



Review of the *Vulnerable People in emergencies* policy – discussion paper

Submission

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Review of the vulnerable people and emergencies policy discussion paper – MAV submission has been prepared by the Municipal Association of Victoria (MAV) for discussion with member councils and the State Government.

While this paper aims to broadly reflect the views of local government in Victoria, it does not purport to reflect the exact views of individual councils.

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1 Introduction

The Municipal Association of Victoria (MAV) welcomes the opportunity to respond to the Department of Health and Human Services (DHHS) *Review of the Vulnerable People in Emergencies Policy – Discussion Paper* (the discussion paper).

The MAV agrees there is a need to review the policy because enough time has passed since implementation to assess whether it is meeting its objectives, and secondly, because the policy environment is changing and the levers used by the DHHS to compel service agency participation will not exist with the introduction of the National Disability Insurance Scheme (NDIS) and aged care reforms.

2 Key issues

2.1 Scope, definition and language

The discussion paper asks stakeholders to consider the appropriateness of the Vulnerable People and Emergencies (VPE) policy's scope, language and definition of 'vulnerable'. Answering the questions posed in this section of the paper requires clarity around the purpose and objectives of the policy and the application of some basic policy principles.

As cited in the paper, the policy was originally developed as part of the Government's response to recommendation 3 of the Victorian Bushfires Royal Commission (VBRC). The VBRC recommendation was essentially emergency response-focused; it was about the need to put in place arrangements to identify people that require special assistance to evacuate in the face of bushfire. For this reason it was only designed to apply to the 64 municipalities covered by the CFA Act.

The primary objective of the VPE policy, therefore, was to identify people that require response agency support to evacuate. However, it was broadened to include the provision of emergency planning and preparedness support for a narrow cohort of people, mainly clients of DHHS funded agencies. The planning support serves a dual purpose – it improves the safety of vulnerable people while reducing the number of people on the vulnerable persons register (VPR). The VPR should only contain people who are not able to self-evacuate and do not have any existing support to do so. Consequently, the lists of vulnerable people provided to Victoria Police in an emergency are likely to be more manageable.

With this objective in mind, it was totally appropriate for the policy to adopt a narrow definition of vulnerability and to limit its scope in terms of hazard.

In this current review, MAV believes the original policy principles should apply – the revised policy should address the needs of vulnerable people in emergencies that are not being met through other programs and the policy objectives should be achievable.

The paper poses questions around the expansion of the definition of vulnerability to include people that may be cognitively and physically able to plan and evacuate, but vulnerable in other ways, such as a being a victim of family violence, homeless or part of a CALD community. The paper also asks readers to consider an expansion of the geographical area in which the policy applies, and broadening it to encompass different types of hazards.

Thunderstorm asthma and the Bourke St tragedy are both listed as examples of non-traditional hazards.

The MAV is not opposed to supporting the development or implementation of a broad policy to support people with special needs (people that are vulnerable in certain contexts rather than vulnerable in all contexts), or to support people to prepare for non-traditional emergencies. However, doing so would be a significant shift in the objective of the current policy and other existing programs (e.g. the community resilience framework, community based planning, Resilient Melbourne) may be more appropriate vehicles.

If the policy is broadened too far it will lose its capacity to deliver the intended outcomes and the whole approach will need to be re-thought.

2.2 Clarity of roles and responsibilities

The MAV agrees that well-defined roles and responsibilities are essential to the effective implementation of the policy, particularly in this period of transition.

The current role breakdown is:

- The department is responsible for administering the policy, including the provision of the a VPR for use by councils, service providers and response agencies
- Funded service providers (including, but not limited to, councils) are responsible for working with clients and their next of kin to develop emergency management plans. They also assess clients for inclusion on the register, and ensure client details are kept up-to-date. This is currently a requirement in their service agreements.
- In a separate role, councils are funded via the Municipal Emergency Resourcing Program to administer the VPR for their municipality and for ensuring response agencies have access to the lists of vulnerable people and facilities in which vulnerable people are likely to be located.
- Response agencies may use the VPR and facilities list when developing evacuation plans
- The Red Cross has been funded to provide emergency planning support to 'unattached' people that have been identified as vulnerable, but are not clients of a service provider. If Red Cross identifies these people as being unable to develop and execute plans, they will be referred back to councils for potential inclusion on the VPR.

The MAV agrees with the paper that a gap in the current policy is around the training of service providers and ongoing education and communication about the policy. As administrator of the policy, the MAV believes these to be responsibilities of the department.

The MAV is concerned that in the absence of ongoing stakeholder education about the policy, the two distinct roles of councils have been conflated. In the review of the policy it will be important to distinguish between councils' role as a funded service provider, and the 64 councils' separately funded role as an administrator of the VPR.

In the recent DHHS-hosted roundtable for local government, a number of issues were raised which should be addressed in the review:

- How will the department make sure new providers engage with the policy?
- In many parts of the state, Red Cross does not appear to have the capacity to assist unattached people.

- If councils are no longer running a HACC service, is it appropriate that unattached people are referred back to council?
- Unattached people should not be on the register unless a specific agency (not necessarily council) is funded to monitor them and keep their details up to date
- Lack of preplanning by response agencies – they should access the lists ahead of time so they know where vulnerable people reside

In feedback to the MAV's draft submission, a number of councils emphasised that their capacity to absorb any additional costs is diminished due to rate capping and changes to HACC. They raised the need to review the funding of the program during the transition phase (from now until June 2019) as well as the adequate resourcing to implement and support any significant shift in policy scope and objectives.

2.3 Preparedness and planning for vulnerable people

With the transition to the NDIS and the introduction of the Commonwealth Home Support Programme many people currently receiving planning support and/ or are on the VPR will no longer be 'attached' to a DHHS funded agency. The MAV understands nothing has been put in place to ensure that emergency management planning is identified as part of the NDIS plan approval process. As a result, service providers will not be assessing participants for inclusion on the register, or be required to keep details on a register up-to-date.

For these elements of the policy to continue, it will require action by either the department, the Commonwealth or the NDIA to find a specialist agency to support emergency management planning or to ensure people are being assessed for and added to the register. It should not default to councils as it is not the responsibility of councils to oversee this requirement.

At the roundtable, councils expressed concern that NDIS assessment forms are now being delivered, and there is no consideration about whether the person requires assistance in an emergency.

Question 1) on page 6 of the discussion paper asks how the policy's preparedness and planning activities could better align to the preparedness and planning activities of councils and emergency service organisations. As we have discussed under 'scope', there are other state strategies and programs that focus on community resilience; the VPE policy has previously focused on the specific needs of a narrowly defined cohort of vulnerable people. The MAV recommends aligning the VPE with other state resilience initiatives as a first step. The VPE policy should only be used to address a gap in these existing strategies. Alignment of the policy to any local initiatives will occur once there is clarity around the scope and elements of the revised policy.

2.4 Operation of the Vulnerable Persons Register and local lists of facilities

At present only the 64 councils covered by the CFA Act are required and funded to administer a vulnerable persons register.

Advice from these councils is that there are currently a number of issues with the operation of the VPR. They also foresee a range of challenges as well as opportunities for improvement.

The primary purpose of the register is for use by response agencies – generally Victoria Police – when developing evacuation plans.

Issues raised by councils relating to its current use are:

- The reluctance of some people to consent to being added to the register
- Keeping track of people who move or change services
- No compliance regime or good understanding about how the register has/ is being used
- In some municipalities, police have been reluctant to access the register directly and have relied on councils to provide copies
- Potential confusion with other lists, which have different purposes, such as the heat health or power outage lists. In both of these examples, evacuation may not be necessary or an appropriate strategy, so the purposes of each type of list must be clearly defined.

While some metropolitan councils support expansion of the VPR into metropolitan Melbourne, the MAV believes the sheer number of eligible people would exceed VicPol capacity. Coupled with our concerns about managing the register in the new service provider environment, we recommend against an expansion.

There has been no significant technical development of the VPR since it was first developed in 2010. State systems to support emergency management have advanced in this time and there appear to be plenty of opportunities for streamlining the flow of information and improving visualisation tools, such as by linking with police systems, adding a private layer in the State's incident support system Emergency Management Common Operating Picture (EM COP), or by better mapping facilities where vulnerable people are likely to be situated (which is currently a list in municipal emergency management plans). It has also been suggested that the Crisisworks documents library could be utilised for lists of facilities. All of these options will require investment. The MAV and councils would be happy to work with DHHS to scope out the development opportunities in greater detail.

Similar to issues raised in the previous sections, councils anticipate challenges with operating the register in the new service provision environment. The discussion paper outlines many of these, such as the inability of the department to compel service providers to manage participants' details on the list if it is not part of a service agreement.

The paper states:

Municipal councils are aware of funded agencies operating in their areas. However, with the transition to NDIS, CHSP and HACC-PYP this information is not as readily available making it difficult to follow-up on clients that have become '*unattached*' from their service provider.

This implies that, as administrators of the VPR, it is councils' responsibility to follow up on individuals. This is a significant undertaking, which in the current and future policy environment would require additional funding.

Councils have also asked whose responsibility it will be to promote the register to self-managed clients, and to educate them and their families about its purpose and the limitations of its use. As stated earlier, it is the MAV's view that responsibility for the communication and engagement strategy lies with DHHS as the policy owner.

2.5 Monitoring and assurance

The MAV in general supports the move to a more robust monitoring and assurance framework. As mentioned earlier in this submission, this will require clear policy objectives, as well as defined roles and responsibilities.

3 Conclusion

As always with local government, there are a variety of views regarding the appropriate levels and means of support for vulnerable people. However, as stated earlier in this submission, there is a real risk the objectives of the policy will be undermined if it is broadened to try to cater for too many people and scenarios. This is particularly true in the current, dynamic policy context.

There is significant interest in this review across the human services and emergency management areas of local government. We encourage the department to continue to provide regular updates and opportunities for local government contribution as the project progresses.