
- Brian-John Attard
- Declan Lee
- Elena Katrakis
- Irene Gallagher
- Kathryn Greiner AO (now resigned)
- Jan Primrose
- Joan Hughes (Deputy Chair)
- Justine O'Neill
- Mark Grierson
- Rosemary Kayess
- Russell Westacott
- Violet Roumeliotis AO
- Wendy Morgan



# 4. Management and accountability

## Privacy and personal information

The ADC conducted one internal review under the Privacy and *Personal Information Protection Act 1998* (PPIPA) in 2022-23. The complaint related to the alleged provision of incorrect personal information to an external party in the course of handling a report and alleged failure to verify the information prior to providing the information. In light of our findings from the internal review, we advised the complainant that we would not be taking further action in relation to the matter. The ADC met all legislative timeframes and requirements relating to the internal review.

At the end of 2022-23, the ADC prepared its Privacy Management Plan. The plan will be submitted to the Privacy Commissioner in early 2023-24.

## Access to annual report and total external cost of production

All ADC annual reports can be accessed on our website: [www.adc.nsw.gov.au](http://www.adc.nsw.gov.au).

At time of finalising, the total external cost incurred in the production of the report was \$4,500.

## Consultants

In 2022-23, the ADC engaged one consultant.

Table 5: ADC consultant engagement, 2022-23

Consultant	Title of project	Total no. of engagements	Cost
The Insight Partnership	Strategic planning with ADC and Advisory Board	2	\$15,620

## Cyber security policy attestation

During the year, PwC conducted a cyber security discovery and controls review of the ADC as part of DCJ's internal audit program. The review identified a number of areas for attention to strengthen our cyber security maturity and alignment with the requirements of the NSW Cyber Security Policy. We have commenced implementation of an action plan to address the recommendations, with progress monitored by our Audit and Risk Sub-committee.

## Cyber Security Annual Attestation Statement for 2022-2023 for the NSW Ageing and Disability Commission (ADC)

I, Robert Fitzgerald AM, am of the opinion that the ADC has sought to manage cyber security risks in a manner consistent with the mandatory requirements set out in the NSW Cyber Security Policy (CSP).

In the reporting period, the ADC assessed its cyber security risks and had an independent cyber security audit undertaken.

Cyber security is appropriately addressed at ADC governance forums, including the internal audit and risk sub-committee and ADC Audit and Risk Committee.

For the stated reporting period, the ADC relied on the cyber incident response plan of the Department of Communities and Justice (DCJ), which has been tested during this period. The ADC has also relied on DCJ's Information Security Management System during the reporting period.

The independent cyber security audit identified areas for targeted actions by the ADC to lift its maturity levels against key CSP mandatory requirements, including in relation to its own cyber security plan and cyber incident response plan.

Informed by the findings of the independent cyber security audit, the ADC is implementing a work plan to strengthen the management of its cyber security governance and resilience, including to:

- embed an ADC Cyber Security Plan that is integrated and tested with the ADC's business continuity arrangements
- establish an Information Management sub-committee to improve cyber security governance arrangements
- ensure compliance with mandatory cyber security awareness training through on-boarding induction, ongoing messaging and cyber security exercises (including simulated phishing attacks)
- review and update information management policies to align with ADC requirements, in support of the CSP.



Robert Fitzgerald AM  
NSW Ageing and Disability Commissioner

10 October 2023

## Economic or other factors

The primary factor affecting achievement of the ADC's operational objectives is resourcing. The growth in the demand for the ADC's services has increased year on year over the four years of our operation to date. This growth has included the handling of an increasing number of reports about the abuse, neglect and exploitation of adults with disability and older people, and an increased number of investigations into serious and systemic matters of abuse and neglect.

The original budget to establish the ADC in 2019-20 was based on conservative assumptions about the core budget needed, insufficient information about the likely demand, and did not take into account increasing disability and ageing populations.

Informed by four years of operation, and working with our DCJ business partners, in 2022-23 we submitted an 'extreme risk' budget request to NSW Treasury, noting the fiscal cliff faced by the ADC on 30 June 2023. The data underpinning the extreme risk budget submission was based on growth and demand funding models developed with DCJ Finance (for the ADC core budget and OCV scheme). The extreme risk proposal was not supported by NSW Treasury.

At the end of 2022-23, the ADC's forward budget position was unsustainable. The unresolved budget situation will continue to affect the achievement of the ADC's operational objectives, including our ability to fulfil our statutory obligations.



## Government Information (Public Access) Act 2009

Under section 7(3) of the *Government Information (Public Access) Act 2009* (GIPA Act), agencies must, at least every 12 months, review their program for the release of government information to identify the kinds of government information it holds that should in the public interest be made publicly available.

In line with GIPA principles, we make a range of information available on our [website](#). We also use social media to provide information about our work and engage with stakeholders, including members of the public.

Our website provides information about our most recent publications and submissions, and access to our monthly [newsletter](#) that is distributed to a database of 992 subscribers.

All flyers and fact sheets are available on our website for stakeholders to [download or request](#). In 2022-23, we distributed 21,233 pieces of collateral and released the below publications.

**Table 6: Publications released in 2022-23**

### Reports and submissions

- Submission to the independent review of the *Ageing and Disability Commissioner Act 2019* (December 2022)
- Submission to the Standing Committee on the Implementation of the National Redress Scheme (March 2023)
- Submission to the Commonwealth Attorney-General on the review of the Privacy Act (March 2023)
- Preparing for the future: learning from the impacts of the COVID-19 response on older people, people with disability and carers in NSW – prepared by Carers NSW (June 2023)
- Joint paper on housing issues for people with disability, older people and carers in NSW (June 2023)

### Newsletters

- 13 newsletters were sent to our database comprising 992 subscribers.

### Fact sheets, brochures and printed collateral

- Yarning about abuse, neglect and exploitation and keeping safe
- What is financial abuse and how to get help (incl. Easy Read)
- What is psychological abuse and how to get help (incl. Easy Read)
- What is emotional abuse and how to get help (incl. Easy Read)
- What is neglect and how to get help (incl. Easy Read)
- What is physical abuse and how to get help (incl. Easy Read)
- What is sexual abuse – Easy Read
- Your right to be treated fairly – Easy Read
- Spotting abuse and making a report
- Common signs of abuse, neglect and exploitation
- What is abuse, neglect and exploitation and how the ADC can help you
- Revoking (cancelling) a Power of Attorney
- The difference between Powers of Attorney and Enduring Guardians

## Statistical information about access applications

The ADC did not receive any formal requests for access to information under the GIPA Act during the reporting period. We received and responded to six informal requests for access to information.

- Five of the informal requests were for information that was 'excluded information' (information relating to our report handling, investigative and reporting functions), and thereby invalid applications under the GIPA Act, section 43.
- One request was a valid application.

**Table 7: Number of (valid) applications by type of applicant and outcome\***

	Access granted in full	Access granted in part	Access refused in full	Information not held	Information already available	Refuse to deal with application	Refuse to confirm/deny whether information is held	Application withdrawn
Media	0	0	0	0	0	0	0	0
Members of Parliament	0	0	0	0	0	0	0	0
Private sector business	0	0	0	0	0	0	0	0
Not for profit organisations or community groups	0	0	0	0	0	0	0	0
Member of the public (application by legal representative)	0	0	0	0	0	0	0	0
Members of the public (other)	0	1	0	1	1	0	0	0

\* More than one decision can be made in respect of a particular access application.

**Table 8: Number of (valid) applications by type of application and outcome\***

	Access granted in full	Access granted in part	Access refused in full	Information not held	Information already available	Refuse to deal with application	Refuse to confirm/deny whether information is held	Application withdrawn
Personal information application	0	0	0	0	0	0	0	0
Access application (other than personal information applications)	0	1	0	1	1	0	0	0
Access applications that are partly personal information applications and partly other	0	0	0	0	0	0	0	0

\* More than one decision can be made in respect of a particular access application

\*\*A personal information application is an access application for personal information (as defined in clause 4 of Schedule 4 to the Act) about the applicant (the applicant being an individual).

**Table 9: Invalid applications**

Reason for invalidity	Number of applications
Application does not comply with formal requirements (section 41 of the Act)	0
Application is for excluded information of the agency (section 43 of the Act)	5
Application contravenes restraint order (section 110 of the Act)	0
<b>Total number of invalid applications received</b>	<b>5</b>
Invalid applications that subsequently became valid applications	0

**Table 10: Conclusive presumption of overriding public interest against disclosure: matters listed in Schedule 1 to Act**

	Number of times consideration used*
Overriding secrecy laws	0
Cabinet information	0
Executive Council information	0
Contempt	0
Legal professional privilege	0
Excluded information	5
Documents affecting law enforcement and public safety	0
Transport safety	0
Adoption	0
Care and protection of children	0
Ministerial code of conduct	0
Aboriginal and environmental heritage	0
Information about complaints to Judicial Commission	0
Information about authorised transactions under Electricity Network Assets (Authorised Transactions) Act 2015	0
Information about authorised transaction under Land and Property Information NSW (Authorised Transaction) Act 2016	0

\*More than one public interest consideration may apply in relation to a particular access application and, if so, each such consideration is to be recorded (but only once per application).

**Table 11: Other public interest considerations against disclosure: matters listed in table to section 14 of Act**

	Number of occasions when application not successful
Responsible and effective government	0
Law enforcement and security	0
Individual rights, judicial processes and natural justice	0
Business interests of agencies and other persons	0
Environment, culture, economy and general matters	0
Secrecy provisions	0
Exempt documents under interstate Freedom of Information legislation	0

\*More than one public interest consideration may apply in relation to a particular access application and, if so, each such consideration is to be recorded (but only once per application).

**Table 12: Timeliness**

	Number of applications
Decided within the statutory timeframe (20 days plus any extensions)	1
Decided after 35 days (by agreement with applicant)	0
Not decided within time (deemed refusal)	0
<b>Total</b>	<b>0</b>

**Table 13: Number of applications reviewed under Part 5 of the Act (by type of review and outcome)**

	Decision varied	Decision upheld	Total
Internal review	0	0	0
Review by Information Commissioner*	0	0	0
Internal review following recommendation under section 93 of Act	0	0	0
Review by NCAT	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>

\*The Information Commissioner does not have the authority to vary decisions, but can make recommendations to the original decision-maker. The data in this case indicates that a recommendation to vary or uphold the original decision has been made by the Information Commissioner.

**Table 14: Timeliness Table 19: Applications for review under Part 5 of the Act (by type of applicant)**

	Number of applications for review
Applications by access applicants	0
Applications by persons to whom information the subject of access application relates (see section 54 of the Act)	0

**Table 15: Applications transferred to other agencies under Division 2 of Part 4 of the Act (by type of transfer)**

	Number of applications for review
Agency-initiated transfers	0
Applicant-initiated transfers	0



## Human resources

During 2022-23, 37 people worked for the ADC. This included full-time or part-time employees, those on an ongoing and temporary basis, as well as contractors employed against establishment roles.

Our staff are employed under the provisions of the *Government Sector Employment Act 2013* (GSE Act), along with associated rules and regulations and the Crown Employees (Public Service Conditions of Employment) Award 2009. These industrial instruments set out the working conditions and entitlements offered to staff.

**Table 16: Number of employees by employment category\***

Employment category	Number of employees in 2021-22	Number of employees in 2022-23
SES Band 2	1	1
SES Band 1	1	1
Grade 11/12	6	8
Grade 9/10	6	6
Grade 7/8	7	10
Grade 5/6	8	10
Grade 3/4	0	0
Grade 1/2	1	1
<b>Total*</b>	<b>30</b>	<b>37</b>

\*The total number of employees includes contractors employed against establishment positions.

# Internal audit and risk management policy attestation

## Internal Audit and Risk Management Attestation Statement for the 2022-2023 Financial Year for the Office of the Ageing and Disability Commissioner

I, Robert Fitzgerald am of the opinion that the Office of the Ageing and Disability Commissioner has internal audit and risk management processes in operation that are, excluding the exemptions or transitional arrangements described below, compliant with the seven (7) Core Requirements set out in the *Internal Audit and Risk Management Policy for the General Government Sector*, specifically:

Core Requirements	For each requirement, please specify whether compliant, non-compliant, or in transition
<b>Risk Management Framework</b>	
1.1 The Accountable Authority shall accept ultimate responsibility and accountability for risk management in the agency.	Compliant
1.2 The Accountable Authority shall establish and maintain a risk management framework that is appropriate for the agency. The Accountable Authority shall ensure the framework is consistent with AS ISO 31000:2018.	Compliant
<b>Internal Audit Function</b>	
2.1 The Accountable Authority shall establish and maintain an internal audit function that is appropriate for the agency and fit for purpose.	Compliant
2.2 The Accountable Authority shall ensure the internal audit function operates consistent with the International Standards for Professional Practice for Internal Auditing.	Compliant
2.3 The Accountable Authority shall ensure the agency has an Internal Audit Charter that is consistent with the content of the 'model charter'.	Compliant
<b>Audit and Risk Committee</b>	
3.1 The Accountable Authority shall establish and maintain efficient and effective arrangements for independent Audit and Risk Committee oversight to provide advice and guidance to the Accountable Authority on the agency's governance processes, risk management and control frameworks, and its external accountability obligations.	Compliant
3.2 The Accountable Authority shall ensure the Audit and Risk Committee has a Charter that is consistent with the content of the 'model charter'.	Compliant

### Membership

The independent chair and members of the Audit and Risk Committee are:

- Independent Chair, Carolyn Burlew, 1 August 2019 to 31 July 2024
- Independent Member 1, Christine Feldmanis, 1 August 2019 to 31 July 2024
- Independent Member 2, Abby Bloom, 1 August 2019 to 31 July 2024
- Independent Member 4, Garry Dinnie, 1 February 2021 to 31 January 2024
- Independent Member 5, Ian Gillespie, 14 July 2021 to 13 July 2024

**Shared Arrangements**

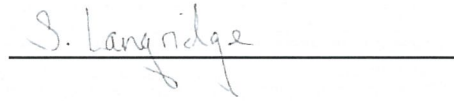
I, Robert Fitzgerald advise that the Office of the Ageing and Disability Commissioner has entered into an approved shared arrangement with the following agencies:

- Department of Communities and Justice
- Crown Solicitor’s Office
- Legal Profession Admission Board

The resources shared include the Audit and Risk Committee, the Chief Audit Executive and the internal audit functions. The shared Audit and Risk Committee is a Principal Department Led Shared Audit and Risk Committee.



Robert Fitzgerald  
Commissioner  
Office of the Ageing and Disability Commissioner  
11 September 2023



Sandra Langridge  
Audit and Risk Committee Secretariat  
Contact: 02 8688 7636

## Legal change

### Independent review of the Ageing and Disability Commissioner Act

Section 36 of our Act requires an independent review of the legislation to be conducted to determine whether the policy objectives of the Act remain valid and whether the terms of the Act remain appropriate for securing those objectives. This year, Alan Cameron AO conducted the independent statutory review and submitted his recommendations to the Minister.

Largely consistent with the ADC's submission to the review, the final report recommended changes to the Act to (among other things):

- enable the ADC to commence an investigation in situations where we are unable to gain access to the older person or adult with disability
- broaden information sharing with a range of agencies that support adults with disability and older people
- make it easier for the OCV scheme to obtain information about the locations of visitable services.

The ADC will pursue key changes to the Act in 2023-24.

### Numbers and remuneration of senior executives

In 2022-23, we had two Senior Executives, including the Commissioner. The Commissioner is a statutory officer, and the remuneration of statutory officers is aligned to the Public Service Senior Executive Remuneration Framework. The other executive, Director Operations, is employed under the GSE Act as a Public Service Senior Executive (PSSE).

Executive gender and remuneration profiles during the year are represented in tables 17 and 18, including the Commissioner's position. The Commissioner is paid in accordance with the determinations of the Statutory and Other Officers Remuneration Tribunal. Of our employee-related expenditure, 14% was related to Senior Executives in comparison to 14.3% in 2021-22.

**Table 17: Gender profile - Senior Executive levels**

	2021-22		2022-23	
	Male	Female	Male	Female
Band 4	0	0	0	0
Band 3	0	0	0	0
Band 2	1	0	1	0
Band 1	0	1	0	1
<b>Total</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>

**Table 18: Senior executive remuneration**

	2021-22		2022-23	
	Range		Range	
Band 4	\$499,251 - \$576,700	0	\$509,251 - \$588,250	0
Band 3	\$354,201 - \$499,250	0	\$361,301 - \$509,250	0
Band 2	\$281,551 - \$354,200	\$335,905	\$287,201 - \$361,300	\$343,640
Band 1	\$197,400 - \$281,550	\$202,933	\$201,350 - \$287,200	\$228,626

## Public interest disclosures

There were no public interest disclosures during the 2022-23 reporting year.

## Risk management and insurance activities

The ADC convenes an Audit and Risk sub-committee that meets quarterly. The sub-committee is made up of the Commissioner, Director Operations, Executive Officer, a number of ADC managers, the ADC Health and Safety Representatives and DCJ Business Partners from the Audit, Risk and Compliance team, Corporate Services. The sub-committee considers and monitors actions and processes to ensure a safe and supportive environment for all staff. This year, the sub-committee:

- updated the ADC Risk Register, including new risks and mitigation strategies relating to cyber security and staff wellbeing
- updated the ADC Workplace Safety Plan, including changes to pandemic management strategies
- facilitated the creation of two Health and Safety Representatives for the ADC and the inclusion of the representatives in the sub-committee.

The ADC is accountable to the DCJ Audit and Risk Committee, which provides oversight and governance of all risks and mitigation strategies that are put in place. This includes the review of ADC insurance arrangements, the risk management framework, and related activities.



# 5. Sustainability

## *Modern Slavery Act 2018*

No issues were raised with the ADC by the Anti-slavery Commissioner in 2022-23.

The ADC used the NSW Government prequalification schemes to procure contingent workforce labour, legal services, advertising and digital communications services, and the catalogues.buy.nsw purchasing solution for workplace supplies.

## Work Health and Safety

There was one reportable incident in 2022-23, which involved an Official Community Visitor. The associated worker's compensation claim was lodged in July 2023. There were no prosecutions in relation to this incident and appropriate mitigation strategies have been put in place with the OCV and the involved service provider.

The ADC provided a number of staff development sessions throughout the year on matters relating to staff wellbeing and work health and safety. Representatives from relevant DCJ business units provided information sessions on:

- diversity and inclusion in the workplace
- the staff wellbeing programs available through DCJ
- Work Health and Safety in the workplace and reporting incidents.

For other procurement activities in 2023-24, the ADC will explore the tools and guidance developed by DCJ to assist with addressing modern slavery risks, including consideration of a model Modern Slavery clause for new contracts, where appropriate for the particular procurement.

An Employee Assistance Program (EAP) is available to all staff. Information about the EAP was formally communicated to staff during the year via induction, all-staff emails and all-staff meetings, and is accessible on the ADC intranet.

We also continued to provide access to individual and group professional supervision and additional EAP assistance for Helpline, and Community Supports and Investigation Unit staff, in light of the sensitive, complex and challenging nature of their work. Professional supervision is also provided to OCVs who visit residential OOH services, recognising the cumulative impact of visits to these services.

In relation to COVID-19, we continued to implement and update the ADC's Workplace Safety Plan to reflect the changed stage of the pandemic.

## Workforce diversity

The ADC has achieved significant improvements in workforce diversity over the year, increasing representation in each of the diversity groups. The largest positive increase was in relation to staff with disability, with a 15% increase.

**Table 19: Trends in workforce diversity groups**

Workforce diversity group	Benchmark	2022	2023
Women	50%	70.0%	76.7%
Aboriginal or Torres Strait Islander people	3.3%	3.3%	3.9%
People whose first language as a child was not English	23.2%	6.7%	15.4%
People with disability	5.6%	3.3%	18.3%
People with disability requiring work-related adjustment	N/A	0.0%	7.6%

Note: The overall figures do not include contractors employed by the ADC during the reporting period

**Table 20: Workforce diversity actual and estimated staff numbers (non-casual headcount) as percentages**

Remuneration level of substantive position	Total staff (men, women & unspecified)	Respondents	Men	Women	Unspecified gender	Aboriginal and/or Torres Strait Islander People	People from racial, ethnic, ethno-religious minority groups	People whose language first spoken as a child was not English	People with disability	People with disability requiring work-related adjustment
\$0 - \$51,756	0	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
\$51,756 - \$67,975	0	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
\$67,975 - \$75,992	1	100.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	0.0%
\$75,992 - \$96,164	3	100.0%	33.3%	66.7%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
\$96,164 - \$124,357	14	85.7%	7.1%	92.9%	0.0%	8.3%	33.3%	25.0%	8.3%	8.3%
\$124,357 - \$155,445	10	90.0%	30.0%	70.0%	0.0%	0.0%	44.4%	11.1%	33.3%	11.1%
\$155,445 > (non-SES)	0	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
\$155,445 > (SES)	2	100.0%	50.0%	50.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
<b>Total</b>	<b>30</b>	<b>90.0%</b>	<b>23.3%</b>	<b>76.7%</b>	<b>0.0%</b>	<b>8.3%</b>	<b>77.1%</b>	<b>36.1%</b>	<b>41.6%</b>	<b>19.4%</b>

Note: 'Unspecified gender' incorporates unknown, withdrawn, and indeterminate/intersex values

Note: The overall figures do not include contractors employed by the ADC during the reporting period

During the reporting period, we provided a summer internship in our Communications and Engagement team through CareerTrackers Aboriginal Internship Program.

In 2023-24, our workforce diversity strategies include:

- increasing the number of people with disability employed by the ADC
- increasing the number of Aboriginal people appointed as OCVs
- providing cultural awareness training and refreshers to all staff and OCVs.

The ADC has committed to the following actions under the State Disability Inclusion Plan, and reported this year on our progress with:

- delivering rights-based community engagement and education activities
- developing a person-centred practice framework
- helping local councils to assist their communities to better prevent and respond to abuse
- increasing community-based abuse prevention Collaboratives
- training and supporting OCVs to identify and raise issues relating to the access of people in residential care to meaningful employment
- increasing the employment of people with disability in the ADC
- implementing effective referral arrangements for complaints about mainstream and specialist services
- undertaking a standing review of the implementation of Australia's Disability Strategy in NSW.



# 6. Financial performance



## INDEPENDENT AUDITOR'S REPORT

### Office of the Ageing and Disability Commissioner

To Members of the New South Wales Parliament

#### Opinion

I have audited the accompanying financial statements of the Office of the Ageing and Disability Commissioner (the Office), which comprise the Statement by the Accountable Authority, the Statement of Comprehensive Income for the year ended 30 June 2023, the Statement of Financial Position as at 30 June 2023, the Statement of Changes in Equity and the Statement of Cash Flows, for the year then ended, notes comprising a Statement of Significant Accounting Policies, and other explanatory information.

In my opinion, the financial statements:

- have been prepared in accordance with Australian Accounting Standards and the applicable financial reporting requirements of the *Government Sector Finance Act 2018* (GSF Act), the *Government Sector Finance Regulation 2018* (GSF Regulation) and the Treasurer's Directions
- presents fairly the Office's financial position, financial performance and cash flows.

My opinion should be read in conjunction with the rest of this report.

#### Basis for Opinion

I conducted my audit in accordance with Australian Auditing Standards. My responsibilities under the standards are described in the 'Auditor's Responsibilities for the Audit of the Financial Statements' section of my report.

I am independent of the Office in accordance with the requirements of the:

- Australian Auditing Standards
- Accounting Professional and Ethical Standards Board's APES 110 'Code of Ethics for Professional Accountants (including Independence Standards)' (APES 110).

Parliament promotes independence by ensuring the Auditor-General and the Audit Office of New South Wales are not compromised in their roles by:

- providing that only Parliament, and not the executive government, can remove an Auditor-General
- mandating the Auditor-General as auditor of public sector agencies
- precluding the Auditor-General from providing non-audit services.

I have fulfilled my other ethical responsibilities in accordance with APES 110.

I believe the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

## The NSW Ageing and Disability Commissioner's Responsibilities for the Financial Statements

The NSW Ageing and Disability Commissioner is responsible for the preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards, the GSF Act, GSF Regulation and Treasurer's Directions. The NSW Ageing and Disability Commissioner's responsibility also includes such internal control as the NSW Ageing and Disability Commissioner determines is necessary to enable the preparation and fair presentation of the financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the NSW Ageing and Disability Commissioner is responsible for assessing the Office's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting.

### Auditor's Responsibilities for the Audit of the Financial Statements

My objectives are to:

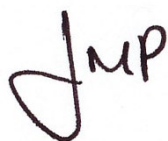
- obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error
- issue an Independent Auditor's Report including my opinion.

Reasonable assurance is a high level of assurance, but does not guarantee an audit conducted in accordance with Australian Auditing Standards will always detect material misstatements. Misstatements can arise from fraud or error. Misstatements are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions users take based on the financial statements.

A description of my responsibilities for the audit of the financial statements is located at the Auditing and Assurance Standards Board website at: [www.auasb.gov.au/auditors\\_responsibilities/ar4.pdf](http://www.auasb.gov.au/auditors_responsibilities/ar4.pdf). The description forms part of my auditor's report.

The scope of my audit does not include, nor provide assurance:

- that the Office carried out its activities effectively, efficiently and economically
- about the security and controls over the electronic publication of the audited financial statements on any website where they may be presented
- about any other information which may have been hyperlinked to/from the financial statements.



Jan-Michael Perez  
Director, Financial Audit

Delegate of the Auditor-General for New South Wales

20 September 2023  
SYDNEY



Mr Robert Fitzgerald, AM  
Ageing and Disability Commissioner  
Office of the Ageing and Disability Commissioner  
PO Box 40  
PARRAMATTA NSW 2124

Contact: Jan-Michael Perez  
Phone no: 02 9275 7115  
Our ref: R008-16585809-44508

20 September 2023

Dear Mr Fitzgerald

## STATUTORY AUDIT REPORT

for the year ended 30 June 2023

Office of the Ageing and Disability Commissioner

I have audited the financial statements of the Office of the Ageing and Disability Commissioner (the Office) as required by the *Government Sector Audit Act 1983* (GSA Act). This Statutory Audit Report outlines the results of my audit for the year ended 30 June 2023, and details matters I found during my audit that are relevant to you in your role as one of those charged with the governance of the Office. The GSA Act requires me to send this report to the Office's Accountable Authority, responsible minister and the Treasurer.

This report is not the Independent Auditor's Report, which expresses my opinion on the Office's financial statements. I enclose the Independent Auditor's Report, together with the Office's financial statements.

My audit is designed to obtain reasonable assurance the financial statements are free from material misstatement. It is not designed to identify and report all the matters you may find of governance interest. Therefore, other governance matters may exist that I have not reported to you.

My audit is continuous. If I identify new significant matters, I will report these to you immediately.

### Audit result

I expressed an unmodified opinion on the Office's financial statements.

### Misstatements in the financial statements

Misstatements (both monetary and disclosure deficiencies) are differences between what has been reported in the financial statements and what is required in accordance with the Office's financial reporting framework. Misstatements can arise from error or fraud.

I have certain obligations for reporting misstatements:

- the Auditing Standards require matters of governance interest and significant misstatements identified during the audit to be communicated to those charged with governance
- statutory obligations require the Auditor-General to report misstatements resulting from or not detected because of failures in internal controls and/or systemic deficiencies which pose a significant risk to the Office.

The Appendix lists and explains the nature and impact of the misstatements contained in the financial statements.

- Table one reports uncorrected misstatements and disclosure deficiencies
- Table two reports corrected disclosure deficiencies.

Based on my evaluation, none of the misstatements reported are due to fraud.

### **Compliance with legislative requirements**

My audit procedures are targeted specifically towards forming an opinion on the Office's financial statements. This includes testing whether the Office complied with key legislative requirements relevant to the preparation and presentation of the financial statements. The results of the audit are reported in this context. My testing did not identify any reportable instances of non-compliance with legislative requirements.

### **Auditor-General's Report to Parliament**

The 2023 Auditor-General's Report to Parliament will incorporate the results of the audit.

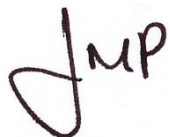
### **Publication of the Statutory Audit Report**

I consider this Statutory Audit Report to fall within the definition of 'excluded information' contained in Schedule 2(2) of the *Government Information (Public Access) Act 2009*. It may not be distributed to persons other than Management and those you determine to be charged with governance of the Office.

### **Acknowledgment**

I thank the Office's staff for their courtesy and assistance.

Yours sincerely

A handwritten signature in black ink, appearing to read 'JMP', is written in a cursive style.

Jan-Michael Perez  
Director, Financial Audit

Delegate of the Auditor-General for New South Wales

# APPENDIX

## Table one: Uncorrected monetary misstatements and disclosure deficiencies

I did not detect any reportable monetary misstatements and disclosure deficiencies that remain uncorrected in the financial statements.

## Table two: Corrected disclosure deficiencies

Management corrected the following disclosure deficiencies in the current year's financial statements. I agree with management's determination and confirm this treatment complies with Australian Accounting Standards.

AASB reference	Disclosure title	Description of disclosure deficiency
AASB 101 'Presentation of Financial Statements'	Statement of Changes in Equity	The Office amended the disclosure to correct the overstatement in accumulated funds and total equity of \$80,000.
AASB 101 'Presentation of Financial Statements'	Note 7 - Current liabilities	The total accrued expenses balance of \$226,000 was changed to \$266,000 to correct a typographical error.

# Office of the Ageing and Disability Commissioner

[ABN 52 330 968 585]

## Annual Financial Statements

*for the year ended 30 June 2023*

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**Office of the Ageing and Disability Commissioner**  
**STATEMENT BY THE ACCOUNTABLE AUTHORITY**  
For the year ended 30 June 2023

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Pursuant to section 7.6 (4) of the *Government Sector Finance Act 2018* ("the Act"), I state that these financial statements:

- have been prepared in accordance with the Australian Accounting Standards and the applicable requirements of the Act, the *Government Sector Finance Regulation 2018* and the Treasurer's directions, and
- present fairly the Office of the Ageing and Disability Commissioner's financial position, financial performance and cash flows.



Robert Fitzgerald, AM  
Commissioner

14 September 2023



**Office of the Ageing and Disability Commissioner**  
**STATEMENT OF COMPREHENSIVE INCOME**  
For the year ended 30 June 2023

	Notes	Actual 2023 \$000	Actual 2022 \$000
<b>Continuing operations</b>			
<b>Expenses excluding losses</b>			
Personnel services expenses	2(a)	4,797	4,801
Operating expenses	2(b)	1,723	1,589
Depreciation	2(c)	50	50
Grants and subsidies	2(d)	106	165
<b>Total expenses excluding losses</b>		<b>6,676</b>	<b>6,605</b>
<b>Revenue</b>			
Grants and contributions	3(b)	6,244	6,542
Acceptance by the Crown of employee benefits and other liabilities	3(c)	6	187
<b>Total revenue</b>		<b>6,250</b>	<b>6,729</b>
<b>Net result</b>		<b>(426)</b>	<b>124</b>
<b>Other comprehensive income</b>		-	-
<b>TOTAL COMPREHENSIVE INCOME</b>		<b>(426)</b>	<b>124</b>

*The accompanying notes form part of these financial statements.*

**Office of the Ageing and Disability Commissioner**  
**STATEMENT OF FINANCIAL POSITION**  
As at 30 June 2023

	Notes	Actual 2023 \$000	Actual 2022 \$000
<b>ASSETS</b>			
<b>Current assets</b>			
Cash and cash equivalents	4	2,222	2,764
Receivables	5	30	16
<b>Total current assets</b>		<b>2,252</b>	<b>2,780</b>
<b>Non-current assets</b>			
Plant and equipment	6	32	82
<b>Total non-current assets</b>		<b>32</b>	<b>82</b>
<b>Total assets</b>		<b>2,284</b>	<b>2,862</b>
<b>LIABILITIES</b>			
<b>Current liabilities</b>			
Payables	7	716	952
Provisions	8	543	539
Contract liabilities	9	80	-
<b>Total current liabilities</b>		<b>1,339</b>	<b>1,491</b>
<b>Non-current liabilities</b>			
Provisions	8	11	11
<b>Total non-current liabilities</b>		<b>11</b>	<b>11</b>
<b>Total liabilities</b>		<b>1,350</b>	<b>1,502</b>
<b>Net assets</b>		<b>934</b>	<b>1,360</b>
<b>EQUITY</b>			
Accumulated funds		934	1,360
<b>Total equity</b>		<b>934</b>	<b>1,360</b>

*The accompanying notes form part of these financial statements.*

**Office of the Ageing and Disability Commissioner**  
**STATEMENT OF CHANGES IN EQUITY**  
For the year ended 30 June 2023

	Notes	Accumulated funds \$000	Total equity \$000
<b>Balance at 1 July 2022</b>		1,360	1,360
<b>Net result for the year</b>		(426)	(426)
Other comprehensive income		-	-
<b>Total comprehensive income for the year</b>		(426)	(426)
Transactions with owners in their capacity as owners		-	-
<b>Balance at 30 June 2023</b>		934	934
<b>Balance at 1 July 2021</b>		1,236	1,236
<b>Net result for the year</b>		124	124
Other comprehensive income		-	-
<b>Total comprehensive income for the year</b>		124	124
Transactions with owners in their capacity as owners		-	-
<b>Balance at 30 June 2022</b>		1,360	1,360

*The accompanying notes form part of these financial statements.*

**Office of the Ageing and Disability Commissioner**  
**STATEMENT OF CASH FLOWS**  
For the year ended 30 June 2023

	Notes	Actual 2023 \$000	Actual 2022 \$000
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>			
<b>Payments</b>			
Personnel services related		(5,160)	(4,447)
Suppliers for goods and services		(942)	(815)
Grants and subsidies	2(d)	(106)	(165)
<b>Total payments</b>		<b>(6,208)</b>	<b>(5,427)</b>
<b>Receipts</b>			
Grants and other contributions		5,551	5,770
Reimbursements from the Crown for employee related benefits	3(c)	6	187
GST recoveries		109	101
<b>Total receipts</b>		<b>5,666</b>	<b>6,058</b>
<b>NET CASH FLOWS (USED IN) / FROM OPERATING ACTIVITIES</b>	10	<b>(542)</b>	<b>631</b>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>			
Purchase of plant and equipment		-	-
Purchase of intangible assets		-	-
<b>NET CASH FLOWS FROM INVESTING ACTIVITIES</b>		<b>-</b>	<b>-</b>
<b>NET (DECREASE) / INCREASE IN CASH AND CASH EQUIVALENTS</b>		<b>(542)</b>	<b>631</b>
Opening cash and cash equivalents		2,764	2,133
<b>CLOSING CASH AND CASH EQUIVALENTS</b>	4	<b>2,222</b>	<b>2,764</b>

*The accompanying notes form part of these financial statements.*

## **1. Summary of significant accounting policies**

### **(a) Reporting entity**

The Office of the Ageing and Disability Commissioner (the ADC) is a statutory authority controlled by the State of New South Wales and established under the *Ageing and Disability Commissioner Act 2019 No 7* on 1 July 2019.

The ADC is a not-for-profit entity, and it has no cash generating units.

These financial statements for the year ended 30 June 2023 have been authorised for issue by the Commissioner on 14 September 2023.

### **(b) Basis of preparation**

The ADC's financial statements are general purpose financial statements which have been prepared on an accrual basis and in accordance with:

- applicable Australian Accounting Standards (which include Australian Accounting Interpretations);
- the requirements of *the Government Sector Finance Act 2018* (the Act); and
- Treasurer's Directions issued under the Act.

The ADC financial statements have been prepared on a going concern basis. It is expected that ADC has adequate cash holding and cash inflows to continue operations for the foreseeable future. ADC is supported by the NSW Government with annual cluster grant funding provided by the Department of Communities and Justice (the Department). Refer to Note 3 (a) and 3 (b) for details regarding the cluster grant and contributions arrangements.

Plant and equipment and certain financial assets and liabilities are measured at fair value. Other financial statement items are prepared under the historical cost convention except where specified otherwise.

Judgements, key assumptions and estimations made by management are disclosed in the relevant notes to the financial statements.

Refer Note 14 for any significant judgements or management assumptions used which may be impacted by the COVID-19 global pandemic.

All amounts are rounded to the nearest thousand dollar and are expressed in Australian currency, which is the ADC's presentation and functional currency.

### **(c) Statement of compliance**

The financial statements and notes comply with Australian Accounting Standards, which include Australian Accounting Interpretations.

### **(d) Accounting for the goods and services tax (GST)**

Income, expenses, and assets are recognised net of GST, except that the:

- i) amount of GST incurred by the ADC as a purchaser that is not recoverable from the Australian Taxation Office (ATO) is recognised as part of an asset's cost of acquisition or as part of an item of expense; and
- ii) receivables and payables are stated with the amount of GST included.

Cash flows are included in the Statement of Cash Flows on a gross basis. However, the GST components of cash flows arising from investing and financing activities which are recoverable from, or payable to, the ATO are classified as operating cash flows.

### **(e) Equity and reserves**

#### **Accumulated funds**

The category 'Accumulated Funds' includes all current and prior period retained funds.

## 1. Summary of significant accounting policies (continued)

### (f) Comparative information

Except when an Australian Accounting Standard permits or requires otherwise, comparative information is presented in respect of the previous period for all amounts reported in the financial statements.

### (g) Changes in accounting policy, including new or revised Australian Accounting Standards

#### i) Effective for the first time in 2022-2023

The accounting policies applied in 2022-23 are consistent with those of the previous financial year. Several amendments and interpretations apply for the first time in 2022-23, but do not have an impact on the financial statements of the ADC.

#### ii) Issued but not yet effective

NSW public sector entities are not permitted to early adopt new Australian Accounting Standards unless Treasury determines otherwise.

The following new Australian Accounting Standards have not been applied and are not yet effective, as per NSW Treasury Circular TPG 23-04 *Mandates of options and major policy decisions under Australian Accounting Standards*:

- AASB 2020-1 *Amendments to Australian Accounting Standards - Classification of Liabilities as Current or Non-Current*
- AASB 2021-2 *Amendments to Australian Accounting Standards - Disclosure of Accounting Policies and Definition of Accounting Estimates*
- AASB 2021-6 *Amendments to Australian Accounting Standards – Disclosure of Accounting Policies: Tier 2 and Other Australian Accounting Standards*
- AASB 2022-7 *Editorial Corrections to Australian Accounting Standards and Repeal of Superseded and Redundant Standards*
- AASB 2022-10 *Amendments to Australian Accounting Standards – Fair Value Measurement of Non-Financial Assets of Not-for-Profit Public Sector Entities*

The ADC has assessed the impact of the new standards and interpretations on issue but not yet effective where relevant and considers the impact to be not material.

### (h) Superannuation on annual leave loading

The ADC has determined that it is not probable a liability arises to pay superannuation on annual leave loading. This position has been formed based on current inquiries, other information currently available to management, and after considering the facts from a decision in the Federal Court of Australia: *Finance Sector Union of Australia v Commonwealth Bank of Australia [2022] FedCFamC2G 409*. That decision confirmed that, in relation to the industrial agreement considered in that case, annual leave loading did not form part of ordinary time earnings and therefore, did not require superannuation contributions to be made under superannuation guarantee legislation because the obligation to pay annual leave loading was not referable to ordinary hours of work or to ordinary rates of pay. Rather, it was paid by reference to the period of annual leave, and for the purpose of compensating employees for their loss of opportunity to work additional hours at higher rates during this period.

This position will be re-assessed in future reporting periods as new information comes to light on this matter.

**Office of the Ageing and Disability Commissioner**  
**NOTES TO THE FINANCIAL STATEMENTS**  
For the year ended 30 June 2023

**2. Expenses excluding losses**

	<b>2023</b>	<b>2022</b>
	<b>\$000</b>	<b>\$000</b>
<b>(a) Personnel services expenses</b>		
Salaries and wages*	3,683	3,556
Superannuation - defined contribution plans	352	341
Annual leave and long service leave	281	525
Workers' compensation insurance	222	173
Payroll tax and fringe benefit tax	259	206
	<b>4,797</b>	<b>4,801</b>

\* No employee related costs have been capitalised and included in plant and equipment in 2022-2023 and in 2022-2021.

**Recognition and measurement**

Employees are provided by the Department to carry out the ADC's operating functions. The employment of the Commissioner is governed by a contract of employment between the Commissioner and the responsible Minister subject to the *Ageing and Disability Commissioner Act 2019*.

The Department recovers the ADC's employee related expenses (including entitlement and leave accruals) from the ADC. The employee related expenses paid or payable to the Department are classified as "Personnel Services" in the Statement of Comprehensive income, and are calculated by the Department using the following recognition and measurement criteria:

- (i) Salaries and wages (including non-monetary benefits), and annual leave expenses are recognised in the period which the employees render the service. It is measured at undiscounted amounts of the benefits accruing to ADC at the reporting date.
- (ii) Superannuation – the expense for certain superannuation schemes (Basic Benefit and Aware Super (formerly known as First State Super)) is calculated as a percentage of the employees' salary. For other superannuation schemes (State Superannuation Scheme and State Authorities Superannuation Scheme), the expense is calculated as a multiple of the employees' superannuation contributions.
- (iii) On-costs, such as payroll tax, workers' compensation insurance premiums and fringe benefits tax, which are consequential to employment, are recognised as expenses where the employee benefits to which they relate have been recognised.

**Office of the Ageing and Disability Commissioner**  
**NOTES TO THE FINANCIAL STATEMENTS**  
For the year ended 30 June 2023

**2. Expenses excluding losses (continued)**

	<b>2023</b>	<b>2022</b>
	<b>\$000</b>	<b>\$000</b>
<b>(b) Operating Expenses</b>		
Auditor's remuneration - external	27	30
Auditor's remuneration - internal	8	8
Advertising and public awareness campaigns	197	242
Motor vehicle operating costs	7	17
Cleaning <sup>(2)</sup>	14	15
Contractors and outsourced service	284	214
IT related costs <sup>(2)</sup>	224	245
Legal and other professional fees	20	50
Fees for services	19	3
Fees for Shared Services <sup>(2)</sup>	146	145
Printing	13	1
Repairs and maintenance	1	0
Staff related costs	90	56
Postage and stationery	11	10
Rent Expenses <sup>(2)</sup>	391	390
Telecommunication	30	30
Travel <sup>(1)</sup>	189	112
Other operating expenses <sup>(2)</sup>	52	21
	<b>1,723</b>	<b>1,589</b>

<sup>(1)</sup> Travel mainly relates to activities for the Official Community Visitors scheme.

<sup>(2)</sup> Cleaning, Fees for Shared services, Rent Expenses and IT related costs include the ADC's Service Partnership Agreement with the Department to provide corporate services of \$ 771,698 (2022: \$771,698). In 2022-23, other operating expenses were split into fees for shared services, rent expenses and other operating expenses to reflect material line items. The balances for the year ended 30 June 2022 were also restated to reflect this change.



**Office of the Ageing and Disability Commissioner**  
**NOTES TO THE FINANCIAL STATEMENTS**  
For the year ended 30 June 2023

**2. Expense excluding losses (continued)**

	<b>2023</b>	<b>2022</b>
	<b>\$000</b>	<b>\$000</b>
<b>(c) Depreciation</b>		
Plant and equipment	50	50
	<b>50</b>	<b>50</b>
<b>Total depreciation</b>	<b>50</b>	<b>50</b>

Refer to Note 6 for recognition and measurement policies on depreciation.

<b>(d) Grants and subsidies</b>		
Grants for Justice connect	106	106
Grants for Councils and Community groups – Micro Delta	-	59
<b>Total</b>	<b>106</b>	<b>165</b>

**Recognition and measurement**

Grants are generally recognised as an expense when the ADC transfers control of the contribution. Control is deemed to have transferred when the grant is paid or payable.

**3. Revenue**

**(a) Statement of Compliance and Deemed Appropriation**

The *Appropriation Act 2022* (Appropriations Act) (and the subsequent variations, if applicable) appropriates the sum of \$19,699,700,000 to the Attorney General out of the Consolidated Fund for the services of the Department for the year 2022–23. The spending authority of the Minister from the Appropriations Act has been delegated or subdelegated to officers of the Department and entities that it is administratively responsible for, including the ADC.

The *Treasury and Energy Legislation Amendment Act 2022* made some amendments to sections 4.7 and 4.9 of the Government Sector Finance Act 2018 (the GSF Act). These amendments commenced on 14 November 2022 and are applied retrospectively. As a result, the lead Minister for ADC, being the Minister for Families and Communities and the Minister for Disability Inclusion, are taken to have been given an appropriation out of the Consolidated Fund under the authority section 4.7 of the GSF Act, at the time ADC receives or recovers any deemed appropriation money, for an amount equivalent to the money that is received or recovered by ADC. These deemed appropriations are taken to have been given for the services of the Department.

In addition, government money that ADC receives or recovers, from another GSF agency, of a kind prescribed by the GSF regulations that forms part of the Consolidated Fund, is now capable of giving rise to deemed appropriations where the receiving agency has a different lead Minister to the agency making the payment, or one or both of the agencies is a special office (as defined in section 4.7(8)).

On 16 June 2023, the *GSF Amendment (Deemed Appropriations) Regulation 2023* was approved to bring the GSF regulations in line with the above deemed appropriation amendments to the GSF Act.

A summary of compliance is disclosed in the financial statements of the Annual Report of the Department. It has been prepared by aggregating the spending authorities of both the Minister for Families and Communities and the Minister for Disability Inclusion for the services of the ADC and the Attorney General for the services of the Department. It reflects the status at the point in time this disclosure statement is being made. The ADC's spending authority and expenditure is included in the summary of compliance.

**Office of the Ageing and Disability Commissioner**  
**NOTES TO THE FINANCIAL STATEMENTS**  
For the year ended 30 June 2023

**3. Revenue (continued)**

The delegation/sub-delegations for FY22/23 and FY21/22, authorising officers of the ADC to spend Consolidated Fund money, impose limits to the amounts of individual transactions, but not the overall expenditure of the ADC. However, as it relates to expenditure in reliance on a sum appropriated by legislation, the delegation/sub-delegations are subject to the overall authority of the Department to spend monies under relevant legislation. The individual transaction limits have been properly observed. The information in relation to the aggregate expenditure limit from the *Appropriations Act* and other sources is disclosed in the summary of compliance table included in the financial statements of the Annual Report of the Department.

The ADC receives its funding under appropriations from the grant funding received from the Department which receives appropriations from the Consolidated Fund. Appropriations for each financial year are set out in the Appropriation Bill that is prepared and tabled for that year.

The State Budget and related Appropriation Bill for year commencing 1 July 2023 has been delayed and is anticipated to be tabled in September 2023. Pursuant to section 4.10 of the GSF Act, the Treasurer has authorised the payment of specified sums out of the Consolidated Fund to meet the requirements of this period. The authorisation is current from 1 July 2023 until the earlier of 30 September 2023 or enactment of the 2023-24 annual Appropriation Act.

**Recognition and measurement**

Income from Parliamentary appropriations, other than deemed appropriations, does not contain enforceable and sufficiently specific performance obligations as defined by AASB 15 *Revenue from Contracts with Customers*. Therefore, appropriations (other than deemed appropriations) are recognised as income when the ADC obtains control over the assets comprising the appropriations. Control over appropriations is normally obtained upon the receipt of cash.

Deemed appropriation money is government money that ADC receives or recovers (including from the Commonwealth or another entity) or a kind prescribed by the regulation that is not appropriated under the authority of an Act.

**(b) Grants and contributions**

	<b>2023</b>	<b>2022</b>
	<b>\$000</b>	<b>\$000</b>
Grants without sufficiently specific performance obligations:		
Grants from the Department	5,472	5,620
Other contribution from the Department	772	772
Grants from Multicultural NSW – Micro Delta Grant	-	150
	<b>6,244</b>	<b>6,542</b>

**Recognition and measurement**

Income from grants without sufficiently specific performance obligations is recognised when ADC obtains control over the granted assets (e.g. cash).

Other contributions from the Department comprise of corporate services, rent and outgoings and other services that are measured at fair value using the Service Partnership Agreement with the Department.

**(c) Acceptance by the Crown of employee benefits and other liabilities**

The following liabilities and / or expenses have been assumed by the Crown:  
Long service leave

	6	187
	<b>6</b>	<b>187</b>

**Office of the Ageing and Disability Commissioner**  
**NOTES TO THE FINANCIAL STATEMENTS**  
For the year ended 30 June 2023

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**4. Current assets – cash and cash equivalents**

	<b>2023</b>	<b>2022</b>
	<b>\$000</b>	<b>\$000</b>
Cash at bank and on hand	2,222	2,764
	<b>2,222</b>	<b>2,764</b>

Refer to Note 11 for details regarding credit risk, liquidity risk and market risk arising from financial instruments.

**5. Current assets – receivables**

<b>Current receivables</b>		
GST recoverable from the Australian Taxation Office	2	16
Prepayments	28	-
	<b>30</b>	<b>16</b>

Details regarding credit risk of trade receivables that are neither past due nor impaired, are disclosed in Note 11.

**Recognition and measurement**

Receivables are initially recognised at fair value plus any directly attributable transaction costs. Trade receivables that do not contain a significant financing component are measured at the transaction price.

All 'regular way' purchases or sales of financial assets are recognised and derecognised on a trade date basis. Regular way purchases or sales are purchases or sales of financial assets that require delivery of assets within the time frame established by regulation or convention in the marketplace.

**Subsequent measurement**

The ADC holds receivables with the objective to collect the contractual cash flows and therefore measures them at amortised cost using the effective interest method, less any impairment. Changes are recognised in the net result for the year when impaired, derecognised or through the amortisation process.

Office of the Ageing and Disability Commissioner  
**NOTES TO THE FINANCIAL STATEMENTS**  
For the year ended 30 June 2023

**6. Plant and equipment**

	<b>Plant and equipment \$000</b>	<b>Total \$000</b>
<b>At 1 July 2022 - fair value</b>		
Gross carrying amount	204	204
Accumulated depreciation and impairment	(122)	(122)
<b>Net carrying amount</b>	<b>82</b>	<b>82</b>
<b>At 30 June 2023 - fair value</b>		
Gross carrying amount	204	204
Accumulated depreciation and impairment	(172)	(172)
<b>Net carrying amount</b>	<b>32</b>	<b>32</b>

**Reconciliation**

A reconciliation of the carrying amount of each class of plant and equipment at the beginning and end of the current reporting period is set out below:

	<b>Plant and equipment \$000</b>	<b>Total \$000</b>
<b>Year ended 30 June 2023</b>		
Net carrying amount at start of year	82	82
Depreciation expense	(50)	(50)
<b>Net carrying amount at end of year</b>	<b>32</b>	<b>32</b>

	<b>Plant and equipment \$000</b>	<b>Total \$000</b>
<b>At 1 July 2021 - fair value</b>		
Gross carrying amount	204	204
Accumulated depreciation and impairment	(72)	(72)
<b>Net carrying amount</b>	<b>132</b>	<b>132</b>
<b>At 30 June 2022 - fair value</b>		
Gross carrying amount	204	204
Accumulated depreciation and impairment	(122)	(122)
<b>Net carrying amount</b>	<b>82</b>	<b>82</b>

**Reconciliation**

A reconciliation of the carrying amount of each class of plant and equipment at the beginning and end of the current reporting period is set out below:

	<b>Plant and equipment \$000</b>	<b>Total \$000</b>
<b>Year ended 30 June 2022</b>		
Net carrying amount at start of year	132	132
Depreciation expense	(50)	(50)
<b>Net carrying amount at end of year</b>	<b>82</b>	<b>82</b>

## 6. Plant and equipment (continued)

### Recognition and measurement

#### Acquisition of plant and equipment

ADC's plant and equipment are considered non-specialised assets with short useful lives and are measured at depreciated historical cost, which for these assets approximates fair value. ADC has assessed that any difference between fair value and depreciated historical cost is unlikely to be material. Cost is the amount of cash or cash equivalents paid or the fair value of the other consideration given to acquire the asset at the time of its acquisition or construction or, where applicable, the amount attributed to the asset when initially recognised in accordance with the requirements of other Australian Accounting Standards.

Assets acquired at no cost, or for nominal consideration, are initially recognised at their fair value at the date of acquisition.

Fair value is the price that would be received to sell an asset in an orderly transaction between market participants at measurement date.

Where payment for an asset is deferred beyond normal credit terms, its cost is the cash price equivalent, i.e. deferred payment amount is effectively discounted over the period of credit.

#### Capitalisation threshold

Plant and equipment costing \$5,000 and above individually (or forming part of a network costing more than \$5,000) are capitalised.

#### Impairment of plant and equipment

As a not-for-profit entity with no cash generating units, impairment under *AASB 136 Impairment of Assets* is unlikely to arise. As plant and equipment is carried at fair value, impairment can only arise in the rare circumstances where the costs of disposal are material.

#### Depreciation of plant and equipment

Depreciation is provided for on a straight-line basis so as to write off the depreciable amount of each asset as it is consumed over its useful life to the ADC. All material identifiable components of assets are depreciated separately over their useful lives.

The depreciation rates used for each class of assets are as follows:

Computer Equipment	25%
Office Furniture and Fittings	20%

**7. Current liabilities - payables**

	<b>2023</b>	<b>2022</b>
	<b>\$000</b>	<b>\$000</b>
Creditors	4	6
Personnel services payable to the Department	446	814
Accrued expenses <sup>(1)</sup>	266	132
	<b>716</b>	<b>952</b>

<sup>(1)</sup> Accrued expenses includes \$5,050 (2022: \$37,250) to be paid to the Department for operating costs related to motor vehicle and mobile expenses.

Details regarding liquidity risk, including a maturity analysis of the above payables, are disclosed in Note 11.

**Recognition and measurement**

Payables represent liabilities for goods and services provided to the ADC prior to the end of the financial year and which are unpaid. Due to their short-term nature, they are measured at amortised cost and are not discounted. The amounts are unsecured and are usually paid within 30 days of recognition.

Payables are financial liabilities at amortised cost, initially measured at fair value, net of directly attributable transaction costs. These are subsequently measured at amortised cost using the effective interest method. Gains and losses are recognised in net result when the liabilities are derecognised as well as through the amortisation process.

**8. Current/Non-current liabilities - provisions****Current****Employee benefits and related on-costs**

Annual leave including oncost*	433	427
Long service leave including oncost*	110	112
<b>Total</b>	<b>543</b>	<b>539</b>

**Non-current****Employee benefits and related on-costs**

Long service leave including oncost	11	11
<b>Total</b>	<b>11</b>	<b>11</b>

**Aggregate employee benefits and related on-costs**

Provisions – current	543	539
Provisions – non-current	11	11
Accrued salaries, wages and on-costs (Note 7)	446	814
	<b>1,000</b>	<b>1,364</b>

\* Expected settlement of current employee benefits and related on-costs

No later than 12 months	305	205
Later than 12 months	238	334
<b>Total</b>	<b>543</b>	<b>539</b>

The non-current provisions are long service leave and are expected to be settled after more than 12 months.

## 8. Current/Non-current liabilities - provisions (continued)

### Recognition and measurement

#### (i) Salaries and wages, annual leave and sick leave

Salaries and wages (including non-monetary benefits) and paid sick leave that are expected to be settled wholly within 12 months after the end of the period in which the employees render the service are recognised and measured at the undiscounted amounts of the benefits.

Annual leave is not expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service. As such, it is required to be measured at present value in accordance with AASB 119 *Employee Benefits* (although short-cut methods are permitted).

Actuarial advice obtained by Treasury has confirmed that using the nominal annual leave balance plus the annual leave entitlements accrued while taking annual leave (calculated using 8.4% of the nominal value of annual leave as prescribed by TC21-03 Part B1) can be used to approximate the present value of the annual leave liability. The ADC has assessed the actuarial advice based on the ADC's circumstances and has determined that the effect of discounting is immaterial to annual leave. All annual leave is classified as a current liability even where the ADC does not expect to settle the liability within 12 months as the ADC does not have an unconditional right to defer settlement.

Unused non-vesting sick leave does not give rise to a liability as it is not considered probable that sick leave taken in the future will be greater than the benefits accrued in the future.

The ADC's liabilities for long service leave are assumed by Crown while some of the on-cost on long service leave (i.e. annual leave accrued while on long service leave) are funded by ADC.

#### (ii) Long service leave

Long service leave is measured at the present value of expected future payments to be made in respect of services provided up to the reporting date in accordance with AASB 119 *Employee Benefits*. Consideration is given to certain factors based on actuarial review, including expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using Commonwealth government bond rates at the reporting date.

#### (iii) Consequential on-costs

Consequential costs to employment are recognised as liabilities and expenses where the employee benefits to which they relate have been recognised. This includes outstanding amounts of superannuation, payroll tax and workers' compensation insurance premiums.

## 9. Contract liabilities

	<b>2023</b>	<b>2022</b>
	<b>\$000</b>	<b>\$000</b>
Contract liabilities - Current	80	-
	<b>80</b>	<b>-</b>
	<b>2023</b>	<b>2022</b>
	<b>\$000</b>	<b>\$000</b>
Revenue recognised that was included in the contract liability balance at the beginning of the year	-	-
Revenue recognised from performance obligation satisfied in previous periods	-	-
Transaction price allocated to the remaining performance obligations from the contract with customers	80	-
	<b>80</b>	<b>-</b>

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**9. Contract liabilities (continued)**

**Recognition and Measurement**

The Contract liabilities relate to consideration received in advance from the Department in respect of the “Neglect Research Project”. The balance of contract liabilities at 30 June 2023 represents grant received from the Department with sufficiently specific performance obligations and the performance obligation is satisfied over time when resources are deployed to complete the performance outcome.

The transaction price allocated to the remaining performance obligations at reporting date is expected to be fully recognised as revenue in 2023-24.

**10. Reconciliation of cash flows from operating activities to net result**

	<b>2023</b>	<b>2022</b>
	<b>\$000</b>	<b>\$000</b>
Net cash flows from operating activities	(542)	631
Depreciation expense	(50)	(50)
(Decrease) in receivables	14	(18)
(Increase) in contract liabilities	(80)	-
Decrease/(Increase) in payables and provisions	232	(439)
<b>Net result</b>	<b>(426)</b>	<b>124</b>

**11. Financial instruments**

The ADC's principal financial instruments are outlined below. These financial instruments arise directly from the ADC's operations or are required to finance the ADC's operations. The ADC does not enter into or trade financial instruments, including derivative financial instruments, for speculative purposes.

The ADC's main risks arising from financial instruments are outlined below, together with the ADC's objectives, policies and processes for measuring and managing risk. Further quantitative and qualitative disclosures are included throughout the financial statements.

The ADC has overall responsibility for the establishment and oversight of risk management and reviews and agrees policies for managing each of these risks. Risk management policies are established to identify and analyse the risks faced by the ADC, to set risk limits and controls to monitor risks. Compliance with policies is reviewed by the ADC on a regular basis.



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**11. Financial instruments (continued)**

**(a) Financial instrument categories**

<b>Class</b>	<b>Note</b>	<b>Category</b>	<b>2023 Carrying Amount \$000</b>	<b>2022 Carrying Amount \$000</b>
<b>Financial Assets</b>				
Cash and cash equivalents	4	Amortised cost	2,222	2,764
Receivables <sup>1</sup>	5	Amortised cost	-	-
			<b>2,222</b>	<b>2,764</b>
<b>Financial Liabilities</b>				
Payables <sup>2</sup>	7	Financial liabilities measured at amortised cost	716	952
			<b>716</b>	<b>952</b>

**Notes**

<sup>1</sup> Excludes statutory receivables and prepayments (i.e. not within scope of AASB 7 *Financial Instruments: Disclosures*).

<sup>2</sup> Excludes statutory payables and unearned revenue (i.e. not within scope of AASB 7 *Financial Instruments: Disclosures*).

**(b) De-recognition of financial assets and financial liabilities**

A financial asset (or, where applicable, a part of a financial asset or part of a group of similar financial assets) is derecognised when the contractual rights to the cash flows from the financial assets expire; or if the ADC transfers its rights to receive cash flows from the asset or has assumed an obligation to pay the received cash flows in full without material delay to a third party under a 'pass-through' arrangement and either:

- i) the ADC has transferred substantially all the risks and rewards of the asset; or
- ii) the ADC has neither transferred nor retained substantially all the risks and rewards of the asset, but has transferred control.

When the ADC has transferred its rights to receive cash flows from an asset or has entered into a pass-through arrangement, it evaluates if, and to what extent, it has retained the risks and rewards of ownership.

Where the ADC has neither transferred nor retained substantially all the risks and rewards or transferred control, the asset continues to be recognised to the extent of the ADC's continuing involvement in the asset. In that case, the ADC also recognises an associated liability. The transferred asset and the associated liability are measured on a basis that reflects the rights and obligations that the ADC has retained.

## **11. Financial instruments (continued)**

### **(b) De-recognition of financial assets and financial liabilities (continued)**

A financial liability is derecognised when the obligation specified in the contract is discharged or cancelled or expires. When an existing financial liability is replaced by another from the same lender on substantially different terms, or the terms of an existing liability are substantially modified, such an exchange or modification is treated as the derecognition of the original liability and the recognition of a new liability. The difference in the respective carrying amounts is recognised in the net result.

### **(c) Financial risks**

#### **i. Credit risk**

Credit risk arises when there is the possibility that the counterparty will default on their contractual obligations, resulting in a financial loss to the ADC. The maximum exposure to credit risk is generally represented by the carrying amount of the financial assets (net of any allowance for impairment).

Credit risk arises from the financial assets of the ADC, including cash and receivables. No collateral is held by the ADC. The ADC has not granted any financial guarantees.

The ADC considers a financial asset in default when contractual payments are 90 days past due. However, in certain cases, the ADC may also consider a financial asset to be in default when internal or external information indicates that the ADC is unlikely to receive the outstanding contractual amounts in full before taking into account any credit enhancements held by the ADC.

#### **Cash and cash equivalents**

Cash comprises cash on hand and bank balances. The cash balance as at 30 June 2023 was \$2,221,751 (2022: \$2,762,045).

#### **Other financial assets - Amount due from other government agencies**

The ADC is not materially exposed to concentrations of credit risk to a single debtor or group of debtors.

#### **ii. Liquidity risk**

Liquidity risk is the risk that the ADC will be unable to meet its payment obligations when they fall due. The ADC continuously manages risk through monitoring future cash flows and maturities planning to ensure adequate holding of high quality liquid assets. The objective is to maintain a balance between continuity of funding and flexibility through the use of overdrafts, loans and other advances.

During the current year, there were no defaults of borrowings. No assets have been pledged as collateral. ADC's exposure to liquidity risk is deemed insignificant based on current assessment of risk.

Liabilities are recognised for amounts due to be paid in the future for goods or services received, whether or not invoiced. Amounts owing to suppliers (which are unsecured) are settled in accordance with the policy set out in TC 11-12 *Payment of Accounts*. For small business suppliers, where terms are not specified, payment is made not later than 30 days from date of receipt of a correctly rendered invoice. For other suppliers, if trade terms are not specified, payment is made no later than the end of the month following the month in which an invoice or a statement is received.

For small business suppliers, where payment is not made within the specified time period, simple interest must be paid automatically unless an existing contract specifies otherwise. For payments to other suppliers, the payment of simple interest is at the discretion of the Commissioner.

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**11. Financial instruments (continued)**

(c) **Financial risks (continued)**

ii. **Liquidity risk (continued)**

The table below summarises the maturity profile of the ADC's financial liabilities based on contracted undiscounted payments, together with the interest rate exposure.

**Maturity analysis and interest rate exposure of financial liabilities**

	Weighted average effective interest rate	Interest Rate Exposure				Maturity Dates		
		Nominal Amount	Fixed Interest Rate	Variable Interest Rate	Non-interest bearing	< 1 year	1 -5 years	> 5 years
		\$000			\$000	\$000	\$000	\$000
<b>2023</b>								
Payables	-	716	-	-	716	716	-	-
		<b>716</b>	-	-	<b>716</b>	<b>716</b>	-	-
<b>2022</b>								
Payables	-	952	-	-	952	952	-	-
		<b>952</b>	-	-	<b>952</b>	<b>952</b>	-	-

iii. **Market risk**

Market risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market prices. The ADC's only exposure to market risk is interest rate risk on cash balances which is detailed in the section below. The ADC has no exposure to foreign currency risk and does not enter into commodity contracts.

iv. **Interest rate risk**

Interest rate risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market interest rates. The ADC does not have exposure to interest rate risk through interest bearing liabilities.

The ADC does not have or account for any fixed rate financial instruments at fair value through profit or loss or as at fair value through other comprehensive income. Therefore, for these financial instruments a change in interest rates would not affect profit or loss or equity.

Exposure to interest rate risk arises primarily through the ADC's cash deposits held at financial institutions. The table below provides the sensitivity analysis of interest rate risk affecting applicable financial assets on the operating result and equity of the ADC. A reasonably possible change of +/- 1% is used, consistent with current trends in interest rates (based on official RBA interest rate volatility over the last five years). The basis will be reviewed annually and amended where there is a structural change in the level of interest rate volatility.

The following table demonstrates the sensitivity to a reasonably possible change in interest rates:

	2023		2022	
	\$000	\$000	\$000	\$000
	+1.00%	-1.00%	+1.00%	-1.00%
Net Result	22	(22)	28	(28)
Equity	22	(22)	28	(28)

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**11. Financial instruments (continued)**

(c) **Financial risks (continued)**

v. **Fair value measurement**

(i) **Fair value compared to carrying amount**

Fair value is the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. The fair value measurement is based on the presumption that the transaction to sell the asset or transfer the liability takes place either in the principal market for the asset or liability or in the absence of a principal market, in the most advantageous market for the asset or liability.

The ADC does not hold financial assets and financial liabilities where the fair value differs from the carrying amount.

(ii) **Fair value recognised in the Statement of Financial Position**

Management assessed that carrying amount of cash, trade receivables and trade payables approximate their fair values, largely due to the short-term maturities of these instruments. The ADC does not hold financial assets and liabilities that are valued at fair value using valuation techniques.

**12. Related party disclosures**

The ADC's key management personnel is the Commissioner and his compensation is as follows:

	<b>2023</b>	<b>2022</b>
	<b>\$000</b>	<b>\$000</b>
<b>Short term employee benefits:</b>		
Salaries	314	335
Other monetary allowances	-	5
<b>Total remuneration</b>	<b>314</b>	<b>340</b>

The ADC did not enter into any other transactions with key management personnel, their close family members and controlled or jointly controlled entities thereof.

During current and the prior year, the ADC entered into transactions with other entities that are controlled by the NSW Government. These transactions in aggregate are a significant portion of the ADC's rendering of services and receiving of services.

These transactions include:

- (i) Receipts of grant contributions, personnel and related services and other contributions for corporate services from the Department
- (ii) Long Service Leave assumed by the Crown for employee related benefits provided by the Department.

### **13. Contingent liabilities and contingent assets**

The ADC is unaware of any matters that may give rise to contingent liabilities or contingent assets as at 30 June 2023 (nil as at 30 June 2022).

### **14. COVID-19 disclosures**

COVID-19 does not have a material impact on the ADC's financial statements, as the main revenue source are cluster grants from the Department which are not affected by the pandemic.

The COVID activities have largely subsided over the course of FY2023 as we continue to adapt to living with COVID-19 and revert to business as normal.

### **15. Events after the reporting period**

ADC is not aware of any events since balance date that would materially affect the disclosures outlined in these financial statements.

**END OF AUDITED FINANCIAL STATEMENTS**

# Appendix

## A1. Data snapshot of reports to the ADC in 2022-23

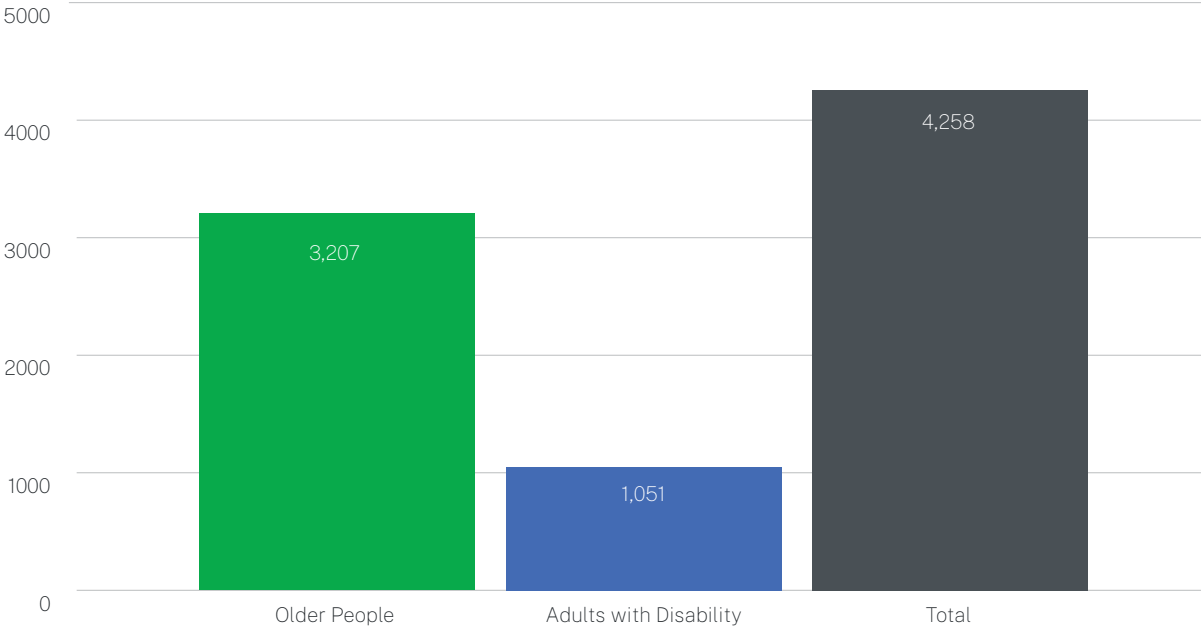
### Status, gender and age of the Person

Of the 4,258 reports received by the ADC in 2022-23:

- **3,207 reports (75.3%) related to older people<sup>8</sup>**, including 1,084 reports about older people with disability
- **1,051 reports (24.7%) related to adults with disability<sup>9</sup>** who were not older people.

This is consistent with previous years.

**Figure 6: All reports received by the ADC, by person status, 2022-23**



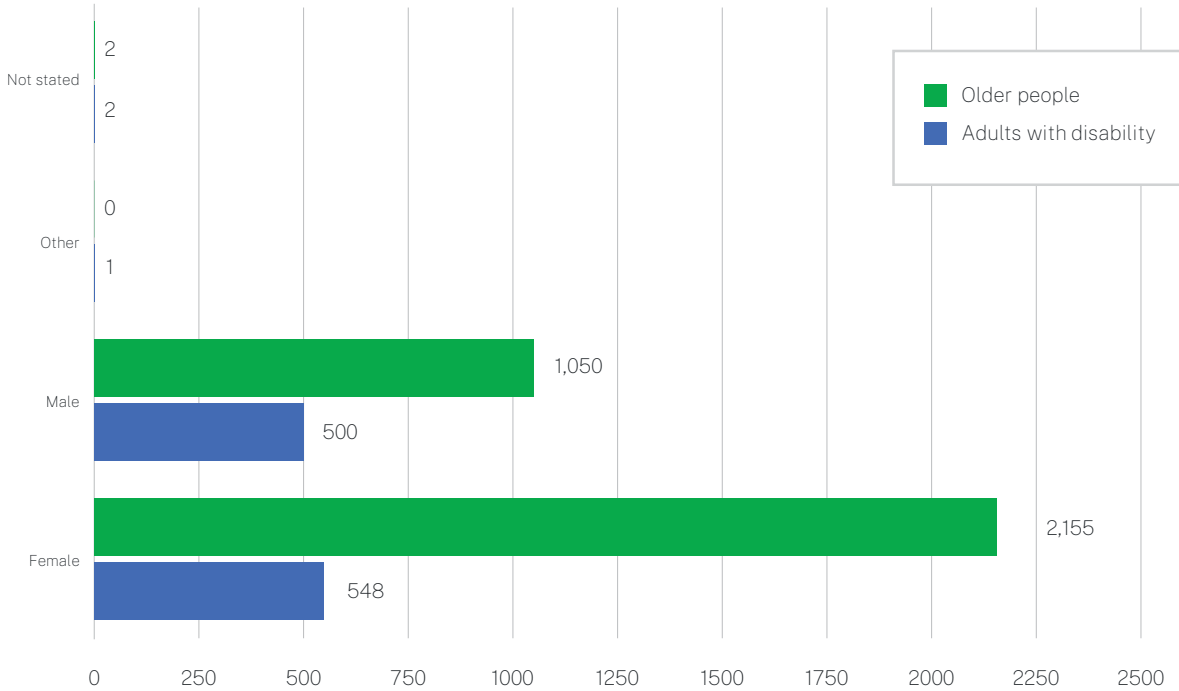
8. Adults aged 65 years and older, and Aboriginal and/or Torres Strait Islander adults aged 50 years and older.

9. Adults aged 18 years and older with a disability as defined in the *Disability Inclusion Act 2014*.

From the start of the ADC, most reports have been about alleged abuse, neglect and exploitation of women.

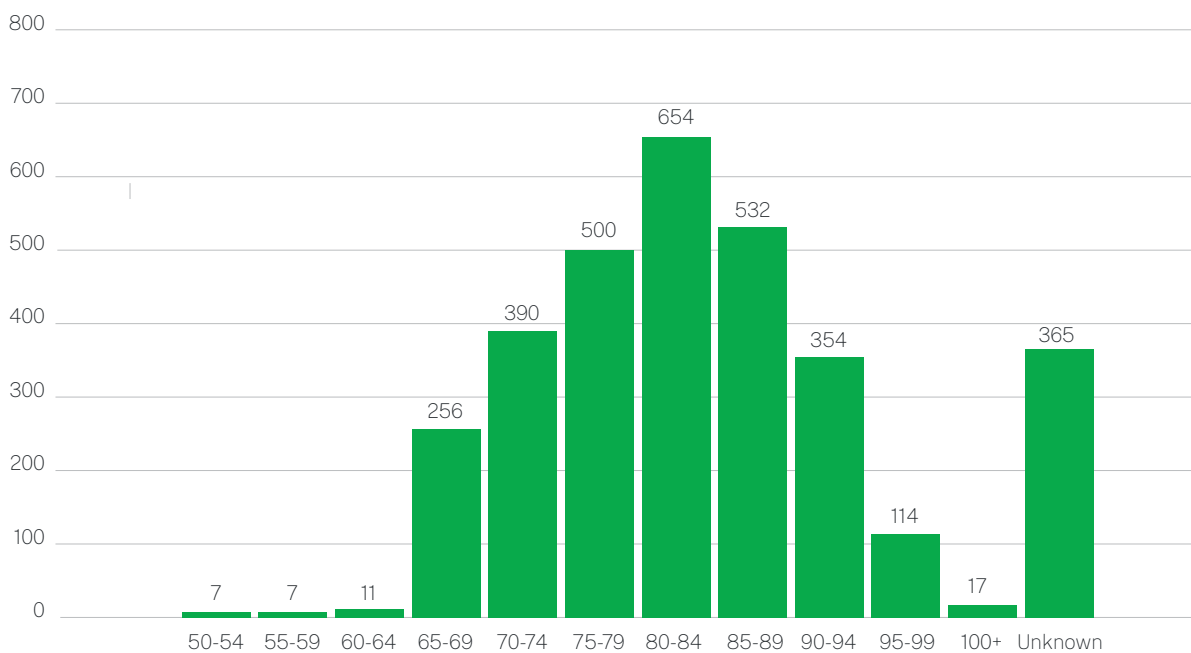
In 2022-23, the adults in 63.5% of the 4,258 reports to the ADC were female, including 67.2% of reports about older people (2,155), and 52.1% of reports about adults with disability (548).

**Figure 7: Gender of adults with disability and older people the subject of a report to the ADC, 2022-23**

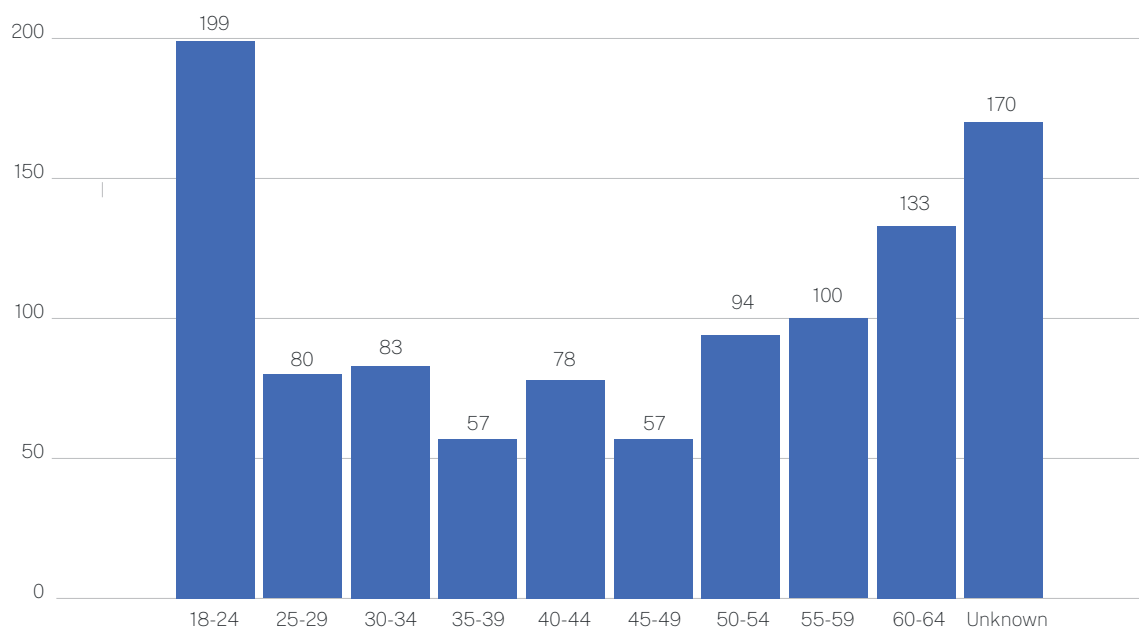


The largest proportion of the 3,207 reports about older people in 2022-23 related to people aged 80-84 years (20.4%). The largest proportion of the 1,051 reports about adults with disability related to people aged 18-24 years (18.9%). These results are consistent with previous years.

**Figure 8: Age of older people the subject of a report to the ADC, 2022-23**



**Figure 9: Age of adults with disability the subject of a report to the ADC, 2022-23**



## Cultural background

In 2.9% of reports to the ADC in 2022-23, the adult with disability or older person was identified as Aboriginal and/or Torres Strait Islander. While this proportion was largely unchanged from the previous year (2.6%), the proportion of reports about Aboriginal adults with disability increased (from 2.9% to 4.6%).

**Table 21: Aboriginal and Torres Strait Islander status of person the subject of a report to the ADC, 2022-23**

	Older people (n=3,207)	% of reports about older people	Adults with disability (n=1,051)	% of reports about adults with disability	All reports (n=4,258)	% of all reports
Person identified as Aboriginal and/or Torres Strait Islander	76	2.4	48	4.6	124	2.9

In 7.2% of reports to the ADC in 2022-23, the adult with disability or older person was identified as having a culturally and linguistically diverse (CALD) background. This was slightly higher than the proportion in 2021-22 (6.5%).

**Table 22: CALD status of person the subject of a report to the ADC, by person status, 2022-23**

	Older people (n=3,207)	% of reports about older people	Adults with disability (n=1,051)	% of reports about adults with disability	All reports (n=4,258)	% of all reports
Person identified as having a CALD background	269	8.4	37	3.5	306	7.2



Other than English, the most common languages spoken at home by older people who were the subject of a report to the ADC in 2022-23 were Greek and Italian. For adults with disability, the most common languages spoken at home other than English were Arabic and Italian.

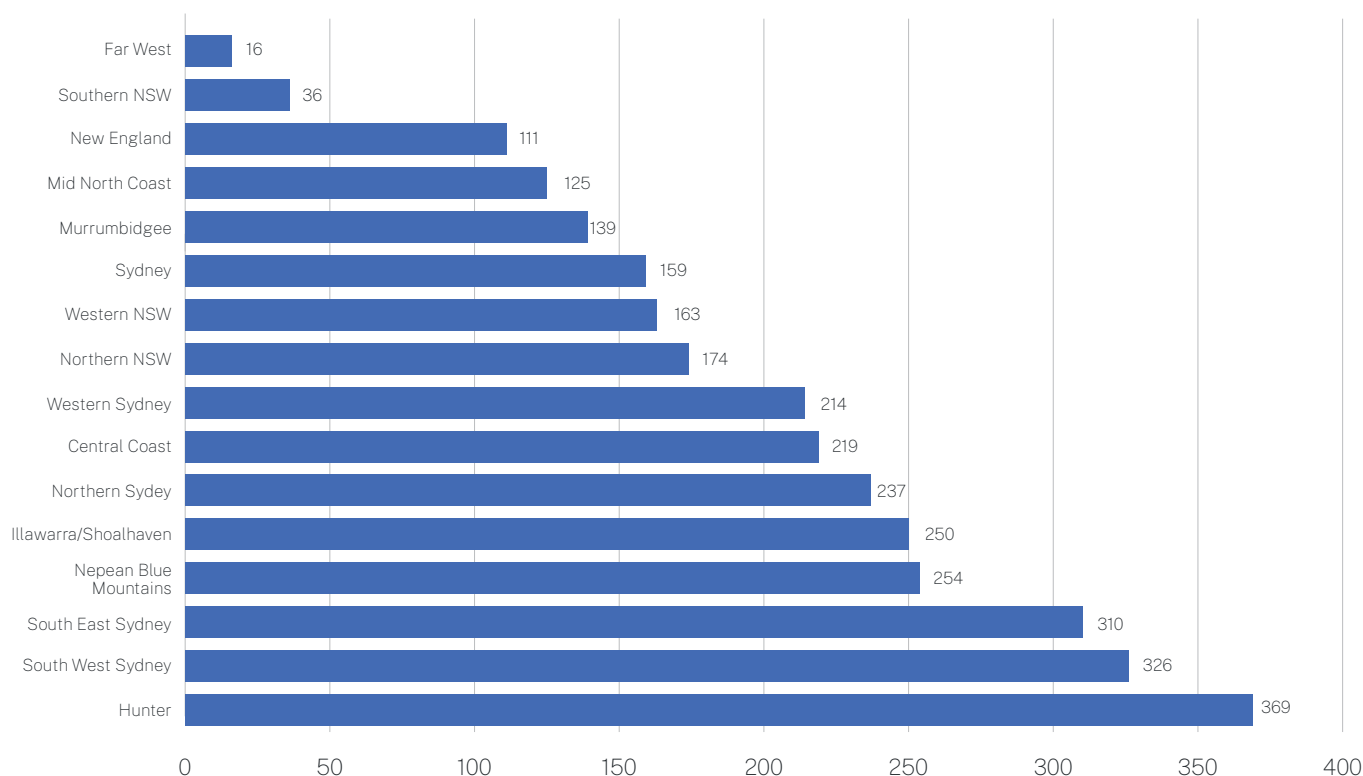
**Table 23: Primary language other than English spoken at home by people the subject of a report to the ADC, by person status, 2022-23**

Older people (n=3,207)		Adults with disability (n=1,051)	
Greek	54	Arabic	8
Italian	35	Italian	5
Arabic	18	Macedonian	3
Spanish	17	Samoan	3
Cantonese	14	Vietnamese	3

## Location of Person

Of the 3,102 reports to the ADC in 2022-23 in which the location of the person was known, regional NSW accounted for just over half of the reports (1,602; 51.6%). Of the regional areas, Hunter, Illawarra Shoalhaven, and Central Coast featured most often. This is consistent with previous years.

**Figure 10: Location of person the subject of a report to the ADC by NSW region, 2022-23**

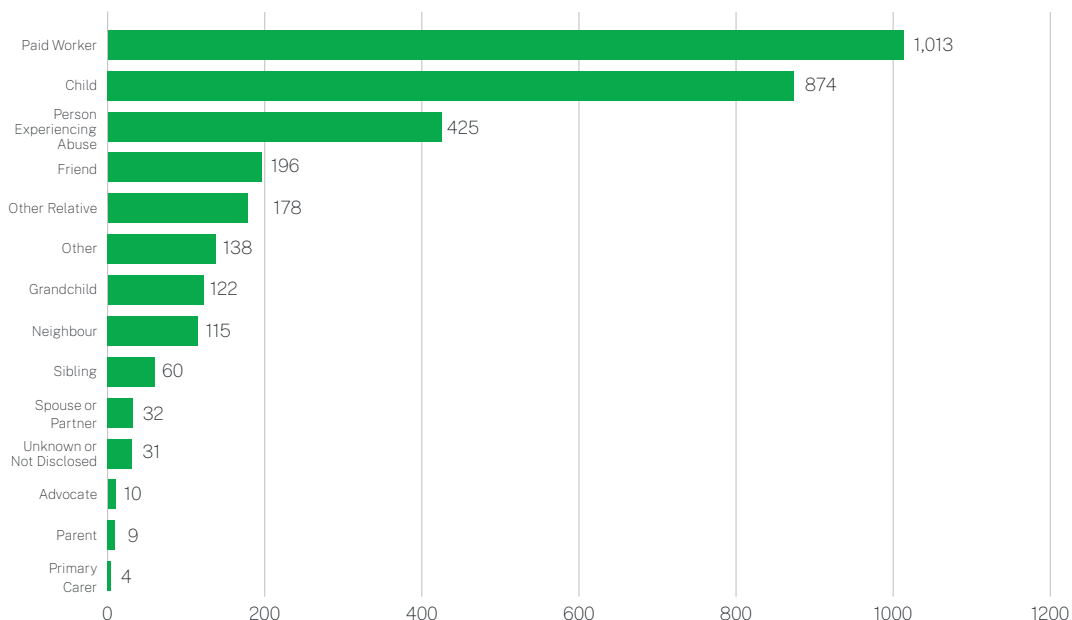


## Reporters

Paid workers were the main source of reports to the ADC about older people in 2022-23, accounting for 31.6% of the 3,207 reports, just ahead of reports by adult children (27.3%). All up, family members were the reporters in 38.8% of reports about older people. The older person ('person experiencing abuse') was the reporter to the ADC in 13.3% of cases.

In comparison to the previous year, in 2022-23 the ADC received a higher proportion of reports by paid staff (previously 28.5%).

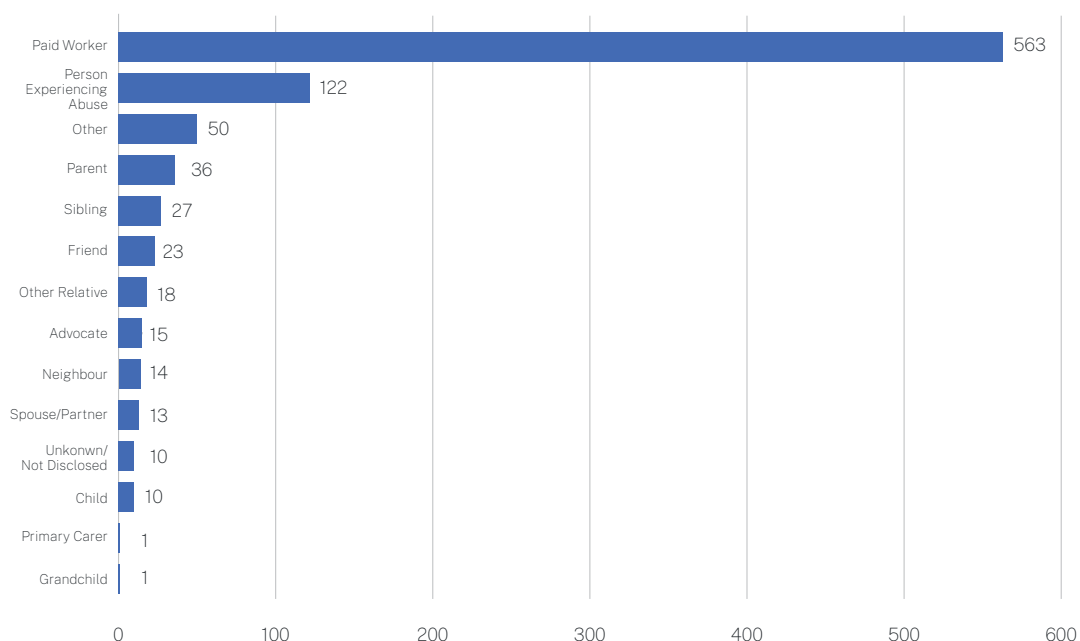
**Figure 11: Relationship of reporter to the older person in reports to the ADC, 2022-23**



Paid workers were the main source of reports to the ADC about adults with disability in 2022-23, accounting for over half (59.3%) of the 1,051 reports about adults with disability. Family members were the reporters in 12.9% of reports about adults with disability, and the adult with disability ('person experiencing abuse') was the reporter in 12.1% of cases.

In comparison to 2021-22, a slightly lower proportion of reports about adults with disability were made by paid staff (previously 62.3%).

**Figure 12: Relationship of reporter to the adult with disability in reports to the ADC, 2022-23**

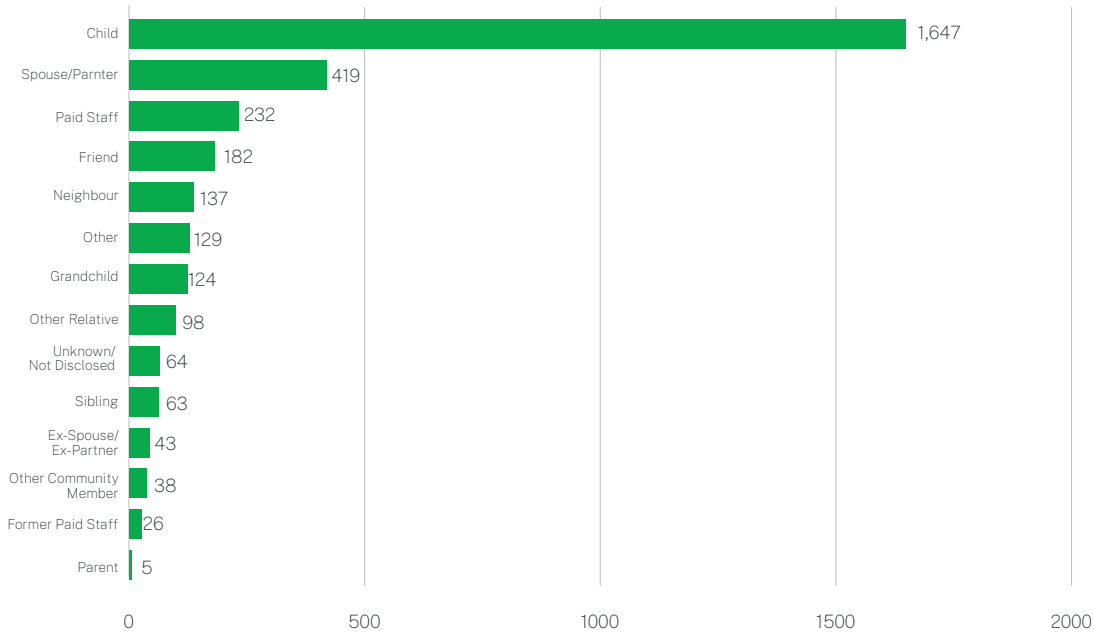


## Subjects of allegation

The subjects of allegation in over half (51.4%) of the 3,207 reports about older people in 2022-23 were the person's adult children. All up, relatives were the subjects of allegation in 60.4% of the reports about older people. Allegations against a spouse or partner (or ex-spouse/ partner) featured in 14.4% of the reports about older people.

In comparison to 2021-22, there was a slight increase in the proportion of reports involving allegations against the older person's current spouse/partner (13.1% compared with 12.2%) and grandchild (3.9% compared with 2.7%).

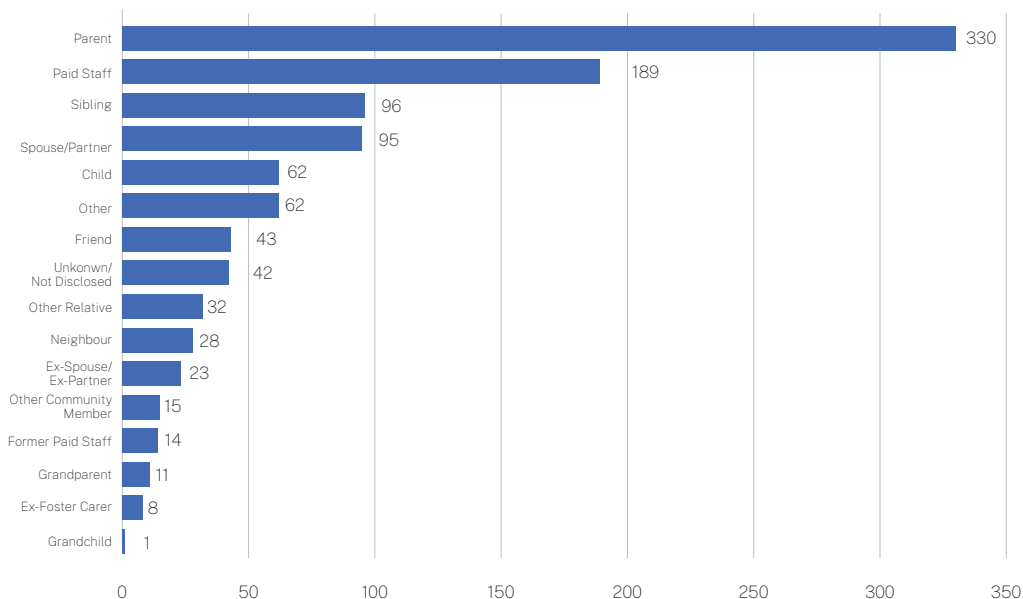
**Figure 13: Relationship of the subject of allegation to the older person in reports to the ADC, 2022-23**



In 31.4% of the 1,051 reports about adults with disability in 2022-23, the allegations pertained to the adult's parent(s). All up, relatives were the subjects of allegation in 50.6% of the reports about adults with disability. In 11.2% of matters, the adult's spouse or partner (or ex-spouse/partner) was the subject of the allegations.

In comparison with 2021-22, there was a slight increase in the proportion of reports involving allegations against parents (previously 29.3%).

**Figure 14: Relationship of the subject of allegation to the adult with disability in reports to the ADC, 2022-23**

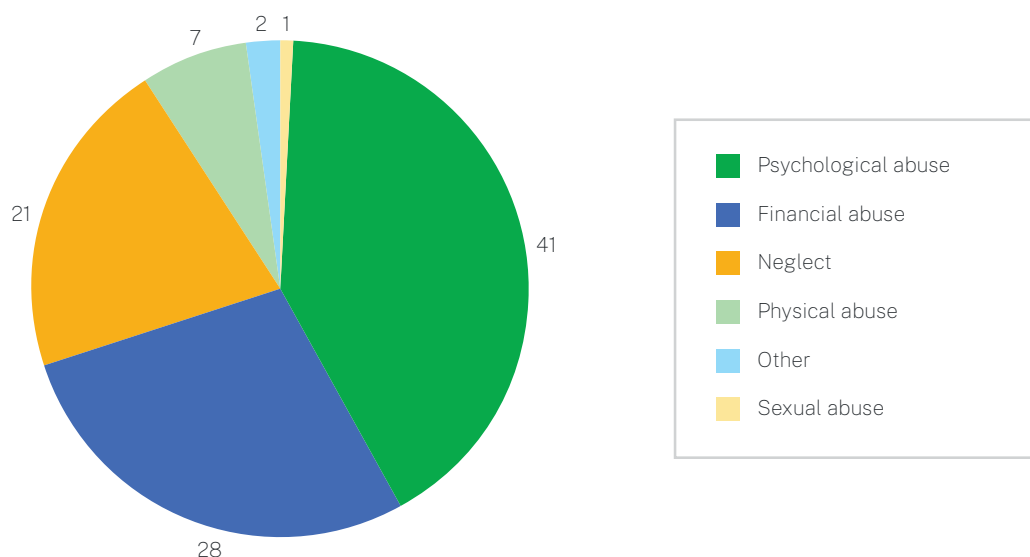


## Type of alleged abuse

Most reports to the ADC involve more than one type of abuse. The most commonly reported types of alleged abuse in relation to older people in 2022-23 were psychological abuse and financial abuse. This is consistent with previous years.

In comparison to 2021-22, a slightly higher proportion of allegations related to financial abuse (previously 26.1%).

**Figure 15: Percentage of allegations by type of abuse, reports to the ADC about older people, 2022-23**



**Table 24: Type of alleged abuse of the older person in reports to the ADC, 2022-23<sup>10</sup>**

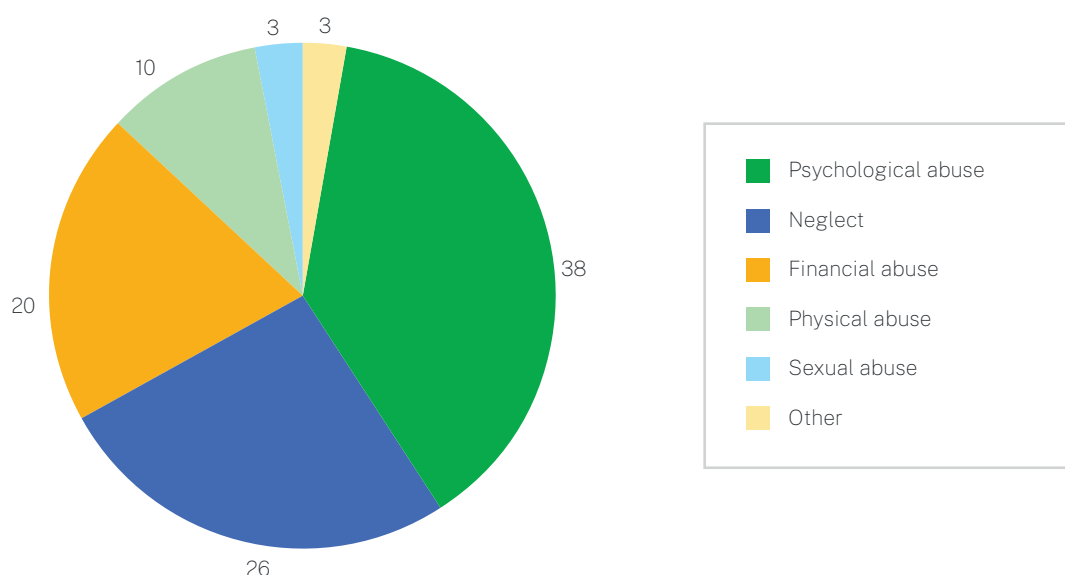
Type of alleged abuse	Number of allegations	% of all allegations in reports about older people
<b>Psychological abuse</b> Mainly verbal abuse; preventing or restricting access to family/ others; and preventing or restricting access to supports/ services.	2,099	41.7
<b>Financial abuse</b> Mainly financial exploitation; misuse of Power of Attorney/ Enduring POA; and theft.	1,421	28.2
<b>Neglect</b> Mainly failure to meet the person's support needs; medical neglect; and inadequate clothing or food.	1,049	20.8
<b>Physical abuse</b> Mainly hitting, kicking, punching; and pushing, shoving, grabbing, shaking.	364	7.2
<b>Sexual abuse</b> Mainly sexual assault and indecent assault.	24	0.5
<b>Other</b>	80	1.6
<b>Total allegations in reports about older people</b>	<b>5,037</b>	<b>100</b>

10. The data captures all cases in which that type of abuse has been reported; in the majority of cases, more than one type of abuse is reported.

The most commonly reported types of alleged abuse in relation to adults with disability in 2022-23 were psychological abuse, followed by neglect and financial abuse.

In comparison with 2021-22, a higher proportion of allegations related to psychological abuse (previously 37.1%) and financial abuse (previously 15.6%).

**Figure 16: Percentage of allegations by type of abuse, reports to the ADC about adults with disability, 2022-23**



**Table 25: Type of alleged abuse of the adult with disability in reports to the ADC, 2022-23<sup>11</sup>**

Type of alleged abuse	Number of allegations	% of all allegations in reports about adults with disability
<b>Psychological abuse</b> Mainly verbal abuse; preventing or restricting access to family/ others; and preventing or restricting access to supports/ services.	662	38.3
<b>Neglect</b> Mainly failure to meet the person’s support needs; medical neglect; and inadequate clothing or food.	441	25.5
<b>Financial abuse</b> Mainly financial exploitation; misuse of Power of Attorney/ Enduring POA; and theft.	347	20.1
<b>Physical abuse</b> Mainly hitting, kicking, punching; and pushing, shoving, grabbing, shaking.	188	10.9
<b>Sexual abuse</b> Mainly sexual assault and indecent assault.	46	2.7
<b>Other</b>	44	2.5
<b>Total allegations in reports about adults with disability</b>	<b>1,728</b>	<b>100</b>

11. The data captures all cases in which that type of abuse has been reported; in the majority of cases, more than one type of abuse is reported.

## A2. Outcomes and referrals

Table 26: Leading Person outcomes, reports closed in 2022-23

Person outcomes – reports closed in 2022-23 (n = 4,187)	Number of cases <sup>12</sup>
Will and preference of Person ascertained	636
Will and preference of Person respected/upheld	590
Referral or help to access aged care supports	75
Referral or help to access legal supports	74
Review or assessment of disability supports	64
Review or assessment of aged care supports	63
Change in accommodation	62
Other police/justice action	60
Disability support provided or increased	57
Referral or help to access other supports	53
Aged care supports provided or increased	51
Referral or help to access disability supports	46
Review or assessment of health/medical needs	46
Other supports/services provided or increased	44
Guardianship application	42
Referral or help to access health services	42
Health/medical support provided or increased	42
Referral or help to access advocacy supports	38
Financial management application	36
Improved community access	34

12. There can be multiple outcomes for an individual.

**Table 27: Leading subject of allegation outcomes, reports closed in 2022-23**

Subject of allegation outcomes – reports closed in 2022-23 (n = 4,187)	Number of cases <sup>13</sup>
Education or advice provided	989
Linked to or received more support	122
Reduced or supervised access	23
ADVO put in place	22
Prevented from access	21
Removal as Power of Attorney or Enduring POA	15
Criminal charges	12
Benefit removed	8
Removal as NDIS nominee	7
Removed from premises	7
Removal as enduring guardian	6
Removal of other authority	4
Criminal conviction	4
Benefit changed	3
Removal as guardian	3

**Table 28: Number and outcome of referrals by the ADC to the HCCC, 2022-23**

Outcome of referral	Number of referrals
Accepted as complaint – discontinued	12
Accepted referral	7
Declined at outset	5
Accepted as complaint – current	5
Accepted as inquiry – no further action	2
Accepted as complaint – referral to resolution service	1
Accepted as complaint – referred for local resolution	1
<b>Total</b>	<b>33</b>

13. There can be multiple outcomes in relation to an individual.

**Table 29: Number and outcome of referrals by the ADC to the Aged Care Quality and Safety Commission, 2022-23**

Outcome of referral	Number of referrals
Accepted as complaint	48
Accepted referral	32
Accepted as enquiry	31
Declined at outset	5
<b>Total</b>	<b>116</b>

**Table 30: Number and outcome of referrals by the ADC to the NDIS Quality and Safeguards Commission, 2022-23**

Outcome of referral	Number of referrals
Accepted referral	75
Made inquiries – no further action	22
Other	14
Will act on matter	3
<b>Total</b>	<b>114</b>

**Table 31: Number and outcome of referrals by the ADC to NSW Police, 2022-23**

Outcome of referral	NSW Police Force (potential criminal offences)	NSW Police Force (other referrals <sup>14</sup> )
Agency made inquiries – no further action	55	4
Agency investigated – taking/took further action	35	1
Agency made inquiries – taking/took further action	33	2
Agency accepted referral	32	11
Agency investigated – no further action	19	0
Agency advised will act on matter	15	1
Other	6	0
Agency declined matter	3	0
Agency did not advise	2	0
<b>Total</b>	<b>200</b>	<b>19</b>

14. Includes referrals for welfare checks and crime prevention assistance.



**Table 32: Number and outcome of referrals by ADC to other person or body, 2022-23**

Referral made to	Outcome of referral	Number of referrals
<b>Advocacy support services</b> (Including ACT Disability, Aged and Carer Advocacy Service, Disability Advocacy NSW, Illawarra Advocacy Service, Indigenous Disability Advocacy Service, Multicultural Disability Advocacy Association, Older Persons Advocacy Network, People With Disability Australia, Self Advocacy Sydney, Sydney Region Aboriginal Corporation, Western Sydney Tenants Service)	Agency accepted referral	12
	Agency declined matter	4
	Agency made inquiries – no further action	3
	Agency made inquiries – taking further action	3
	Agency advised will act on matter	1
	Agency did not advise	1
<b>Aged care assessment and support services</b> (Including Aged Care Assessment Teams, My Aged Care, Catholic Care, Hammond Care)	Agency accepted referral	17
	Agency made inquiries – taking further action	2
	Agency advised will act on matter	2
	Agency declined matter	1
	Other	1
<b>CALD supports</b> (Including Welfare Rights Centre)	Agency accepted referral	1
<b>Carer and respite services</b> (Including Carer Gateway)	Agency accepted referral	1
<b>Counselling services</b> (Including 1800 Respect, Lifeline, Relationships Australia)	Agency accepted referral	3
<b>Disability support services</b> (Including Aruma, Community Engagement & Innovation Network, Settlement Services International, The Benevolent Society, Uniting)	Agency accepted referral	7
	Agency made inquiries – taking further action	1
<b>Emergency services</b> (Including NSW Ambulance, Fire and Rescue NSW)	Agency accepted referral	5
	Agency made inquiries – no further action	1
<b>Financial services</b> (Including Central Coast Region Financial Counselling Service)	Agency accepted referral	1
<b>Commonwealth Government agencies</b> (Including National Anti-Scam Centre, National Disability Insurance Agency, Services Australia)	Agency accepted referral	9
	Agency made inquiries – taking further action	2
	Agency advised will act on matter	1
	Other	1

Referral made to	Outcome of referral	Number of referrals
<b>NSW Government agencies</b> (Including Department of Communities and Justice, NSW Public Guardian, NSW Trustee and Guardian, Office of the Legal Services Commissioner, Official Community Visitor Scheme)	Agency accepted referral	6
	Agency made inquiries – taking further action	2
	Agency advised will act on matter	1
	Other	1
<b>Health (including mental health) services</b> (Including Local Health Districts, Mental Health Line, Specialist Intellectual Disability Health Team)	Agency accepted referral	7
	Agency advised will act on matter	1
	Agency made inquiries – taking further action	1
<b>Homelessness services</b> (Including Age Matters, Lithgow Community Projects, Mission Australia)	Agency accepted referral	2
	Agency declined matter	1
<b>Interstate Elder Abuse Helplines</b> (Including Qld Elder Abuse Helpline)	Agency accepted referral	1
<b>Legal support services</b> (Including Justice Connect, Legal Aid, Seniors Rights Service, Western Sydney Community Legal Centre)	Agency accepted referral	52
	Agency declined matter	3
	Agency advised will act on matter	2
	Agency did not advise	2
	Agency made inquiries – no further action	2
	Other	1
<b>Other State/Territory Government agencies</b> (Including Qld Public Guardian)	Agency accepted referral	1
<b>Total</b>		<b>165</b>



