



# Annual Report 2023-2024

**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.

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# Letter to the Legislative Council and Legislative Assembly

31 October 2024

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 2023-2024**

I am pleased to present the fifth annual report of the NSW Ageing and Disability Commission, covering the 12-month period to 30 June 2024, as required under 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



Kathryn McKenzie  
**Acting Ageing and Disability Commissioner**



# From the Acting Commissioner

I am pleased to present the fifth annual report of the Ageing and Disability Commission (ADC), covering our activities in 2023-24. This was a significant year for the ADC in many ways, including that it marked our final period with Robert Fitzgerald AM at the helm as the inaugural Ageing and Disability Commissioner.

I am grateful for Robert's leadership and the steady hand he provided to steer us through our early years. The ADC and our stakeholders have benefitted from Robert's extensive knowledge and experience and will continue to do so in his new role as the Australian Age Discrimination Commissioner.

This year also brought important changes to our Act, following an independent review of the legislation by Alan Cameron AO in 2022-23. The legislative changes will help to improve the operation of the ADC and strengthen safeguards for adults with disability and older people in NSW. This included changes to improve our access to the adult to gain their views and wishes; make it easier for us to ascertain the locations of visitable services; and enhance our ability to share information to improve safety.

As identified in this report, we experienced increased and heavy demand for our services throughout the year, continuing the trend of year-on-year growth since the start of the ADC. This included:

- **17,342 calls** to our Ageing and Disability Abuse Helpline (a 24% increase), and
- **4,806 statutory reports** about abuse, neglect and exploitation of adults with disability and older people (a 13% increase).

The increasing demand is positive – it reflects greater awareness of abuse, neglect and exploitation of adults with disability and older people and the role of the ADC – but also presents significant challenges. The baseline funding for the ADC, set prior to our commencement, is inadequate to fulfil our statutory functions, including the operation of the Official Community Visitor scheme, and we have increasingly relied on additional temporary funds from the Department of Communities and Justice each year to fill the budget shortfall.

During the year, we continued to emphasise the need for the ADC to be provided with sufficient and sustainable funding to enable us to carry out our statutory functions in a manner consistent with our mandate, and with Parliamentary and community expectations. We sought from Government a modest increase to our funding to re-baseline the budget to help meet our statutory functions and provide capacity to better meet demand. Those requests were not successful. We will continue discussions with Government to seek urgent actions to redress the ADC's budget position, reinforced by data and intelligence on demand and increasing risk.

Supported by the advice and guidance of the Ageing and Disability Advisory Board, led by Professor Eileen Baldry AO, we carried out work in 2023-24 that focused on building service provider and community capability to better prevent, detect and respond to abuse and neglect. We increased the number of community-based abuse prevention Collaboratives, implemented a targeted project to upskill retirement village operators, and undertook collaborative work with partner agencies as part of a multicultural engagement working group.

We also used our data, intel and experience throughout the year to inform and seek to influence actions to address systemic issues contributing to abuse, neglect and exploitation of adults with disability and older people. This included submissions to inquiries and consultations on financial abuse, Enduring Powers of Attorney and guardianship reform, and guidance to police and key justice agencies to improve awareness and actions in relation to coercive control.

We appreciate the continuing commitment and support of The Hon Kate Washington MP, Minister for Disability Inclusion, and The Hon Jodie Harrison MP, Minister for Seniors. We also recognise and value our partnership with key stakeholders, including the Department of Communities and Justice and disability and ageing sector representatives, who are instrumental in helping to further our objectives to protect and promote the rights of adults with disability and older people in NSW to live free from abuse in their family, home and community.

I am immensely proud of the work of the ADC and extend my sincere thanks to our hard-working and dedicated staff who deliver a high quality and person-centred service in often challenging circumstances.



A handwritten signature in black ink that reads "Kathryn McKenzie".

Kathryn McKenzie  
Acting Ageing and  
Disability Commissioner

# 1. Overview

## About the Ageing and Disability Commission

The Ageing and Disability Commission (ADC) is an independent NSW government agency. We focus on protecting and promoting the rights of adults with disability and older people, and safeguarding them from abuse, neglect and exploitation in their family, home and community.

## What we do

Consistent with the ADC's role as an adult safeguarding body, most of our functions 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).

The primary functions of the ADC involve:

### 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 assistance 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.

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*.

### 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 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.

# 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 adults and children living in the care of visitable services.

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

- the Ageing and Disability Advisory Board
- 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, NDIS Quality and Safeguards Commission, and the Aged Care Quality and Safety Commission
- non-government organisations, such as aged care and disability service providers, families and carers, ageing and disability advocacy and peak organisations
- Official Community Visitors
- Ministerial Advisory Councils for Ageing, Disability and Carers
- private practitioners and agencies, including health, legal and financial services
- community members.





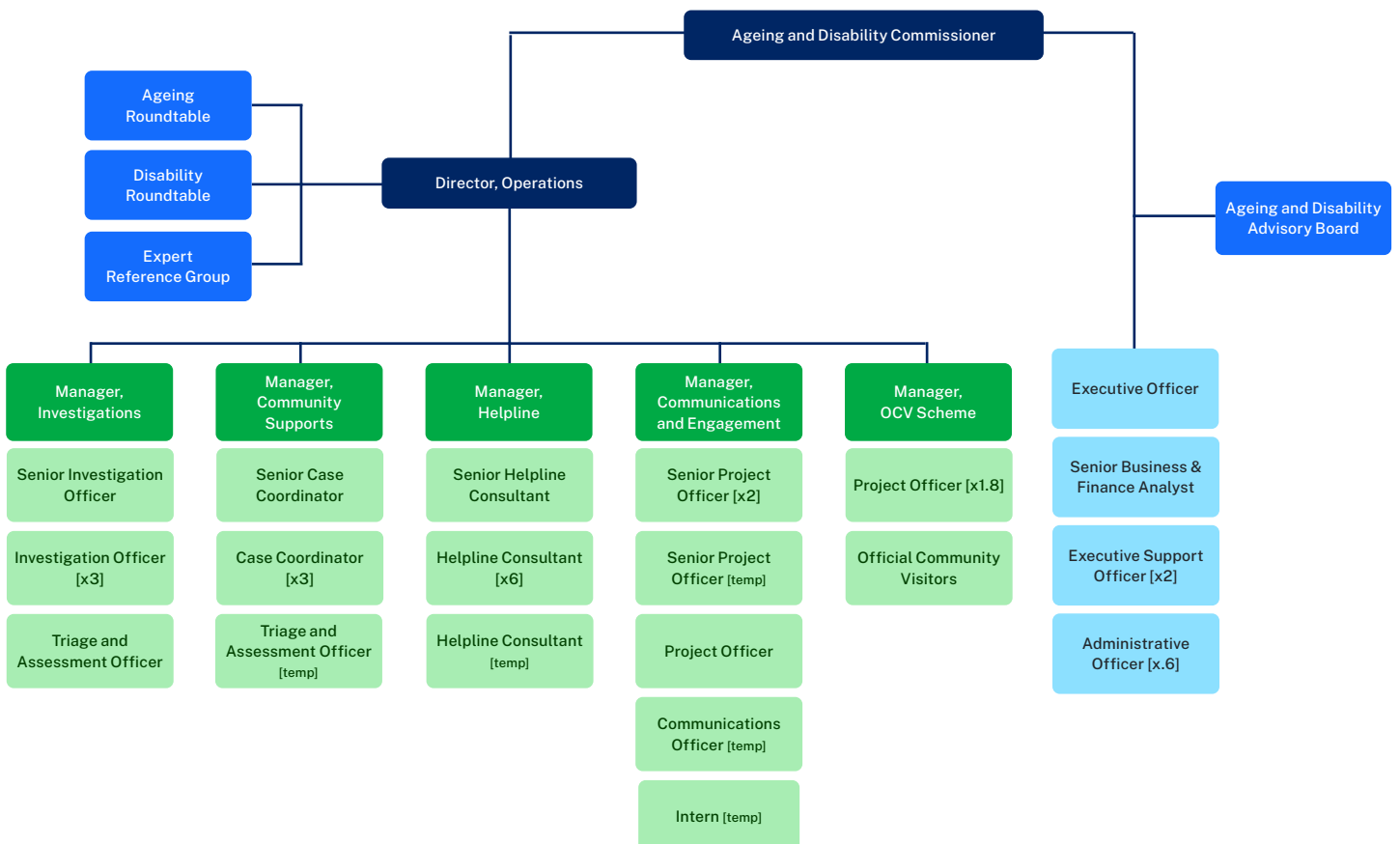
# ADC management and structure

## Principal officers

Between 1 April and 30 June 2024, the ADC had a higher number of principal officers as a result of interim acting arrangements that were put in place following the departure of the inaugural Commissioner.

- **Robert Fitzgerald AM, Commissioner** (to 31 March) – Bachelor of Commerce, Bachelor of Laws, Solicitor of the Supreme Court of NSW
- **Kathryn McKenzie, Acting Commissioner** (from 1 April), and **Director, Operations** (to 31 March) – Bachelor of Education (Secondary – Humanities)
- **Cecilia Cox, Acting Director, Operations** (Helpline, Community Supports and Investigations) (from 1 April) – Bachelor of Art (Hons), Master of Occupational Therapy (Hons)
- **Jackie Grozdanovski, Acting Director, Operations** (Communications, Engagement and OCV Scheme) (from 20 May) – Bachelor of Education (Habilitation)
- **Renee Kastanias, Acting Director, Operations** (Communications, Engagement and OCV Scheme) (1 April to 19 May) – Bachelor of International Communications, Grad. Dip. Counselling, Grad. Dip. Psychology (Advanced)

## Organisation chart 2023-24



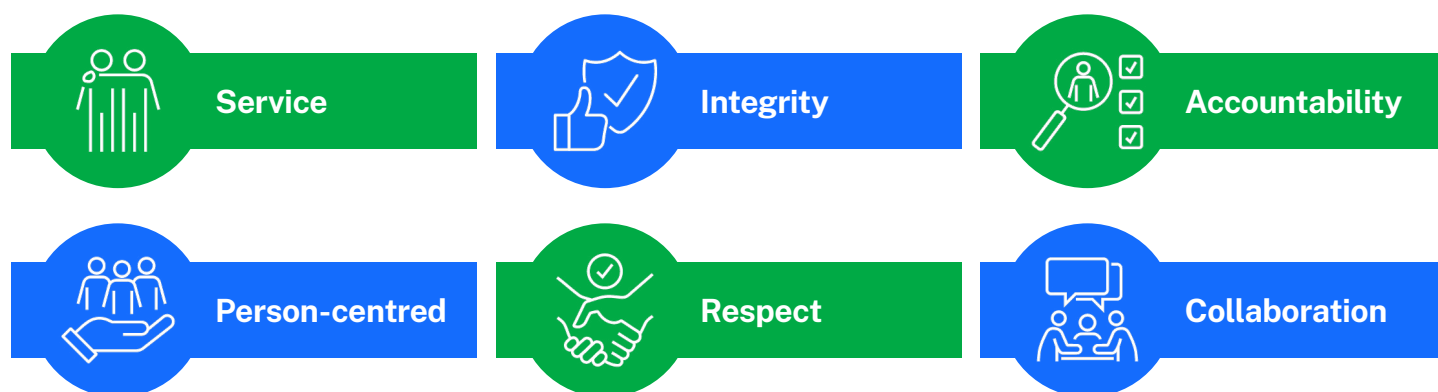


# 2. Strategy

## Our strategic objectives

The ADC promotes and upholds the rights of adults with disability and older people to live free from abuse, neglect and exploitation in their family, home and community.

The following values and guiding principles underpin and reflect our work and approach:



## Our guiding principles



This year, we commenced implementation of our new ADC Strategic Plan 2023-28, which focuses on five key pillars:

## ADC Strategic Plan 2023 – 2028

Safeguard and uphold rights	Learn and influence	Educate and engage	Facilitate change	Organisational capability
Support the community to identify and respond to abuse, neglect and exploitation of adults with disability and older people 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 adults with disability and older people.	Build momentum and continually raise awareness about abuse, neglect and exploitation of adults with disability and older people 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 adults with disability and older people 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.

# ADC strategic plan – first year implementation highlights

## Safeguard and uphold rights

- Handled an increased number of statutory reports
- Progressed our engagement with First Nations communities in Western NSW
- Established a working group to help advance our engagement with multicultural communities
- Assisted OCVs to refer an increased number of matters to appropriate bodies for resolution
- Increased the number of abuse prevention Collaboratives

## Educate and engage

- Held a forum with NSW Police and disability and aged care sector representatives on improving responses to incidents involving adults with disability and older people
- Implemented a targeted communications and engagement program with retirement village operators to improve compliance with their requirements to develop and implement an elder abuse prevention strategy
- Developed and disseminated a World Elder Abuse Awareness Day toolkit
- Undertook joint planning work with Homes NSW and the Premier's Department on a forum to improve emergency preparedness activities and inclusion of people with disability



## Learn and influence

- Progressed a research project on neglect of older people and adults with disability in their family, home and community
- Released a research report and literature review by UNSW in relation to our project to better understand abuse by carers
- Facilitated an adult safeguarding Community of Practice meeting, and hosted colleagues from South Australia to strengthen our knowledge and approaches
- Released three-year data snapshots and local community profiles on reports in 2020-22

## Facilitate change

- Provided input and guidance to improve awareness and understanding of coercive control of adults with disability and older people, including to key police and justice agencies
- Made submissions to inform numerous inquiries and consultations, including in relation to Enduring Powers of Attorney, financial abuse, aged care reforms, and children and young people in NSW educational settings

## Organisational capability

- Made changes to processes and guidance to implement changes to the ADC Act
- Continued to hold monthly staff development sessions to build capabilities and knowledge
- Progressed actions to embed the ADC values across the agency
- Mapped specifications and commenced a procurement process for a new OCV scheme data system
- Progressed actions to map enhancements to the ADC case management system to gain efficiencies and data improvements

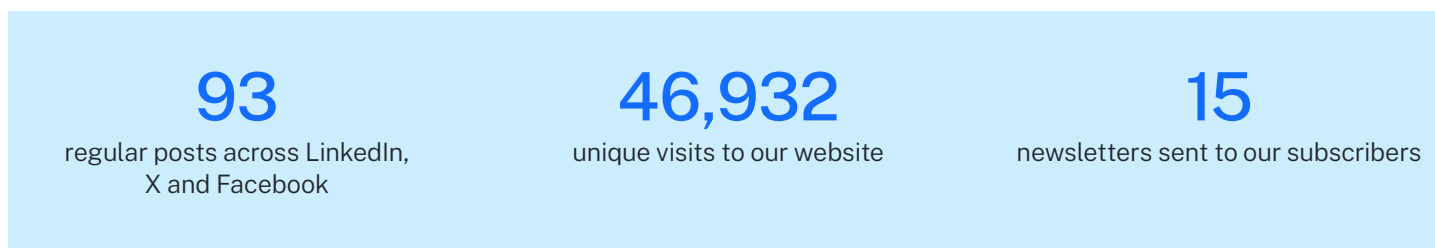
# 3. Operations and performance

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

In the last financial year, the ADC delivered against key objectives to increase awareness of abuse, neglect and exploitation of older people and adults with disability across a range of strategic communication and engagement projects.

### Strategic communications

In 2023-24, we increased the reach of our communications across our owned channels with:

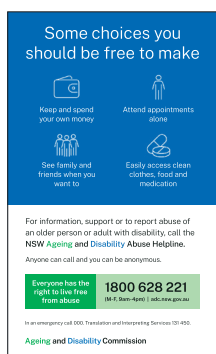


### Campaigns

#### Know Your Rights

The ADC ran a targeted paid media campaign to raise awareness about abuse of older people and adults with disability and to promote the Ageing and Disability Abuse Helpline.

Print ads featured in the Daily Telegraph and a range of regional publications, with radio and social media targeting both English speaking and culturally diverse audiences. We expanded our cultural promotions in Greek, Italian and Vietnamese, and used Weibo for Mandarin speaking communities.



As part of the NSW Government’s commitment to promote critical services to regional areas, the print campaign was supplemented by a funding boost provided by the Department of Customer Service. This gave greater reach of the campaign across key regional locations, including Far West NSW, Southern NSW, New England, the Mid North Coast and Murrumbidgee. In total, 133 print ads appeared across a range of metro and regional publications from June 2024.

This activity continued into the new reporting period.

#### International Day of People with Disability

The ADC supports International Day of People with Disability every year on 3 December. This year, we worked closely with the Canterbury-Bankstown Disability Abuse Prevention Collaborative to deliver a tailored in-person forum.

The forum supported services in the local area to speak about the barriers to seeking help experienced by people with disability from culturally diverse communities, and heard from a lived experience panel on how to better support people with disability in the community.

#### World Elder Abuse Awareness Day

This year’s campaign for World Elder Abuse Awareness Day focused on supporting our stakeholders to raise awareness about the abuse of older people, in particular about coercive control.

We developed and distributed a communications toolkit to our database, all abuse prevention Collaboratives, the Minister for Seniors, and DCJ with resources to use in support of the day and beyond.

We also ran an editorial on inheritance impatience in The Senior, which distributes 142,500 monthly copies in NSW and over 454,000 copies nationally in a range of locations including medical centres, retirement villages and libraries.

## Stakeholder engagement

### Retirement villages

The ADC has made substantial progress in pushing for retirement village operators to better meet their legislative obligations to develop and implement an elder abuse prevention strategy. This year, we consolidated a strategic communication and engagement plan, comprising:

- A strategic communication strategy with DCM Media who target senior executives across retirement villages. We ran a four-part editorial series that covered a range of topics related to the prevalence and impact of abuse of older people in retirement villages, the importance of compliance with Rule 10 of the Retirement Villages Regulation 2017, and promoted our Retirement Village Operator Guide. These were among the top five articles read per month.
- Communication with 774 registered retirement villages in NSW through distribution of an electronic and physical copy of the Retirement Village Operator Guide, following up with direct phone calls to operators to provide further advice and guidance.
- An advertisement in *The Senior*, a publication that is distributed for free to retirement villages, promoting common signs of abuse and the NSW Ageing and Disability Abuse Helpline.

We worked closely with the Retirement Village Resident Association, the Property Council NSW, the NSW Property Council Retirement Living Committee and the Aged and Community Care Providers Association to distribute communication and deliver talks to members, and gain support for our Retirement Village Guide.

During the year, we also provided feedback to NSW Fair Trading to inform its scheduled review of the Retirement Villages Regulation. Our feedback primarily focused on suggested changes to improve operator awareness and compliance with Rule 10 and strengthen safeguards for residents, including:

- offence provisions for Rule 10, and
- providing a more formalised and transparent system for identifying operators who do not yet have an elder abuse prevention strategy and facilitating the provision of early support to operators to ensure a strategy is developed and implemented.

### Abuse Prevention Collaboratives

The ADC actively supports 19 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:

- formally launched the new Abuse Prevention Collaborative for Older People in North Sydney Council in October 2023
- continued to deliver community of practice forums for all Collaboratives
- participated in and supported Collaborative events for World Elder Abuse Awareness Day, including in St George, the Inner West, Wagga Wagga and the Blue Mountains.

### Multicultural engagement

To help progress our work with multicultural communities, and informed by advice from the Ageing and Disability Advisory Board, this year we established a Multicultural Working Group, comprising members from:

- Settlement Services International
- Multicultural Disability Advocacy Association
- Ethnic Communities Council NSW
- DCJ's Multicultural Policy and Engagement Unit
- Multicultural NSW.

The purpose of the group is to steer a range of strategic projects related to raising awareness of abuse in multicultural communities, improve the capabilities of frontline workers who support older people and adults with disability from multicultural communities, and strengthen collaboration across government and non-government organisations.

As a result of this group, the ADC has been able to identify more opportunities for community engagement and events, and improved training. A key initiative has been the translation of the My Wellbeing Checklist, now available in Arabic, Greek, Italian, Korean, Simplified Chinese, Traditional Chinese, and Vietnamese. This checklist will be distributed by all working group organisations to raise awareness across the community and build the capabilities of frontline workers.

The working group will continue into the new reporting period.



## Aboriginal engagement

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.

Over the past year, we extended our reach with a targeted yarning circle community engagement program that ran in north-west NSW, including Nyngan, Bourke and Engonia (Ngiyampaa, Barranbinya, Paruntji, Naualko and Muruwari Country). This provided an opportunity for the ADC to connect with community and provide culturally relevant information about our role and abuse, neglect and exploitation.

We also undertook engagement activities with Aboriginal communities in Goodooga, Lightning Ridge, Collarenebri and Walgett (Ngiyampaa, Yuwaalaraay, Murrawarri, Wailwan, and Gomeri Country), in partnership with Seniors Rights Service, and in Grawin and Lightning Ridge (Yuwaalaraay Country) with the Royal Flying Doctor Service.



## Local councils

In 2023-24, the ADC worked with DCJ and Local Government NSW to inform councils across NSW on how they can strengthen responses to abuse, neglect and exploitation.

We participated in a forum in February 2024 to promote our local community profiles and E.A.S.I toolkit, encouraging councils to adopt a range of strategies to raise awareness of abuse, neglect and exploitation.

The ADC also began an engagement program with NSW State Libraries, focused on raising awareness about our service to the Home Library Service.

## Training and education

### Training and speaking engagements

This year, we participated in 78 training, speaking engagements, and community forums addressing the role of the ADC, the rights of older people and adults with disability, and reporting to the Ageing and Disability Abuse Helpline. This was a 28% increase on the previous reporting period (61).

### 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 12,000 people passed through the halls on the first day.
- Hosting a stall at the ATSA National Conference, supporting older people and people with disability to find out more about our role and how we provide support.
- Hosting a stall at the Mandaean Religious Leaders Forum in Liverpool.

## 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 2023-24, the Helpline received **17,342 calls**, which was a **24% increase** in calls on the previous year (14,025). Between 2019-20 and 2023-24, calls to the Helpline **increased by 66%**.

Figure 1: Number of calls received by the Ageing and Disability Abuse Helpline, by quarter, July 2022 – June 2024

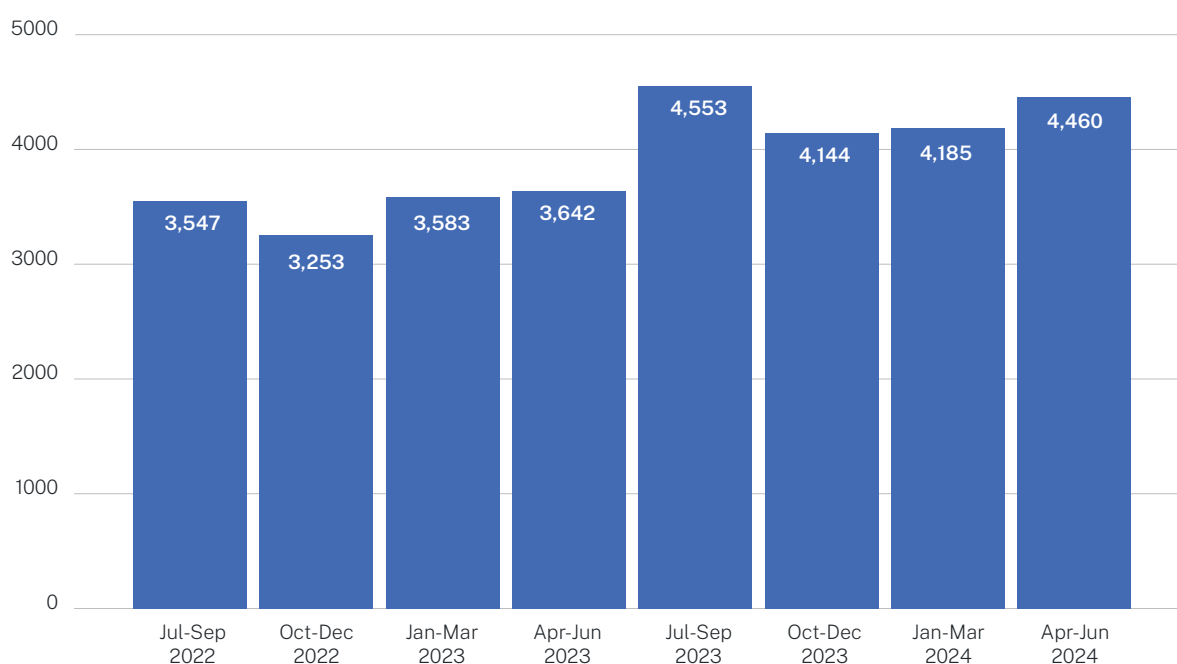
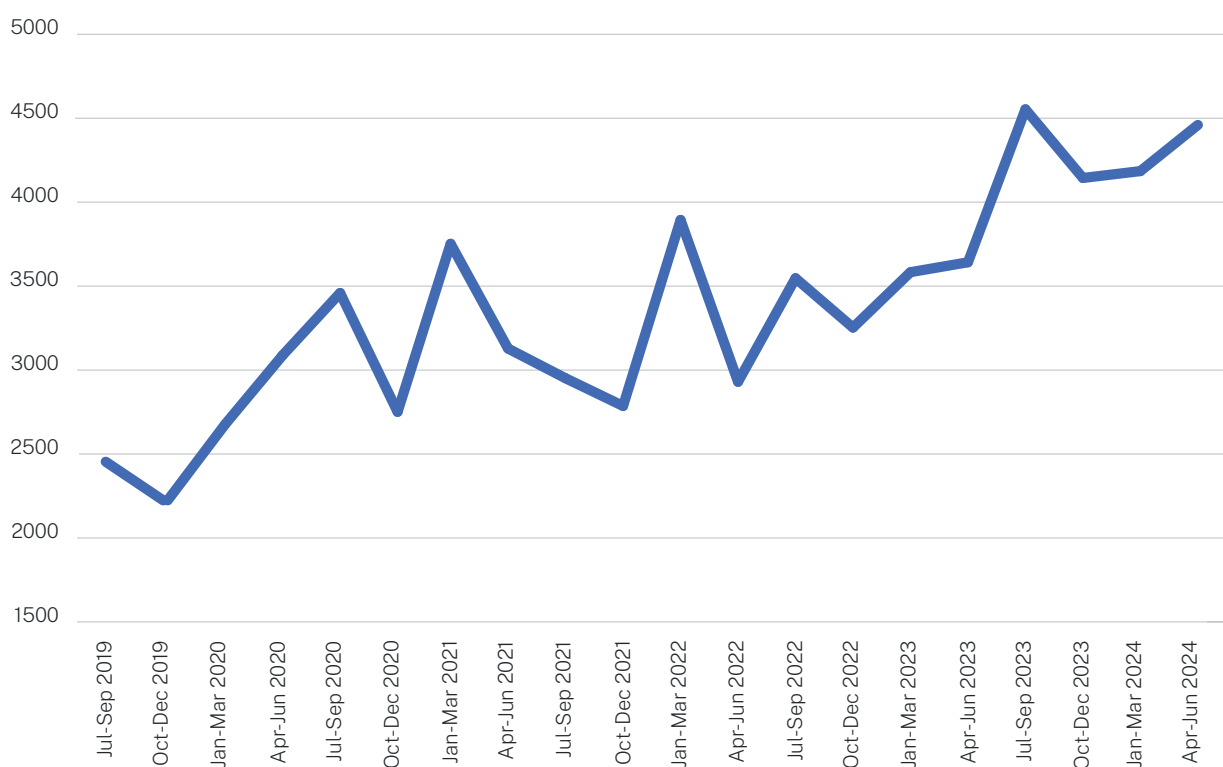


Figure 2: Number of calls received by the Ageing and Disability Abuse Helpline, by quarter, July 2019 – June 2024



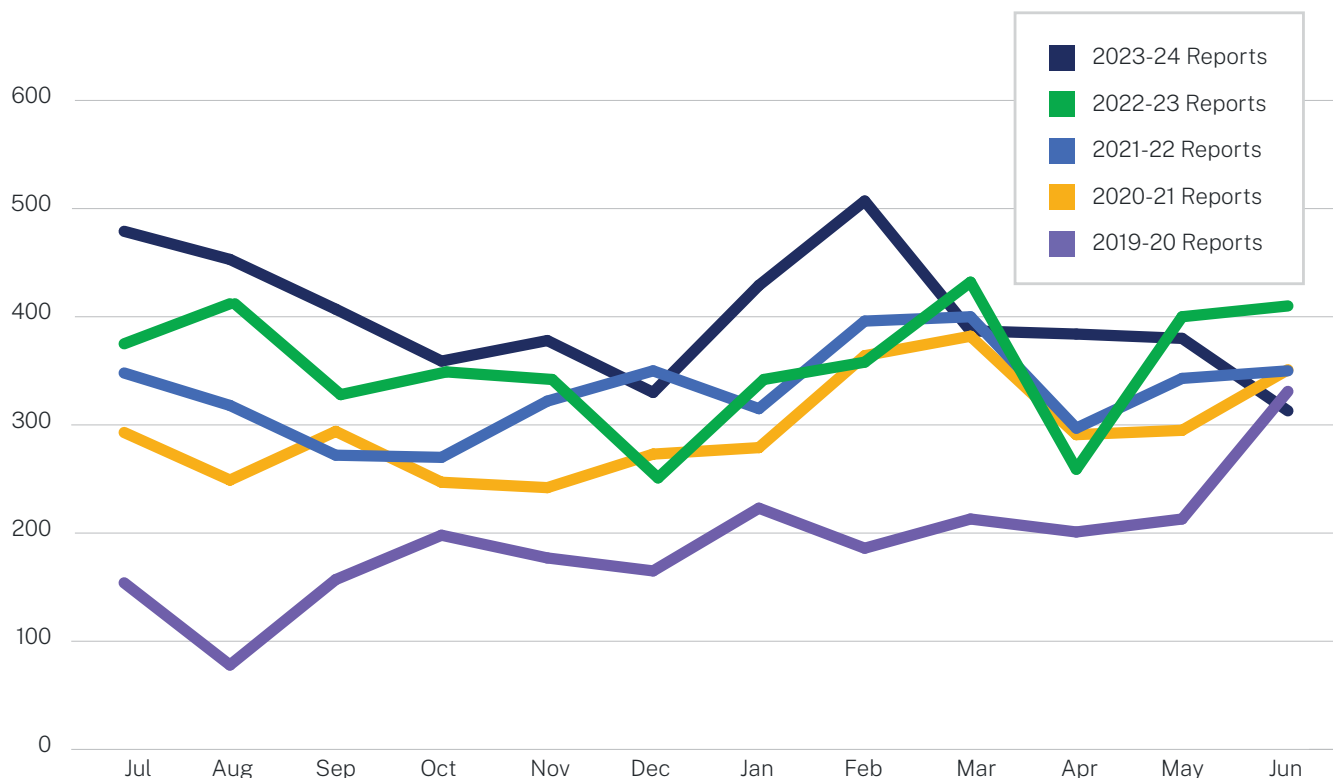
## Number of reports and enquiries

In 2023-24, the ADC received **5,707 matters**, comprising:

- **4,806 reports** under section 13 of the *Ageing and Disability Commissioner Act 2019*<sup>1</sup>
- **901 enquiries** – involving 291 general enquiries<sup>2</sup>, and 610 abuse-related enquiries<sup>3</sup>.

The number of matters received in 2023-24 was **13% higher** than the previous year (4,258). Between 2019-20 and 2023-24, the number of reports **increased by 109%** (a two-fold increase).

**Figure 3: Reports received by the ADC, by month and year, July 2019 – June 2024**



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.

## Contact with the ADC

The majority of enquiries and reports to the ADC are via telephone to the Helpline, including 78% of all contacts in 2023-24.

Contacts via our web form have increased year on year since its introduction in 2020-21, including a significant jump this year, with the web form comprising 20% of contacts this year (compared with 9% last year). Compared with last year, we also received a slightly higher number of contacts via email (<1% last year).

**Table 1: Method of contact with the ADC, enquiries and reports received in 2023-24**

Method	Total	Percentage
Telephone	4,459	78.1
Web form	1,153	20.2
Email	81	1.4
In person	8	<1
Own motion	4	<1
Letter	2	<1
<b>Total</b>	<b>5,707</b>	<b>100</b>

## Handling reports

A data snapshot of the 4,806 reports received by the ADC in 2023-24 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 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, 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.

Capability-building work is undertaken throughout our handling of reports, including practical advice and guidance for agencies and individuals on actions to take to better prevent, detect and respond to abuse, neglect and exploitation.

The following section provides information about 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.



## Reports we handled and finalised in 2023-24<sup>4</sup>

The ADC closed 4,687 reports in 2023-24, an increase of 12% on the previous year. Over three-quarters of the reports (3,625) 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 21% of the reports closed this year (973), 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.

More than half of the reports (56%) were closed within seven days, consistent with the early assistance and resolution approach of the Helpline. This is lower than the previous reporting period, where 63% of reports were closed within seven days. Overall, compared with last year, reports were open for longer, including 23% of reports that took more than 30 days to close (compared with 18% in 2022-23). This reflected two key factors:

- a higher proportion of reports requiring further actions and the direct involvement of the ADC after initial contact with the Helpline due to high risk and complexity
- high staff workloads affecting the timeliness of case closure.

**Table 2: Age of case at closure, reports closed in 2023-24**

0-7 days	8-14 days	15-30 days	>30 days	Total
2,614	416	590	1,067	<b>4,687</b>



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

Table 3 outlines the primary action<sup>5</sup> we took in relation to the reports we handled and finalised in 2023-24. The ADC took action on the vast majority of reports (98%); 89 reports were declined at the outset.

**Table 3: Primary action taken by the ADC, reports closed in 2023-24**

Primary action by ADC	Number
<b>1. Early intervention/resolution (Helpline only)</b>	<b>3,625</b>
a) Assistance and support provided	3,236
b) Referred externally	308
c) Early case coordination	81
<b>2. Closed after preliminary inquiries</b>	<b>445</b>
a) Appropriate actions underway to address/manage risks	278
b) No or low risk identified	129
c) Person has capacity and refused investigation/involvement	38
<b>3. Community supports</b>	<b>220</b>
a) Risk identified – risk removed or managed with intervention	103
b) No or low risk identified	64
c) Risk identified – risk remained or managed prior to intervention	37
d) Risk identified – risk removed	16
<b>4. Consolidated into another matter</b>	<b>183</b>
<b>5. Declined at outset</b>	<b>89</b>
a) Insufficient details to progress	77
b) Premature/ actions underway	12
<b>6. Investigation</b>	<b>77</b>
a) Risk identified – risk removed or managed with intervention	53
b) No/low risk identified	12
c) Risk identified – risk remained or managed with intervention	8
d) Risk identified – risk remained	4
<b>7. Referred externally (not at Helpline)</b>	<b>29</b>
<b>8. Referred to Police</b>	<b>19</b>
<b>Total closed reports</b>	<b>3,236</b>

5. In many reports handled by the ADC, our work involves a range of actions. For example, a report that is investigated also typically involves actions to provide assistance and support to the reporter, preliminary inquiries to ascertain risks and support needs, and 'community supports' work to ensure the adult (and others when required) is connected with necessary supports. The 'primary action' table just outlines the dominant action or approach we took in relation to a report.

## Early intervention and resolution

In response to most reports, the primary actions by the ADC involve our Ageing and Disability Abuse Helpline providing assistance at an early point to enable informed actions to be taken to reduce risks.

This early intervention and resolution approach was undertaken in relation to 3,625 (77%) of the 4,687 reports closed by the ADC in 2023-24. In most of these cases (3,236), the actions involved providing information, assistance and support to the reporter and, wherever possible and appropriate, to the adult with disability or older person.

In relation to 81 reports closed this year, the Helpline provided early case coordination, involving repeated contact with the adult or service provider over a longer period of time (up to 12 weeks) to support them to take actions to lessen 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 study 1

### Early case coordination to reduce risk

The Helpline received a report raising concerns about Tracey, a woman with disability, and her parents. We heard that Tracey and her father were regularly subject to violence from her mother, who was believed to have dementia.

The Helpline was advised that Tracey's mother had started becoming violent around 18 months ago, including often taking Tracey's wheelchair away, slapping her, and kicking her father. We heard that the mother had also recently pushed Tracey out of her wheelchair. The family had minimal formal supports, and Tracey's father had indicated that he was experiencing high stress as the primary carer.

The Helpline spoke separately with Tracey and her father, who confirmed the concerns that had been reported. We discussed options for improving their safety and support, and agreed on initial actions we could assist with, including referrals for additional supports. We liaised with police and the aged care assessment team in relation to the concerns, and also facilitated the family's connection to a geriatric rapid acute care evaluation team to enable access to appropriate supports for Tracey's mother.

At time of case closure, Tracey had an NDIS plan review to enable access to support to move out of her parents' home in line with her wishes, and her mother had been removed as the identified primary carer with Centrelink; Tracey's parents had been supported to access in-home aged care supports; and arrangements were in place for Tracey's mother to be assessed by a geriatrician.

## Referrals to other agencies

### Referrals to complaint-handling agencies

The ADC Act identifies key complaint-handling agencies to which we should refer relevant reports. In particular, prior to April 2024, the legislation required that, 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 them.

There were changes during the year that reduced the number of referrals the ADC was required to make to these agencies:

- a) In July 2023, we made changes to our phone line to enable automated redirection of relevant matters to these agencies. Where a reporter contacts the ADC in relation to a matter that could be the subject of a complaint to the above agencies, they are able to select a number on their phone keypad, which then automatically redirects their call to the intake line of the relevant agency.
- b) In April 2024, the ADC Act was amended to state that the ADC *may* refer reports to these agencies, instead of *must* refer.

In 2023-24, we referred:



Tables 27-29 in Appendix A2 provide 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 the commission of a criminal offence, we must refer the information to NSW Police or the Director of Public Prosecutions.<sup>6</sup>

In 2023-24, the ADC referred 257 matters to NSW Police that involved potential criminal offences. We referred a further 29 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>7</sup>

Table 30 in Appendix A2 provides information on the outcomes of the referrals to NSW Police.

### 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 2023-24, the ADC made 204 referrals to other agencies. Table 31 in Appendix A2 provides information on the agencies we made referrals to, and the outcomes of those referrals.

6. In April 2024, the ADC Act was amended to provide that the ADC is not required to refer a report (or part of a report) if we believe on reasonable grounds that the adult does not wish to have the matter referred.

7. Note: while table 3 identifies 19 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 2

### Quick action in triage

The ADC received a report about a woman with disability, Fran, who lived with her partner and was alleged to be subject to violence and coercive control by him.

It was alleged that the partner kept Fran locked in their home for extended periods of time, often for days while he went out. Fran had no way to make outgoing calls or to obtain food. The home was reported to be squalid and to have significant hoarding. It was alleged that Fran's entire disability support pension went into her partner's account and she had no access to her funds.

A neighbour contacted police for a welfare check, but Fran was reportedly too fearful to make herself known when police attended. It was also reported that Fran had a fall and paramedics attended the home, but her partner would not allow them to transport her to hospital, despite her ongoing pain from the fall.

The ADC referred the matter to NSW Police and NSW Ambulance in relation to the alleged medical neglect and domestic violence. We arranged this referral when Fran's partner was not in the home, and Fran agreed to be transported to hospital. The ADC liaised with hospital social workers to ensure that Fran was not prematurely discharged home to an unsafe environment.

At time of writing, our work in relation to this matter was continuing.

### **Inquiries and community supports**

In 21% of the reports closed in 2023-24 (973), 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 445 reports closed this year (10%), 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.

In 220 reports closed in 2023-24 (5%), 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 study 3

### Recognising coercive control

The ADC received a report raising concerns about Amie, a woman with a physical disability and speech impairment. There was a history of domestic violence against Amie by her partner. The report to the ADC related to the partner interfering with Amie's NDIS services, including:

- preventing staff from upholding Amie's wishes to have a shower because he did not want them to use all the hot water
- refusing to allow staff to dress a serious pressure wound
- refusing to assist Amie with food or continence aids when staff were not present at night
- controlling Amie's access to basic household items
- taking Amie's money to obtain drugs.

We discussed the concerns with Amie and obtained her views and wishes. We worked with services to

provide counselling to Amie, including in relation to coercive control.

We referred the matter to police, highlighting the coercive control exerted over Amie and the nature of the decisions made by her partner to humiliate and degrade her. We also provided information about the deadly consequences of untreated and poorly managed pressure wounds, and highlighted other matters in which AVOs have been served to prevent the perpetrator from interfering with the provision of services.

We worked with police, who came to Amie's bedside and took a statement from her, resulting in an ADVO that included a condition that the partner could not interfere with services or use her funds without consent. We worked with service providers to apply for increased support to provide an evening shift and transition towards higher care.



## Case study 4

### Addressing abuse through family support

We received a report about Brian, an older man with declining decision-making ability, who was alleged to be subject to financial abuse by his adult son, who was living with him.

We heard that Brian had a credit card debt of almost \$50,000, was regularly without money, and was unable to pay his bills as his son had used the credit card for his own purposes and was continually getting Brian to withdraw and provide him with money. We were also told that the quality and safety of Brian's living environment was declining due to the hoarding behaviour of his son.

We liaised with the family and engaged with Brian's other son, who Brian had previously appointed as his Enduring Power of Attorney and Enduring Guardian. We referred information to police and made

preliminary inquiries to ascertain the involvement of support services, and identified that there had been no recent contact. We worked with the family to understand and link to necessary supports, including:

- mental health and disability supports for the son living with Brian to address the factors contributing to the financial abuse and hoarding behaviour
- health and aged care support for Brian.

At the time of case closure, Brian's property was being cleaned, he had started receiving in-home aged care supports, and his son was receiving ongoing community mental health assistance, including to access the NDIS. Brian's other son was taking a more active role in the management of Brian's finances, including to safeguard his funds.

## Investigations

In 2023-24, the ADC commenced 84 investigations, including 35 investigations into reports about adults with disability, and 49 investigations into reports about older people.<sup>8</sup>

As identified in table 4, in 59 cases (70%), we commenced the investigation without the consent of the adult – either because the adult was unable to provide consent (28), and/or because of the seriousness of the allegations or the risk to the personal safety of the adult (31)<sup>9</sup>.

**Table 4: Consent status in relation to investigations commenced in 2023-24**

	Adults with disability	Older people	Total
<b>Consent obtained</b>	6	19	<b>25</b>
<b>Investigation commenced without consent – adult incapable of giving consent despite receiving support</b>	16	12	<b>28</b>
<b>Investigation commenced without consent – seriousness of the allegations/risk to adult’s personal safety</b>	15	16	<b>31</b>
<b>Total</b>	<b>37</b>	<b>47</b>	<b>84</b>

8. The 77 investigations identified in table 3 reflect the investigations closed in 2023-24. Some of these investigations commenced prior to 2023-24.

9. 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 5

### Actions on domestic and family violence

The ADC received a report raising concerns about the circumstances of Diane, an older woman with disability. We were advised that all of Diane's support services had been cancelled by her adult son, and the service providers had been unable to get in contact with Diane to ascertain whether this was what she wanted. We heard that Diane's son was preventing contact, and that Diane had been approved for a high level aged care package but this had not been taken up. Diane's son was her appointed Enduring Guardian and Enduring Power of Attorney (EPOA).

In line with Diane's wishes, we focused initially on reconnecting her with in-home supports. However, within a short period of time, Diane contacted the ADC case officer to advise that she had fled her home due to the ongoing verbal abuse by her son, and disclosed that in the past he had strangled her, punched her, and that he regularly 'clips' her over the ear. We connected Diane to emergency transport and accommodation, and with her consent arranged a friend to organise some groceries. We reported the matter to police, but Diane did not make any disclosures, and returned to live with her son.

We linked Diane to mental health support, had her identified as a priority for aged care support, and commenced an investigation in light of the risks to her personal safety.

We found that Diane's son was frequently transferring Diane's money to his bank account and leaving her with no money. With Diane's consent, we contacted her daughter, who had become estranged due to a history of family violence and fear of her brother, and we worked with Diane to access health services.

Shortly afterwards, Diane went to hospital following violence by her son. Diane contacted the ADC case officer and disclosed that her son's verbal abuse and aggression had been escalating, and that morning he had destroyed some of her belongings and choked her. With Diane's permission, we contacted her daughter, who reconnected with her.

We reported the abuse to police and Diane gave them a statement with the support of her friend and daughter. An exclusionary ADVO was taken out by police, and Diane's son was charged.

We facilitated actions to protect Diane's bank accounts and to change her phone number, and linked Diane to a specialist DV service for support. We provided information to the daughter to enable Diane to be supported to change her Enduring Guardian and EPOA. With a letter of support from the ADC, Diane accessed the Start Safely program, receiving a reduction in rent and \$3,000 to buy new furniture. At the time of case closure, Diane had moved into a unit and was receiving in-home aged care support.





## Case study 6

### Misuse of Enduring Powers of Attorney

The ADC received a report about alleged financial exploitation of an older person, Seema. The report raised concerns about bank withdrawals made by Seema's daughter, who was her appointed Enduring Power of Attorney (EPOA) and Enduring Guardian, which equated to about \$250,000.

We met with Seema on a number of occasions, and investigated the allegations with her consent. We found that Seema's daughter had used her authority to transfer, withdraw and use Seema's funds soon after she was appointed as the EPOA. This included internet banking transactions of more than \$300,000 over almost 18 months.

Seema's daughter told us that she had spoken with her mother about accessing this money as an early inheritance, and had used the funds to purchase new

furniture, white goods, and a car. She told the ADC that she recognised that she had failed to fulfil her responsibilities as the appointed EPOA.

We also found that Seema's other adult child had used their signatory authority to transfer almost \$500,000 of Seema's funds to their bank account. The ADC was advised that this money had been agreed as a loan. During the course of the investigation, the full sum was returned by the adult child to Seema's account.

Due to our concerns about Seema's ability to manage her finances and the influence exercised by her adult children, we made an application to the NSW Civil and Administrative Tribunal (NCAT) for a financial manager to be appointed. NSW Trustee was appointed, with a recommendation to consider actions to recover funds from Seema's daughter.



## Case study 7

### Abuse of trust

The ADC received a report of alleged financial abuse of an older person, Mary, by her son. Mary told us that her son uses her bank card to make purchases for her as she lives in residential care and has limited access to the community. She said that her son would not steal from her but consented to the ADC looking into the matter for her own peace of mind.

We issued a notice to Mary's bank requiring the provision of information and asked them to consider safeguards for her account, noting that her card was not in her possession. We identified over \$100,000 in suspicious transactions, including over \$60,000 withdrawn after we had issued the notice to the bank.

We issued a notice to the bank that had received the suspicious payments and sought to have those funds frozen, and we referred the potential fraud to the police.

When she realised her son had taken her money, Mary said it was 'like someone had put a knife in my guts and slit it'. She said that she felt stuck as she had no one else to help her get the things she needed in the aged care facility and she did not want her son to stop visiting her.

Mary agreed that she needed assistance to manage her funds, but she could not nominate a trusted individual to do this. The ADC made a financial management application to NCAT and NSW Trustee was appointed to be Mary's financial manager.

We met with the customer advocate of Mary's bank, and a review was conducted of actions in this matter. Mary subsequently recovered over \$60,000 and an additional goodwill payment from the bank. The bank is improving training and their systems to strengthen safeguarding in response to financial abuse investigations.



## Case study 8

### Financial exploitation by a neighbour

We received a report about potential financial exploitation of Margaret, an older woman with dementia and declining decision-making capability who lived in a retirement village. The report alleged that thousands of dollars had been withdrawn from Margaret's bank accounts and a neighbour in the retirement village had sought to gain access to her accounts after getting her to appoint them as her Enduring Power of Attorney (EPOA) instead of her family member.

Margaret considered the neighbour to be a good friend, and she relied on them for company and some day-to-day support, including some grocery shopping, appointments, social activities and housework.

After preliminary inquiries, the ADC commenced an investigation. We found that almost \$300,000 of Margaret's funds had been used to pay for items that benefitted the neighbour, either directly or indirectly. This included the cost of the neighbour's retirement village unit, legal services, and motor vehicle.

We found that Margaret could not recall any information about her financial circumstances and her neighbour had been aware of Margaret's declining memory and decision-making ability for a long time. Shortly before the report to the ADC, Margaret had signed Enduring Guardian and EPOA instruments naming the neighbour as her guardian and attorney. Our investigation identified that, at the time of these appointments, Margaret did not have sufficient capability to understand what was happening.

The ADC made a report to police and worked in cooperation with the investigating officers. Police focused on the criminal investigation while the ADC focused on ensuring that Margaret had support and safeguards were in place to protect her finances. In liaison with Margaret and her family overseas, we made an application to NCAT for a financial manager and guardian, and NSW Trustee and Guardian was appointed.

At the end of the police investigation, criminal charges were laid against the neighbour and another party in relation to obtaining financial benefit by deception (fraud).

This matter highlighted a number of gaps and opportunities to better prevent and respond to financial abuse and exploitation of older people with disability, including:

- the importance of retirement villages developing and implementing an elder abuse strategy for residents and staff, as required under the Retirement Villages Regulation
- existing gaps in the legislation and protections for EPOA in NSW, including a lack of accessible options for people to recover funds that have been taken through misuse of their EPOA.

## Outcomes

In relation to the 4,687 reports closed this year, key outcomes for the older people and adults with disability linked to actions by the ADC included that their views and wishes were ascertained and respected; and they were assisted to access and receive increased aged care, disability and/or 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 25 and 26 in Appendix A2 provide more details of the outcomes for adults and in relation to subjects of allegation in reports closed in 2023-24.

## Factors affecting our work on reports

A number of key factors affected the work of the ADC in responding to reports about adults with disability and older people in 2023-24:

- **Significant and increasing demand** – since the start of the ADC, there have been year-on-year increases in the number of statutory reports we have received. Between 2019-20 and 2023-24, there was a two-fold (109%) increase in the number of reports to the ADC, including a 13% increase this year. The increasing volume far exceeds the recurrent budget of the ADC, presenting significant challenges in meeting demand and providing a timely and adequate service.
- **Increasing risk** – an increasing proportion of reports to the ADC involve higher risk. This includes, for example, reports involving allegations of severe neglect; high risk domestic and family violence, such as attempted strangulation; and current or imminent homelessness. As a result, this year a higher proportion of reports required further action and more intensive work, primarily by our Community Supports and Investigations Unit. In 2023-24, 21% of reports (973) required further work beyond the early intervention of the Helpline, compared with 18% of reports (772) in 2022-23.

The high and growing demand is positive – it reflects increased community awareness and identification of potential abuse, neglect and exploitation of adults with disability and older people, and greater awareness of the Helpline and ADC. However, the combination of the above factors without a commensurate budget presents substantial challenges for the ADC, including increased risks for staff and the people we are intended to assist.



## 3.3 Our activities on systemic issues

The ADC continued to undertake a range of projects and other activities in 2023-24 targeted at systemic issues relating to abuse, neglect and exploitation of adults with disability and older people and their rights.

### Coercive control of adults with disability and older people

During the year, we continued activities to raise awareness of coercive control in relation to adults with disability and older people in intimate partner and broader domestic relationships. In particular, ahead of the commencement of the new coercive control offence in NSW on 1 July 2024, the ADC:

- provided input to the NSW Government's Coercive Control Implementation and Evaluation Taskforce as a member of the People with Disability and Older Persons reference group, including on the design of the community awareness campaign
- provided information and input to the education and training programs of NSW Police, the Office of the Director of Public Prosecutions, Legal Aid NSW and CCWT to upskill police and justice agencies and frontline workers on coercive control in relation to adults with disability and older people
- began developing an online training module on coercive control, targeting frontline workers. The module will be finalised and released in 2024-25.

### Housing

At the end of last year, we developed and released a joint paper on *Housing issues for people with disability, older people and carers in NSW* in conjunction with the Ageing and Disability Advisory Board and the Ministerial advisory committees on ageing, carers and disability. The paper drew together existing public information to highlight the particular housing issues for these cohorts and their impact, and to inform the considerations of the NSW Government to progress actions to address the issues.

This year, we discussed the paper and the need for concerted actions to address housing accessibility with key government and non-government stakeholders. In December, we wrote to the NSW Government Architect and the Minister for Planning and Public Spaces to urge the inclusion of the Liveable Housing Designs Silver Standard as a requirement in the pattern book of approved housing designs.

### Enduring Powers of Attorney

As illustrated in some of the case studies in this report, many of the reports to the ADC about alleged financial abuse involve misuse of the adult's Enduring Power of Attorney (EPOA), such as the appointed attorney using the funds for their own benefit, and merging the adult's bank account with their own. In a range of cases, the misuse has occurred because the attorney has not understood their responsibilities and what they can and cannot do in the attorney role.

This year, we provided input on ways to improve EPOA legislation and arrangements to better prevent and address financial abuse via a submission to the national consultation on *Achieving greater consistency in laws for financial enduring powers of attorney*. The focus of our submission was on strengthening the laws and processes in relation to EPOA without making the requirements so onerous that they deter parties from taking up this option. The submission is available on our website.

Through our work, we have identified key areas that need to be addressed to seek to reduce and better address financial abuse that occurs via misuse of EPOAs. Among other things, they include ensuring that the inappropriate use of an EPOA is an offence; providing an accessible and affordable pathway to gain compensation for funds that are lost through misuse of an EPOA; and putting in place arrangements to ensure attorneys understand their responsibilities prior to taking on the role.





## Improving the response of police and service providers to incidents

In February 2024, we held a forum with NSW Police and ageing and disability sector representatives to discuss ways to strengthen the practice, decision-making and collaboration of first responders in critical incidents involving older people and adults with disability. The forum included discussion on the adequacy of current training and guidance, and approaches to responding to incidents involving older people and people with disability.

At the forum, NSW Police indicated the intention to develop training for all police to inform approaches in relation to matters involving people with disability and older people, and to establish an advisory group with disability and ageing sector representatives. The ADC has provided information to NSW Police to assist with the establishment of the advisory group, and is continuing to follow-up on progress.

## Emergency management and people with disability

During the year, the ADC commenced work in partnership with Homes NSW and the Premier's Department on a targeted stakeholder forum to address gaps in inclusive emergency and disaster management in relation to people with disability in NSW.

The forum in part originated from key issues identified in a paper by the Ageing and Disability Advisory Board in 2023 on *Preparing for the future: Learning from the impacts of the COVID-19 response on older people, people with disability and carers in NSW*. The forum is supported by the State Emergency Management Committee and will be held in October 2024.



## 3.4 Research and development

During the year, we commenced or were a partner in a range of research projects relating to abuse, neglect or exploitation of adults with disability and older people, and/or the promotion of their rights.

### Neglect

We commenced work on a two-year research project funded by DCJ to better understand factors contributing to neglect of older people and adults with disability in their family, home and community.

The project includes analysis of reports to the ADC about neglect of older people and adults with disability to (among other things):

- identify gaps and areas for further work in NSW to better prevent and respond to neglect of older people and adults with disability
- identify areas, agencies and groups for targeted education, engagement and awareness activities
- help inform broader conversations and strategies in relation to neglect, including national activities.

During the year, our work on the project included the collection of comprehensive data on relevant reports closed in a two-year period, development of a communications and engagement plan, and commencement of procurement of the research body that will undertake a literature review and analysis of the ADC data to produce a research report.

### Criminal risk behaviour

We were a partner in research undertaken by the University of Technology Sydney (UTS) into criminal risk behaviour among people living with dementia in the community, with the intention of identifying opportunities for improved support. To support the project, we provided de-identified information on relevant reports handled by the ADC within a limited time period. At time of writing, the project was continuing.

### Improving access to preventative health for people with intellectual disability

In conjunction with a range of other agencies, the ADC is a partner in a multi-year National Health and Medical Research Council (NHMRC) project led by UNSW 3DN on *Developing a model of preventative health care for people with intellectual disability*. During the year, the ADC's work in relation to the project included participation in regular project meetings, and facilitating information about the project going to residential care services via Official Community Visitors to enable residents with intellectual disability to be involved. We also held an OCV Practice Forum with UNSW to upskill OCVs to understand and provide information about the project when undertaking visits.



## 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 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 2023-24, 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
- recruiting 14 new OCVs to fill gaps in target areas across NSW
- holding the annual OCV conference and regularly consulting with Visitors on OCV scheme practice and emerging issues through consultation group meetings
- 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 appropriate bodies, including the Children's Guardian, the Ombudsman's office, the NDIS Commission, and Homes NSW
- 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.

This year, the ADC undertook additional areas of work in relation to the OCV scheme:

- 1 We reviewed our trial of 100 'one-off' visits, which had enabled visits in 2023-24 to an increased number of services, with a focus on services that had not been visited before or for an extended period. Our review identified that the 'one-off' visits model had been effective and an important supplement to the 'regular' visits that are conducted. As a result, one-off visits will be a continuing part of the OCV scheme.
- 2 We engaged KPMG to undertake an internal audit of the OCV scheme (excluding financial processes) to assess whether the structures and processes were operating effectively. The audit identified seven areas for the ADC's action to strengthen the operation of the scheme. The ADC developed a work plan to implement and monitor progress with the recommended actions, which will continue into 2024-25.
- 3 We commenced the procurement process for an enhanced OCV scheme database, to enable efficiencies and address longstanding problems with the existing data system, including monitoring and reporting functionality.
- 4 We progressed the OCV scheme's 'systemic issues project', in which Visitors focus on three agreed systemic issues in their visits to enable better analysis and reporting on these matters. Following the first year of the project in 2022-23, this year we met with the key oversight and regulatory agencies to discuss what Visitors were seeing in relation to the issues and the impact on residents, and to understand the actions that were underway or planned to improve practice. The project continued with new focus issues in 2023-24, and the results are reported in this year's OCV annual report.

## 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.

At the end of the reporting period, the Advisory Board comprised 14 members, including the Chair, Eileen Baldry AO, and Deputy Chair, Joan Hughes. Details of the Advisory Board are provided on the ADC website.

There were changes to the Advisory Board membership in 2023-24. Irene Gallagher, Mark Grierson, Wendy Morgan and Russell Westacott ended their terms of appointment during the year, and Rosemary Kayess resigned. Six new members joined the Advisory Board in February. No members were removed.

This year marked the first 12 months of the Advisory Board's implementation of its Strategic Plan 2023-26. The strategic plan is available on the ADC website and is focused on actions in six areas:

During the year, the Advisory Board (among other things):

- Informed and assisted the ADC in establishing a multicultural working group to help enhance our strategic engagement with multicultural communities.
- Engaged with the Minister for Seniors on key issues affecting older people and the work of the ADC.
- Provided information and advice to the ADC to inform our submission to the draft Aged Care Bill, and our first responders' forum on incidents involving adults with disability and older people.
- The Chair met with the Chairs (or Deputy Chair) of the Ministerial advisory committees on ageing, disability and carers to discuss common issues and opportunities for joint work.
- The Chair met with the Minister for Disability Inclusion and (separately) the Minister for Housing to discuss the joint paper on housing issues for people with disability, older people and carers in NSW.

### Advise

Act as a sounding board for the ADC

### Shape (internal)

Guide existing ADC work with an internal focus

### Shape (external)

Guide positioning for reviews and outward-facing work

### Validate

Add authority by directly approaching others

### Initiate

Initiate projects that explore or understand issues

### Activate

Activate personal networks to amplify impact



# 4. Management and accountability

## Privacy and personal information

The ADC did not receive any privacy complaints in 2023-24.

This year, we finalised and published our Privacy and Information Management Framework and Agency Information Guide following review and feedback by the Information and Privacy Commission NSW. The documents are available on our website.

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

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

At time of finalising, the total external cost of production of the annual report was \$5,137.27.

## Consultants

In 2023-24, the ADC engaged one consultant. KPMG conducted an internal audit of the OCV scheme at a total cost of \$22,000.

## Economic or other factors

The primary factor affecting achievement of the ADC's operational objectives continues to be resourcing. The growth in the demand for the ADC's services has increased year on year over the five years of our operation, including a 66% increase in calls to the Helpline, a two-fold increase (109%) in statutory reports, and a 53% increase in the number of visitable services. Just in 2023-24, the number of calls increased by 24%, the number of reports increased by 13%, and the number of visitable services increased by 16%.

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. The ADC has not received any recurrent budgetary supplementation to address the inadequate baseline budget or to provide for the growth in demand. Each year, the ADC has been heavily reliant on one-off grant funds provided by DCJ to fill the budget gaps, including \$2.5 million provided in December 2023.

In 2023-24, working with our DCJ business partners, we submitted a further budget submission to re-baseline our core budget and for increased demand in services for the ADC and the OCV scheme. The submission was approved to proceed to Stage 2, but was ultimately unsuccessful.

Consistent with previous years, at the end of 2023-24, the ADC's forward budget position was unsustainable. The unresolved budget situation will continue to adversely 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 and our Agency Information Guide, 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 1,001 subscribers.

All flyers and fact sheets are available on our website for stakeholders to download or request. In 2023 -2024, we released the below publications.

**Table 5: Publications released in 2023-24**

### Reports and submissions

- Submission to the Independent Review of the National Disability Insurance Scheme – NDIS Participant Safeguarding (July 2023)
- Submission to the Commonwealth Government COVID-19 Response Inquiry (November 2023)
- Submission to the consultation on achieving greater consistency in laws for financial enduring powers of attorney (November 2023)
- Submission to the NSW Legislative Council Inquiry into children and young people with disability in NSW educational settings (February 2024)
- Submission to the consultation on the exposure draft Aged Care Bill 2023 (March 2024)
- UNSW research report on informing strategies to prevent abuse, neglect and exploitation of adults with disability and older people by carers (ADC Carers Project, April 2024)
- UNSW literature review on abuse, neglect and exploitation of adults with disability and older people by carers (ADC Carers Project, April 2024)
- Submission to the Inquiry into the financial services regulatory framework in relation to financial abuse in Australia (June 2024)

### Newsletters

- 15 ADC newsletters.

### Fact sheets, brochures and printed collateral

- My Wellbeing Checklist – Arabic, Greek, Italian, Korean, Simplified Chinese, Traditional Chinese, and Vietnamese
- Changes to the Ageing and Disability Commissioner Act – fact sheet

## Statistical information about access applications

The ADC did not receive any formal (valid) requests for access to information under the GIPA Act during the reporting period.

We received and responded to 15 informal requests for access to information. Of the 15 informal requests:

- Seven requests were for information that was ‘excluded information’ (information relating to our report handling, investigative and reporting functions), and thereby invalid applications under section 43 of the GIPA Act, and there was no other legal basis under which the information could be released.
- Seven requests were for information that was ‘excluded information’ under section 43 of the GIPA Act, but the information was able to be released under the ADC Act.
- One request was for information that was ‘excluded information’ under section 43 of the GIPA Act, but the request was withdrawn.

**Table 6: 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	0	0	0	0	0	0	0

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

**Table 7: 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	0	0	0	0	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 8: 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)	15
Application contravenes restraint order (section 110 of the Act)	0
<b>Total number of invalid applications received</b>	<b>15</b>
Invalid applications that subsequently became valid applications	0



**Table 9: 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	7
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 <i>Electricity Network Assets (Authorised Transactions) Act 2015</i>	0
Information about authorised transaction under <i>Land and Property Information NSW (Authorised Transaction) Act 2016</i>	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 10: 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 11: Timeliness**

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

**Table 12: 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 13: 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 14: 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 2023-24, 42 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.

The following table reflects the highest employment category of each employee during the year.

**Table 15: Number of employees per employment category**

Employment category	Number of employees in 2022-23	Number of employees in 2023-24
SES Band 2	1	2
SES Band 1	1	2
Grade 11/12	8	7
Grade 9/10	6	5
Grade 7/8	10	10
Grade 5/6	10	14
Grade 3/4	0	0
Grade 1/2	1	1
General scale	0	1
<b>Total*</b>	<b>37</b>	<b>42</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 2023-2024 Financial Year for the Office of the Ageing and Disability Commissioner

I, Kathryn McKenzie, 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:

<b>Core Requirements</b>	<b>For each requirement, please specify whether compliant, non-compliant, or in transition</b>
<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 2028
- Independent Member 6, Jan McClelland, 1 February 2024 to 31 July 2024

### **Shared Arrangements**

I, Kathryn McKenzie, 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.



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Kathryn McKenzie  
A/Commissioner  
**Office of the Ageing and Disability  
Commissioner**  
11 September 2024

Lakshmi Satyanarayana  
A/Chief Audit Executive and A/Director  
Governance, Risk and Compliance  
Contact: [cae@dcj.nsw.gov.au](mailto:cae@dcj.nsw.gov.au).



## Legal change

### Changes to the Ageing and Disability Commissioner Act

Following recommendations from an independent review of our Act in 2023, a number of amendments were made to the Act this year. The main changes were designed to:

- enable the ADC to commence an investigation in situations where we are unable to gain access to the older person or adult with disability despite making reasonable efforts to do so
- provide more flexibility in the referrals we make
- broaden information sharing with a range of entities that support adults with disability and older people
- support the operation of the OCV scheme by requiring service providers to have to notify the ADC about the locations of their visitable services.

The changes to the Act commenced on 3 April 2024. A fact sheet outlining the main changes to the Act is available on our website.

### Numbers and remuneration of senior executives

In 2023-24, there were two substantive Senior Executives, comprising the Commissioner and the Director Operations.

The inaugural Commissioner, Robert Fitzgerald AM resigned from the role effective 31 March 2024, and the Director, Operations, Kathryn McKenzie, was appointed to the Acting Commissioner role from 1 April 2024.

The Commissioner is a statutory officer, and the remuneration of statutory officers is aligned to the Public Service Senior Executive Remuneration Framework. The other ongoing 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 16 and 17, including the Commissioner's position. The table reflects the substantive roles of the two Senior Executives. The Commissioner is paid in accordance with the determinations of the Statutory and Other Officers Remuneration Tribunal. Of our employee related expenditure, 9.7% was related to Senior Executives in comparison to 14% in 2022-23.

**Table 16: Gender profile, Senior Executive levels**

	2022-23		2023-24	
	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 17: Senior executive remuneration**

	2022-23		2023-24	
	Range		Range	
Band 4	\$509,251 - \$588,250	0	\$509,251 - \$588,250	0
Band 3	\$361,301 - \$509,250	0	\$361,301 - \$509,250	0
Band 2	\$287,201 - \$361,300	\$343,640	\$287,201 - \$361,300	\$342,640
Band 1	\$201,350 - \$287,200	\$228,626	\$201,350 - \$287,200	\$230,222

## Risk management and insurance activities

The ADC convenes quarterly Audit and Risk sub-committee meetings. The sub-committee comprises the Commissioner, Director Operations, a number of ADC managers, the ADC Health and Safety Representatives, and DCJ Business Partners from the Audit, Risk and Compliance team and Financial Services team. The subcommittee considers and monitors actions and processes to ensure a safe and supportive environment for staff.

This year, the sub-committee:

- updated the ADC Risk Register, including new risks and mitigation strategies relating to finance and resource pressures, information management, and staff wellbeing
- considered strategies for better preventing privacy breaches in ADC work, including use of secure information sharing platforms such as SharePoint
- monitored ADC actions to implement cyber security audit recommendations.

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.

## Psychological risk

The ADC has identified increased psychological risk to ADC staff associated with the high and increasing volume of reports without commensurate increase in budget or staffing, the nature of the work (focused on abuse, neglect and exploitation), and the increasing number of higher-risk reports.

In 2024-25, we will be implementing a range of strategies across the office to seek to better manage demand and reduce the pressure on staff. We will also be undertaking an internal audit of our staff wellbeing offerings and activities, with a view to identifying opportunities to further strengthen our approaches.



# 5. Sustainability

## Work Health and Safety

Six incidents were reported in 2023-24: four incidents involved Official Community Visitors (OCVs) being struck by residents or having a fall, and two incidents related to slips or falls by ADC staff. Two incidents involving OCVs required worker's compensation claims to be lodged. There were no prosecutions in relation to the incidents and appropriate mitigation strategies have been put in place with the OCVs and the broader OCV scheme such as training, upskilling in protective behaviours, and working with service providers to minimise risks.

An Employee Assistance Program (EAP) is available to all ADC staff and OCVs. 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.

The ADC also continues 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.

## Workforce diversity

In 2023-24, the ADC achieved workforce diversity at above-benchmark levels for all indicators. We had a positive increase in the proportion of our workforce whose first language was not English, rising from 15.4% last year to 35.5% this year.

**Table 18: Trends in workforce diversity groups**

Workforce diversity group	Benchmark	2022	2023	2024
Women	50%	70.0%	76.7%	77.1%
Aboriginal or Torres Strait Islander people	3.3%	3.3%	3.9%	3.5%
People whose first language as a child was not English	23.2%	6.7%	15.4%	35.5%
People with disability	5.6%	3.3%	18.3%	18.2%
People with disability requiring work-related adjustment	N/A	0.0%	7.6%	7.4%

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

Note 1: The benchmark of 50% for representation of women across the sector is intended to reflect the gender composition of the NSW community.

Note 2: The NSW Public Sector Aboriginal Employment Strategy 2019–2025 takes a career pathway approach in that it sets an ambitious target of 3% Aboriginal employment at each non-executive grade of the public sector by 2025.

Note 3: A benchmark from the Australian Bureau of Statistics (ABS) Census of Population and Housing has been included for People whose First Language Spoken as a Child was not English. The ABS Census does not provide information about first language, but does provide information about country of birth. The benchmark of 23.2% is the percentage of the NSW general population born in a country where English is not the predominant language.

Note 4: In December 2017, the NSW Government announced the target of doubling the representation of people with disability in the NSW public sector from an estimated 2.7% to 5.6% by 2025. More information can be found at 'Age of Inclusion'<sup>10</sup>. The benchmark for 'People with Disability Requiring Work-Related Adjustment' was not updated.

10. See The Age of Inclusion information at [www.dcj.nsw.gov.au/community-inclusion/disability-and-inclusion/disability-employment.html](http://www.dcj.nsw.gov.au/community-inclusion/disability-and-inclusion/disability-employment.html).



**Table 19: 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 - \$53,826	0	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
\$53,826 - \$70,694	0	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
\$70,694 - \$79,032	1	100.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	0.0%
\$79,032 - \$100,011	6	50.0%	16.7%	83.3%	0.0%	0.0%	100.0%	100.0%	0.0%	0.0%
\$100,011 - \$129,331	16	81.3%	12.5%	87.5%	0.0%	7.7%	30.8%	23.1%	7.7%	7.7%
\$129,331 - \$161,663	11	72.7%	27.3%	63.6%	9.1%	0.0%	50.0%	25.0%	37.5%	12.5%
\$161,663 > (non-SES)	0	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
\$161,663 > (SES)	1	100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
<b>Total</b>	<b>35</b>	<b>74.3%</b>	<b>20%</b>	<b>77.1%</b>	<b>2.9%</b>	<b>3.5%</b>	<b>42.3%</b>	<b>35.5%</b>	<b>18.2%</b>	<b>7.4%</b>

Note 1: 'Unspecified gender' incorporates unknown, withdrawn, and indeterminate/intersex values

Note 2: The overall figures do not include contractors employed by the ADC during the reporting period

Note 3: Estimated figures are calculated for each salary band by taking the number of employees who have responded "yes" to the Workforce Diversity question as a proportion of the total number of employees who have responded to the Workforce Diversity survey, multiplied by the total number of staff, and rounded to zero decimal places. E.g., Estimated number of People with a Disability in Salary Band 1 = (Actual number of People with a Disability in Salary Band 1 / Total number of Survey Respondents in Salary Band 1) \* Total number of Staff in Salary Band 1, and rounded to zero decimal places.

During the reporting period:

- We provided a winter and summer internship in our Communications and Engagement team and Helpline through CareerTrackers Aboriginal Internship Program. This program will continue in 2024-25.
- We arranged for Aboriginal cultural awareness and strengths-based practice training to be delivered to ADC staff and OCVs. The training commenced in July 2024.

In 2024-25, our workforce diversity strategies include:

- maintaining or 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 a range of actions under the State Disability Inclusion Plan, and continued to report on our progress this year in key areas, including our work to:

- deliver rights-based community engagement and education activities
- help local councils to assist their communities to better prevent and respond to abuse
- increase community-based abuse prevention Collaboratives
- train and support OCVs to identify and raise issues relating to the access of people in residential care to meaningful employment
- increase the employment of people with disability in the ADC
- implement effective referral arrangements for complaints about mainstream and specialist services.

## Modern Slavery Act 2018 (NSW)

The ADC takes reasonable steps to ensure that goods and services procured by and for us are not the product of modern slavery. We are committed to human rights and ensure that to our best knowledge there is not modern slavery in any part of our business operations or within our supply chain.

No issues were raised with the ADC by the Anti-slavery Commissioner in 2023-24 in relation to the operations of our office.

## Procurement spend details

The ADC's total procurement spend in 2023-24 was at the value of \$1,283,000.

GRS due diligence level	Identified procurement spend	Categories procured
Heightened	\$19,000	<ul style="list-style-type: none"><li>• Facilities and Buildings Management</li><li>• Fleet Management</li><li>• ICT</li></ul>
Standard	0	N/A
Light	\$56,000	<ul style="list-style-type: none"><li>• Facilities and Buildings Management</li></ul>
Minimal	\$1,208,000	<ul style="list-style-type: none"><li>• Courier Services</li><li>• Exempt -Employee Assistance Program</li><li>• Human Resources</li><li>• ICT</li><li>• Marketing/ Advertising</li><li>• Office Supplies and Services</li><li>• Professional Services – Generic</li><li>• Travel and Transport</li></ul>

## Reasonable steps

The steps taken by the ADC to ensure that goods and services procured by and for the agency during the year were not the product of modern slavery within the meaning of the *Modern Slavery Act 2018* are outlined in Appendix A3.



# 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 2024, the Statement of Financial Position as at 30 June 2024, the Statement of Changes in Equity and the Statement of Cash Flows, for the year then ended, and notes to the financial statements, including a Statement of Material Accounting Policy Information, 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 2024* (GSF Regulation) and the Treasurer's Directions
- present 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 Acting NSW Ageing and Disability Commissioner’s Responsibilities for the Financial Statements**

The Acting 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 Acting NSW Ageing and Disability Commissioner's responsibility also includes such internal control as the Acting 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 Acting 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

13 September 2024  
SYDNEY



Ms Kathryn McKenzie  
Acting NSW Ageing and Disability Commissioner  
Office of the Ageing and Disability Commissioner  
via email: [kathryn.mckenzie@adc.nsw.gov.au](mailto:kathryn.mckenzie@adc.nsw.gov.au)

Contact: Jan-Michael Perez  
Phone no: 02 9275 7115  
Our ref: R008-2124742775-4586

13 September 2024

Dear Ms McKenzie

## STATUTORY AUDIT REPORT

for the year ended 30 June 2024

### 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 2024, 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.

My financial audit of the financial statements did not identify misstatements.

## **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 2024 Auditor-General's Report to Parliament may incorporate the results of the audit.

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

The information in this Statutory Audit Report and any attachments is confidential and intended for management and those charged with governance only. This document may not be shared with other parties without the consent of the Audit 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 positioned above the printed name and title.

Jan-Michael Perez  
Director, Financial Audit

Delegate of the Auditor-General for New South Wales

# Office of the Ageing and Disability Commissioner

[ABN 52 330 968 585]

## Annual Financial Statements

*for the year ended 30 June 2024*



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**Office of the Ageing and Disability Commissioner**  
**STATEMENT BY THE ACCOUNTABLE AUTHORITY**

For the year ended 30 June 2024

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

- have been prepared in accordance with the Australian Accounting Standards and the applicable requirements of the GSF Act, the *Government Sector Finance Regulation 2024* and the Treasurer's directions, and
- present fairly the Office of the Ageing and Disability Commissioner's financial position, financial performance and cash flows.



Kathryn McKenzie  
Acting Commissioner

10 September 2024

# Office of the Ageing and Disability Commissioner

## STATEMENT OF COMPREHENSIVE INCOME

For the year ended 30 June 2024

	Notes	Actual 2024 \$'000	Actual 2023 \$'000
<b>Continuing operations</b>			
<b>Expenses excluding losses</b>			
Personnel services expenses	2(a)	5,871	4,797
Operating expenses	2(b)	2,169	1,723
Depreciation	2(c)	28	50
Grants and subsidies	2(d)	-	106
<b>Total expenses excluding losses</b>		<b>8,068</b>	<b>6,676</b>
<b>Revenue</b>			
Grants and contributions	3(b)	8,053	6,244
Acceptance by the Crown of employee benefits and other liabilities	3(c)	259	6
<b>Total revenue</b>		<b>8,312</b>	<b>6,250</b>
<b>Net result</b>		<b>244</b>	<b>(426)</b>
<b>Other comprehensive income</b>		<b>-</b>	<b>-</b>
<b>TOTAL COMPREHENSIVE INCOME</b>		<b>244</b>	<b>(426)</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 2024

	Notes	Actual 2024 \$'000	Actual 2023 \$'000
<b>ASSETS</b>			
<b>Current assets</b>			
Cash and cash equivalents	4	2,682	2,222
Receivables	5	153	30
<b>Total current assets</b>		<b>2,835</b>	<b>2,252</b>
<b>Non-current assets</b>			
Plant and equipment	6	4	32
<b>Total non-current assets</b>		<b>4</b>	<b>32</b>
<b>Total assets</b>		<b>2,839</b>	<b>2,284</b>
<b>LIABILITIES</b>			
<b>Current liabilities</b>			
Payables	7	328	716
Provisions	8	713	543
Contract liabilities	9	300	80
<b>Total current liabilities</b>		<b>1,341</b>	<b>1,339</b>
<b>Non-current liabilities</b>			
Contract liabilities	9	300	-
Provisions	8	20	11
<b>Total non-current liabilities</b>		<b>320</b>	<b>11</b>
<b>Total liabilities</b>		<b>1,661</b>	<b>1,350</b>
<b>Net assets</b>		<b>1,178</b>	<b>934</b>
<b>EQUITY</b>			
Accumulated funds		1,178	934
<b>Total equity</b>		<b>1,178</b>	<b>934</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 2024

	Notes	Accumulated funds \$'000	Total equity \$'000
<b>Balance at 1 July 2023</b>		934	934
<b>Net result for the year</b>		244	244
Other comprehensive income		-	-
<b>Total comprehensive income for the year</b>		<b>244</b>	<b>244</b>
<b>Balance at 30 June 2024</b>		<b>1,178</b>	<b>1,178</b>
<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>		<b>(426)</b>	<b>(426)</b>
<b>Balance at 30 June 2023</b>		<b>934</b>	<b>934</b>

*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 2024

	Notes	Actual 2024 \$'000	Actual 2023 \$'000
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>			
<b>Payments</b>			
Personnel services related		(5,990)	(5,160)
Suppliers for goods and services		(1,592)	(942)
Grants and subsidies	2(d)	-	(106)
<b>Total payments</b>		<b>(7,582)</b>	<b>(6,208)</b>
<b>Receipts</b>			
Grants and other contributions		7,687	5,551
Reimbursements from the Crown for employee related benefits	3(c)	259	6
GST recoveries		96	109
<b>Total receipts</b>		<b>8,042</b>	<b>5,666</b>
<b>NET CASH FLOWS (USED IN) / FROM OPERATING ACTIVITIES</b>	10	<b>460</b>	<b>(542)</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>460</b>	<b>(542)</b>
Opening cash and cash equivalents		2,222	2,764
<b>CLOSING CASH AND CASH EQUIVALENTS</b>	4	<b>2,682</b>	<b>2,222</b>

The accompanying notes form part of these financial statements.

## 1. Statement of Material Accounting Policy Information

### (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 2024 have been authorised for issue by the Acting Commissioner on 10 September 2024.

### (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 GSF Act); and
- Treasurer's Directions issued under the GSF 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 portfolio grant funding provided by the Department of Communities and Justice (the Department). Refer to Note 3 (a) and 3 (b) for details regarding the portfolio grant and contributions arrangements.

Plant and equipment and certain financial assets and liabilities are measured using fair value basis. 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.

All amounts are rounded to the nearest one 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 the amount of goods and service tax (GST), except that the:

- 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
- 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) 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.

# Office of the Ageing and Disability Commissioner

## NOTES TO THE FINANCIAL STATEMENTS

For the year ended 30 June 2024

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### 1. Statement of Material Accounting Policy Information (continued)

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

##### i) Effective for the first time in 2023-2024

The accounting policies applied in 2023-24 are consistent with those of the previous financial year. Several amendments and interpretations apply for the first time in 2023-24. ADC has assessed the new and amended standards and interpretations that are effective for the first time and have determined they are unlikely to have a material impact on the financial statements.

##### 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 Policy and Guidelines Paper TPG 24-06 *Mandates of options and major policy decisions under Australian Accounting Standards*:

- AASB 17 *Insurance Contracts* (effective from 1 January 2023)
- AASB 2014-10 *Amendments to Australian Accounting Standards – Sale or Contribution of Assets between Investor and its Associate or Joint Venture* (effective from 1 January 2025)
- AASB 2020-1 *Amendments to Australian Accounting Standards – Classification of Liabilities as Current or Non-current* (effective from 1 January 2024)
- AASB 2021-7c *Amendments to Australian Accounting Standards – Effective Date of Amendments to AASB 10 and AASB 128 and Editorial Corrections* (effective from 1 January 2025)
- AASB 2022-5 *Amendments to Australian Accounting Standards – Lease Liability in a Sale and Leaseback* (effective from 1 January 2024)
- AASB 2022-6 *Amendments to Australian Accounting Standards – Non-current Liabilities with Covenants* (effective from 1 January 2024)
- AASB 2022-9 *Amendments to Australian Accounting Standards – Insurance Contracts in the Public Sector* (effective from 1 July 2026)
- AASB 2022-10 *Amendments to Australian Accounting Standards – Fair Value Measurement of Non-Financial Assets of Not-for-Profit Public Sector Entities* (effective from 1 January 2024)
- AASB 2023-1 *Amendments to Australian Accounting Standards – Supplier Finance Arrangements* (effective from 1 January 2024)
- AASB 2023-3 *Amendments to Australian Accounting Standards – Disclosure of Non-current Liabilities with Covenants: Tier 2* (effective from 1 January 2024)
- AASB 2023-5 *Amendments to Australian Accounting Standards – Lack of Exchangeability* (effective from 1 January 2025)

The ADC has assessed these new standards and interpretations and consider the impact to be immaterial.

#### (g) Superannuation on annual leave loading

The Board 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 2024

### 2. Expenses excluding losses

	2024	2023
	\$'000	\$'000
<b>(a) Personnel services expenses</b>		
Salaries and wages <sup>(1)</sup>	4,255	3,683
Superannuation - defined contribution plans	474	352
Annual leave and long service leave	762	281
Workers' compensation insurance <sup>(2)</sup>	56	222
Payroll tax and fringe benefit tax	324	259
	<b>5,871</b>	<b>4,797</b>

(1) No employee related costs have been capitalised and included in plant and equipment in 2023-2024 and in 2022-2023.

(2) The workers' compensation insurance premium is paid by the Department and allocated to ADC based on a cost allocation model. In the fiscal year 2023-24, the Department amended the worker's compensation cost allocation model. Previously, non-frontline staff who were assisting frontline workers were categorised under the Communities FACS insurance policy. However, due to their "lower risk profile", these employees have been reassigned to the corporate service insurance policy. There has been a notable decrease in the workers' compensation insurance cost allocated to ADC as a result.

#### 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:

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.

Superannuation is calculated as a percentage of the employees' salary.

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 2024

### 2. Expenses excluding losses (continued)

	2024	2023
	\$'000	\$'000
<b>(b) Operating expenses</b>		
Auditor's remuneration - external	29	27
Auditor's remuneration - internal	28	8
Advertising and public awareness campaigns	161	197
Motor vehicle operating costs	3	7
Cleaning <sup>(2)</sup>	14	14
Contractors and outsourced service	463	284
IT related costs <sup>(2)</sup>	399	224
Legal and other professional fees	36	20
Fees for services	5	19
Fees for Shared Services <sup>(2)</sup>	250	146
Printing	22	13
Repairs and maintenance	56	1
Staff related costs	79	90
Postage and stationery	14	11
Rent Expenses <sup>(2)</sup>	288	391
Telecommunication	21	30
Travel <sup>(1)</sup>	275	189
Other operating expenses <sup>(2)</sup>	26	52
	<b>2,169</b>	<b>1,723</b>

(1) Travel mainly relates to activities for the Official Community Visitors scheme.

(2) 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 \$885,971 (2023: \$771,698).

#### \*Reconciliation – Total maintenance

	2024	2023
	\$'000	\$'000
Maintenance expense - contacted labour and other (non-employee related)		
as above	56	1
Employee related maintenance expense included in Note 2 (a)	-	-
<b>Total maintenance expense included in Note 2 (a) and 2 (b)</b>	<b>56</b>	<b>1</b>

	2024	2023
	\$'000	\$'000
<b>c) Depreciation</b>		
Plant and equipment	28	50
	<b>28</b>	<b>50</b>

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

	2024	2023
	\$'000	\$'000
<b>(d) Grants and subsidies</b>		
Grants for Justice connect	-	106
	<b>-</b>	<b>106</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.



# Office of the Ageing and Disability Commissioner

## NOTES TO THE FINANCIAL STATEMENTS

For the year ended 30 June 2024

### 3. Revenue

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

The *Appropriation Act 2023* (Appropriations Act) (and the subsequent variations, if applicable) appropriates the sum of \$19,551,556,812 to the Attorney General out of the Consolidated Fund for the services of the Department for the year 2023-24. 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 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.

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.

The delegation/sub-delegations for FY23/24 and FY22/23, 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.

#### 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

	2024	2023
	\$'000	\$'000
Grants without sufficiently specific performance obligations:		
Grants from the Department	7,036	5,472
Other contribution from the Department	886	772
Grants with sufficiently specific performance obligations:		
The neglect project	130	-
Dementia project-UTS	1	-
	<b>8,053</b>	<b>6,244</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).

Income from grants with sufficiently specific performance obligation is recognised when ADC satisfy their obligation under contract, and income is only recognised to the extent it is highly probable that a significant reversal will not occur.

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.

# Office of the Ageing and Disability Commissioner

## NOTES TO THE FINANCIAL STATEMENTS

For the year ended 30 June 2024

### 3. Revenue (continued)

(c) Acceptance by the Crown of employee benefits and other liabilities	2024	2023
	\$'000	\$'000
The following liabilities and / or expenses have been assumed by the Crown:		
Long service leave	259	6
	<b>259</b>	<b>6</b>

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

	2024	2023
	\$'000	\$'000
Cash at bank and on hand	2,682	2,222
	<b>2,682</b>	<b>2,222</b>

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

### 5. Current assets – receivables

	2024	2023
	\$'000	\$'000
<b>Current receivables</b>		
GST recoverable from the Australian Taxation Office	28	2
Prepayments	94	28
Amount due from other government agencies <sup>(1)</sup>	22	-
Other receivables	9	-
	<b>153</b>	<b>30</b>

<sup>(1)</sup> The amount due from other government agencies relates to long service leave recoupment from Crown to be passed on by the Department.

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.

#### 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.

## 6. Plant and equipment

	Plant and equipment \$'000	Total \$'000
<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>Year ended 30 June 2023</b>		
Net carrying amount at beginning of year	82	82
Depreciation expense	(50)	(50)
<b>Net carrying amount at end of year</b>	<b>32</b>	<b>32</b>
<b>At 1 July 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>
<b>Year ended 30 June 2024</b>		
Net carrying amount at beginning of year	32	32
Depreciation expense	(28)	(28)
<b>Net carrying amount at end of year</b>	<b>4</b>	<b>4</b>
<b>At 30 June 2024 - fair value</b>		
Gross carrying amount	131	131
Accumulated depreciation and impairment	(127)	(127)
<b>Net carrying amount</b>	<b>4</b>	<b>4</b>

### 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 AAS.

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.

#### 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.

## 6. Plant and equipment (continued)

### 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

	2024 \$'000	2023 \$'000
Creditors	49	4
Personnel services payable	148	446
Accrued expenses <sup>(1)</sup>	131	266
	<b>328</b>	<b>716</b>

<sup>(1)</sup> Accrued expenses includes \$18,562 (2023: \$5,050) 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 and other amounts. Short-term payables with no stated interest rate are measured at the original invoice amount where the effect of discounting is immaterial.

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**

	2024 \$'000	2023 \$'000
<b>Current</b>		
<b>Employee benefits and related on-costs</b>		
Annual leave including oncost*	509	433
Long service leave including oncost*	204	110
<b>Total</b>	<b>713</b>	<b>543</b>
<b>Non-Current</b>		
<b>Employee benefits and related on-costs</b>		
Long service leave including oncost	20	11
<b>Total</b>	<b>20</b>	<b>11</b>
<b>Aggregate employee benefits and related on-costs</b>		
Provisions - current	713	543
Provisions - non-current	20	11
Accrued salaries, wages and on-costs (Note 7)	148	446
<b>Total</b>	<b>881</b>	<b>1,000</b>
* Expected settlement of current employee benefits and related on-costs		
No later than 12 months	416	305
Later than 12 months	297	238
<b>Total</b>	<b>713</b>	<b>543</b>

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

**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 TPG24-23) 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.

**(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.

The entity's liabilities for long service leave and defined benefit superannuation are assumed by the Crown. The entity accounts for the liability as having been extinguished, resulting in the amount assumed being shown as part of the non-monetary revenue item described as 'Acceptance by the Crown of employee benefits and other liabilities'.



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

### (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

	2024 \$'000	2023 \$'000
Contract liabilities - Current	300	80
Contract liabilities - Non current	300	-
<b>Total</b>	<b>600</b>	<b>80</b>

	2024 \$'000	2023 \$'000
Revenue recognised that was included in the contract liability balance at the beginning of the year	80	-
Revenue recognised from performance obligation satisfied in previous periods	-	-
Transaction price allocated to the remaining performance obligations from the contract with customers	600	80

### Recognition and Measurement

The Contract liabilities relate to advance funding from the Department and other government agencies for various projects undertaken by ADC. Project funding received have specific performance obligations and deliverables. The performance obligations are satisfied over time when resources are deployed to complete the performance outcomes.

The transaction price allocated to the remaining performance obligations at the reporting date relates to Office of the Women's Safety Commissioner project to combat the domestic and family violence. 50 percent of the funding is expected to be recognised as revenue in the 2024-25 financial year and 50 percent in the 2025-26 and 2026-27 financial years.

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

	2024 \$'000	2023 \$'000
Net cash flows from operating activities	460	(542)
Depreciation expense	(28)	(50)
Increase/(Decrease) in receivables	123	14
Decrease/(Increase) in contract liabilities	(520)	(80)
Decrease/(Increase) in payables and provisions	209	232
<b>Net result</b>	<b>244</b>	<b>(426)</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.

### (a) Financial instrument categories

Class	Note	Category	2024 Carrying Amount \$'000	2023 Carrying Amount \$'000
<b>Financial Assets</b>				
Cash and cash equivalents	4	Amortised cost	2,682	2,222
Receivables <sup>1</sup>	5	Amortised cost	31	-
<b>Financial Liabilities</b>				
Payables <sup>2</sup>	7	Financial liabilities measured at amortised cost	328	716

<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) Derecognition 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:

- the ADC has transferred substantially all the risks and rewards of the asset; or
- 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.

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.

## 11. Financial instruments (continued)

### (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 2024 was \$2,682,908 (2023: \$2,221,751).

#### 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.

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

	Weighted average effective interest rate \$'000	Interest Rate Exposure			Maturity Dates			
		Nominal Amount	Fixed Interest Rate	Variable Interest Rate	Non-interest bearing \$'000	< 1 year \$'000	1 - 5 years \$'000	> 5 years \$'000
<b>2024</b>								
Payables	-	328	-	-	328	328	-	-
		<b>328</b>	<b>-</b>	<b>-</b>	<b>328</b>	<b>328</b>	<b>-</b>	<b>-</b>
<b>2023</b>								
Payables	-	716	-	-	716	716	-	-
		<b>716</b>	<b>-</b>	<b>-</b>	<b>716</b>	<b>716</b>	<b>-</b>	<b>-</b>

## 11. Financial instruments (continued)

### (c) Financial risks (continued)

#### 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.

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:

	2024		2023	
	\$'000		\$'000	
	+1%	-1%	+1%	-1%
Net Result	27	(27)	22	(22)
Equity	27	(27)	22	(22)

#### 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.

# Office of the Ageing and Disability Commissioner

## NOTES TO THE FINANCIAL STATEMENTS

For the year ended 30 June 2024

### 12. Related party disclosures

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

	<b>2024</b>	<b>2023</b>
	<b>\$'000</b>	<b>\$'000</b>
Salaries <sup>1</sup>	299	284
Other long-term employee benefit	3	-
Post-employment benefits <sup>1</sup>	33	30
<b>Total remuneration</b>	<b>335</b>	<b>314</b>

<sup>1</sup> ADC made reclassifications between salaries and post-employment benefit to enhance the presentation in 2023-24 which resulted in realignment of comparatives.

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:

- Receipts of grant contributions, personnel and related services and other contributions for corporate services from the Department
- 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 2024 (nil as at 30 June 2023).

### 14. 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 2023-24

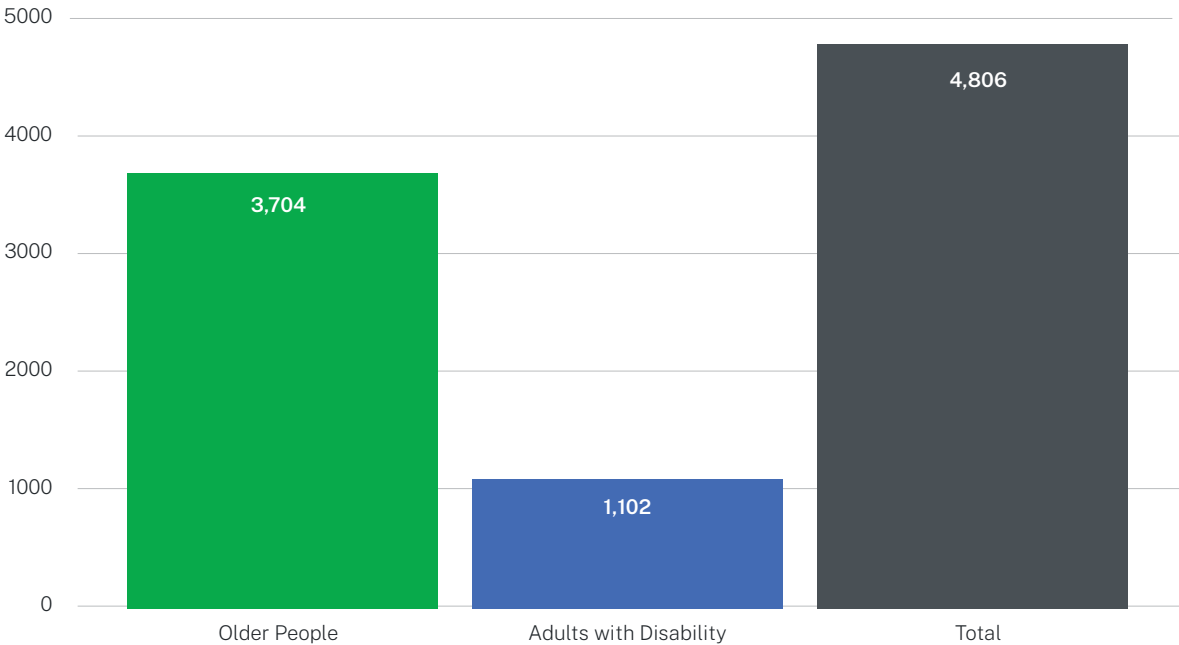
### Status, gender and age of the Person

Of the 4,806 reports received by the ADC in 2023-24:

- 3,704 reports (77.1%) related to older people<sup>11</sup>, including 1,188 reports about older people with disability
- 1,102 reports (22.9%) related to adults with disability<sup>12</sup> who were not older people.

This is consistent with previous years.

Figure 4: All reports received by the ADC, by person status, 2023-24



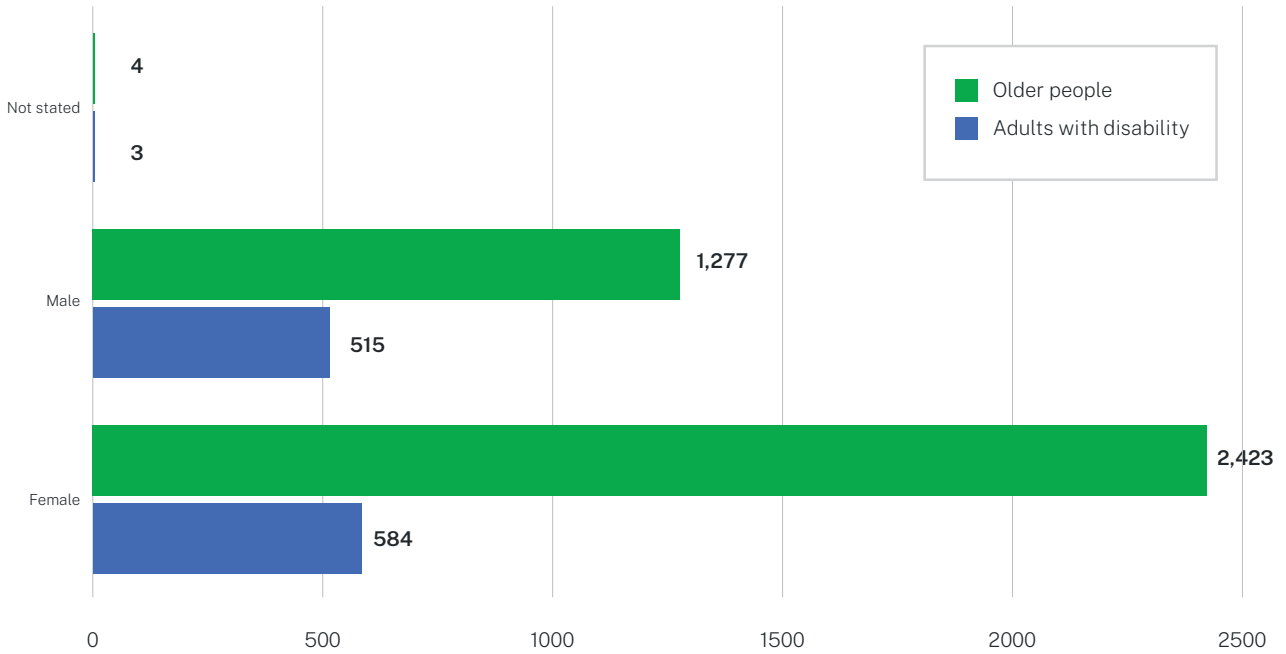
11. Adults aged 65 years and older, and Aboriginal and/or Torres Strait Islander adults aged 50 years and older.

12. 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 2023-24, the adults in 62.6% of the 4,806 reports to the ADC were female, including 65.4% of reports about older people (2,423), and 53% of reports about adults with disability (584).

**Figure 5: Gender of adults with disability and older people the subject of a report to the ADC, 2023-24**



The largest proportion of the 3,704 reports about older people in 2023-24 related to people aged 80-84 years (19.2%). The largest proportion of the 1,102 reports about adults with disability related to people aged 18-24 years (19.9%). These results are consistent with previous years.

**Figure 6: Age of older people the subject of a report to the ADC, 2023-24**

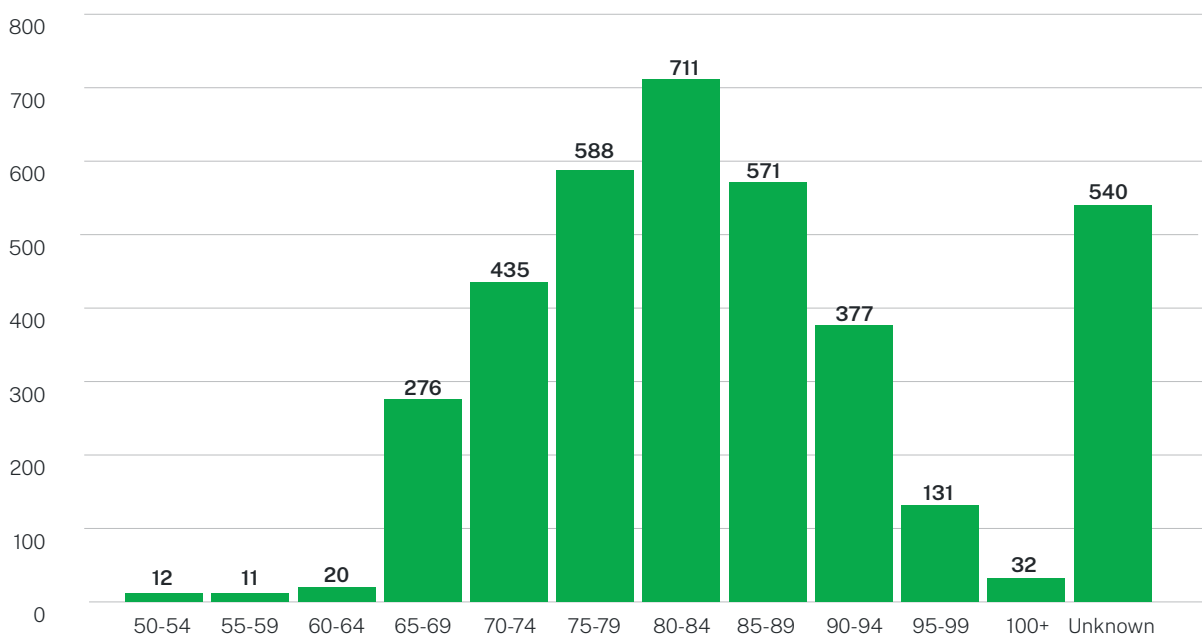
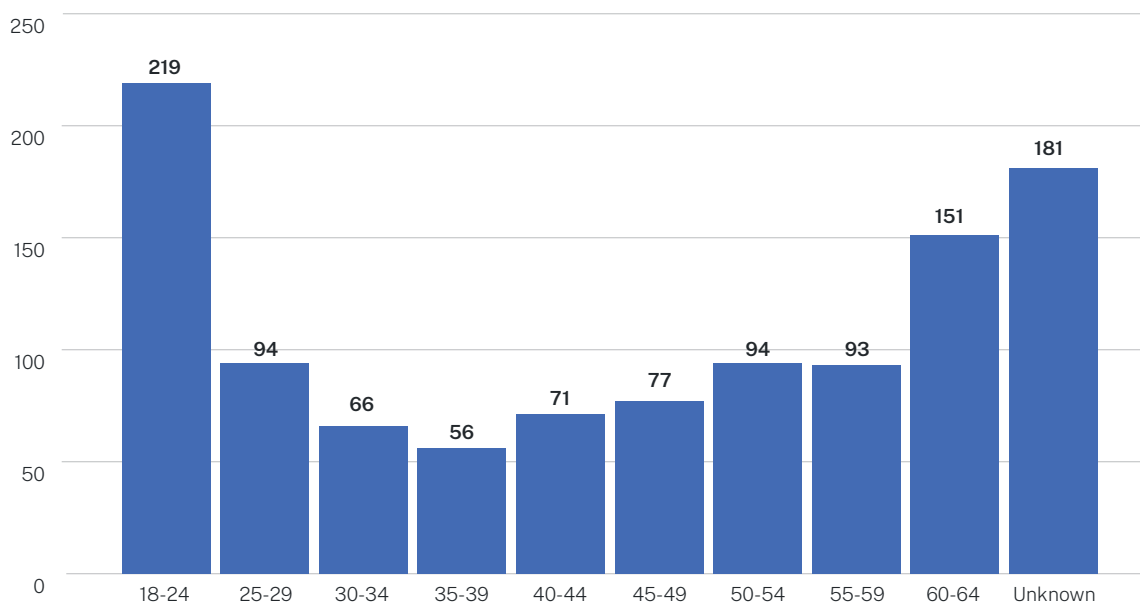


Figure 7: Age of adults with disability the subject of a report to the ADC, 2023-24



## Cultural background

In 3.7% of reports to the ADC in 2023-24, the adult with disability or older person was identified as Aboriginal and/or Torres Strait Islander. This proportion has increased compared to the previous year (from 2.9% to 3.7%).

Table 20: Aboriginal and Torres Strait Islander status of person the subject of a report to the ADC, 2023-24

	Older people (n=3,704)	% of reports about older people	Adults with disability (n=1,102)	% of reports about adults with disability	All reports (n=4,806)	% of all reports
Person identified as Aboriginal and/or Torres Strait Islander	126	3.4%	54	4.9%	180	3.7%

In 7.9% of reports to the ADC in 2023-24, 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 2022-23 (7.2%).

Table 21: CALD status of person the subject of a report to the ADC, by person status, 2023-24

	Older people (n=3,704)	% of reports about older people	Adults with disability (n=1,102)	% of reports about adults with disability	All reports (n=4,806)	% of all reports
Person identified as having a CALD background	325	8.8%	54	4.9%	379	7.9%

Other than English, the most common languages spoken at home by older people who were the subject of a report to the ADC in 2023-24 were Arabic and Italian. For adults with disability, the most common languages spoken at home other than English were Arabic and Mandarin.

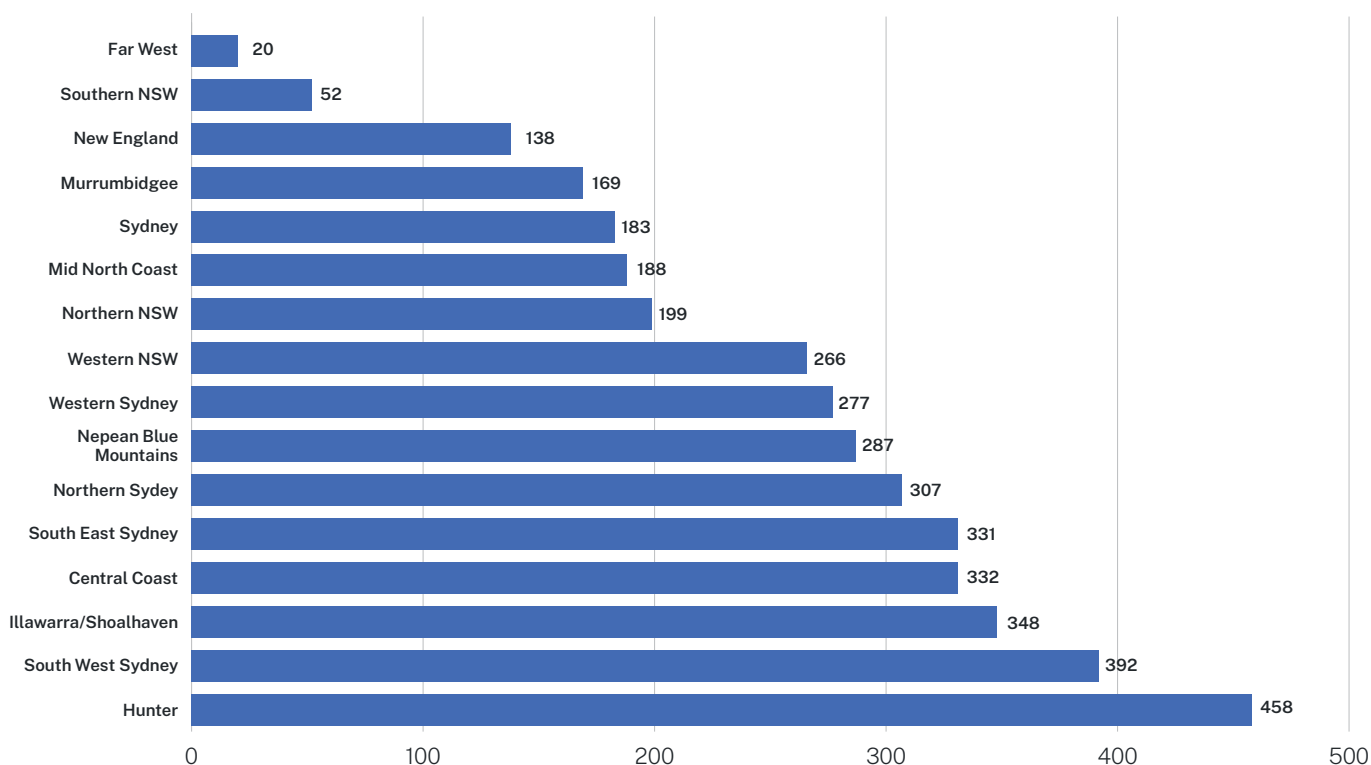
**Table 22: Primary language other than English spoken at home by people the subject of a report to the ADC, by person status, 2023-24**

Older people (n=3,704)		Adults with disability (n=1,102)	
Arabic	49	Arabic	9
Italian	49	Mandarin	5
Greek	40	Hindi	4
Spanish	23	Italian	4
Croatian	17	Tamil	4
Cantonese	15	Greek	3
Mandarin	15	Turkish	3
Macedonian	11	Vietnamese	3
German	10	Other	3
Turkish	9	Cantonese	2

## Location of Person

Of the 3,947 reports to the ADC in 2023-24 in which the location of the person was known, regional NSW accounted for over half of the reports (2,170; 55.0%). Of the regional areas, Hunter, Illawarra Shoalhaven, and Central Coast featured most often, consistent with previous years.

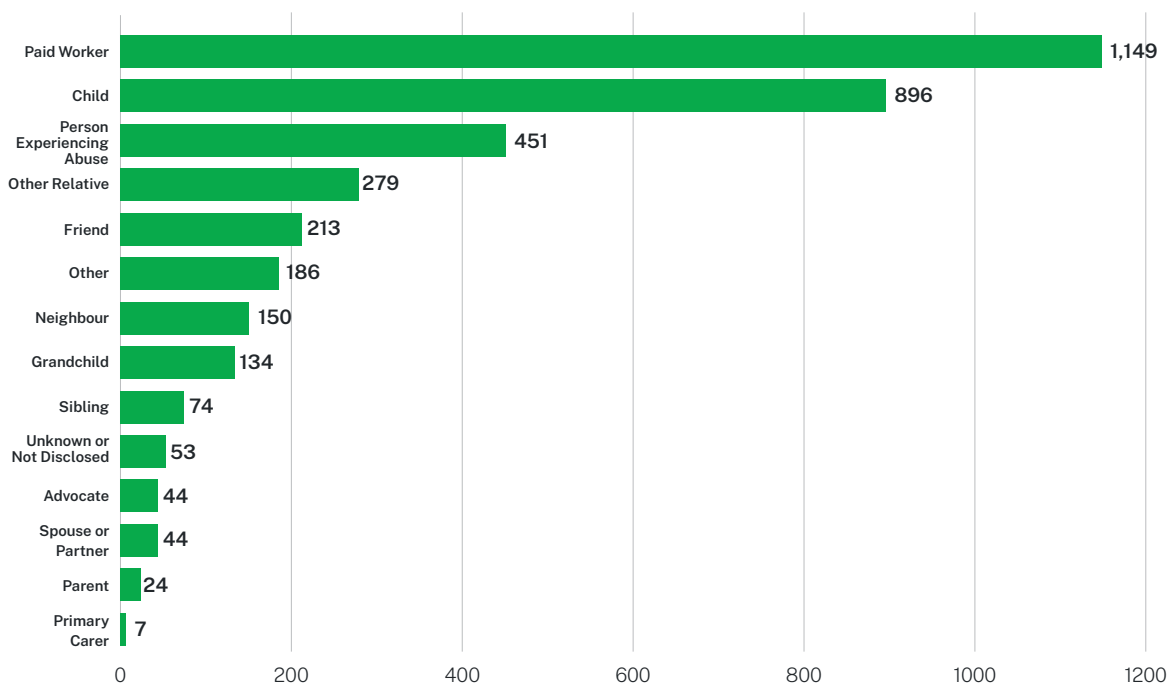
**Figure 8: Location of person the subject of a report to the ADC by NSW region, 2023-24**



## Reporters

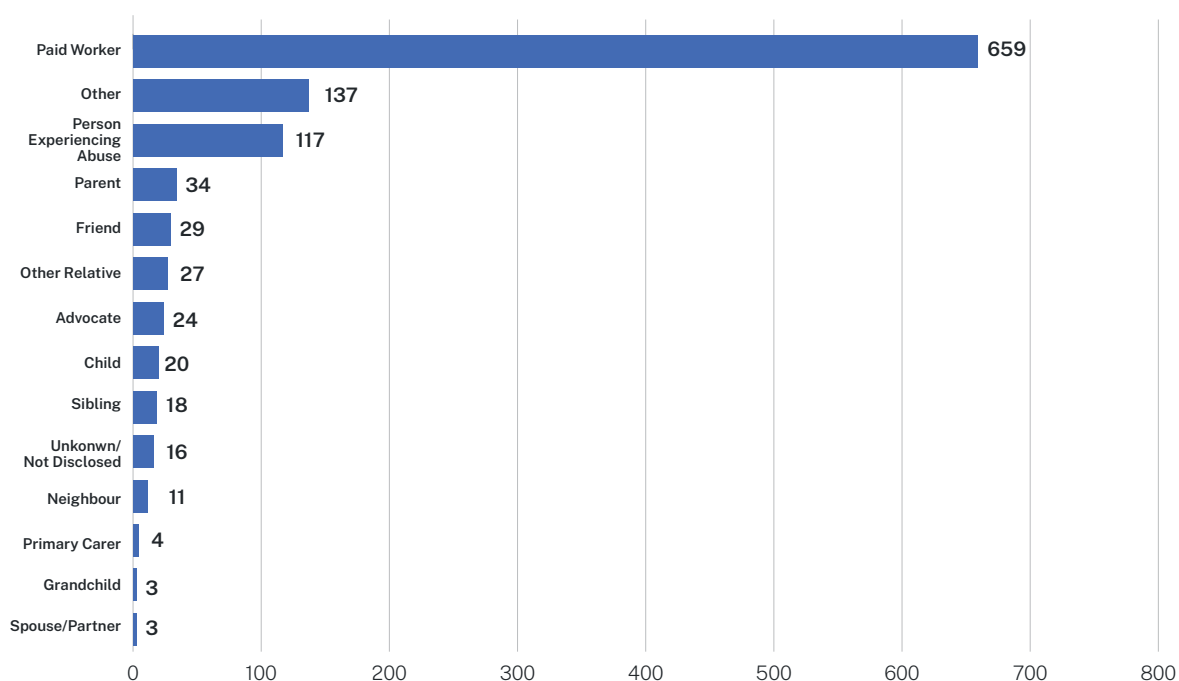
Paid workers were the main source of reports to the ADC about older people in 2023-24, accounting for 31% of the 3,704 reports, just ahead of reports by adult children (24.2%). All up, family members were the reporters in 38% of reports about older people. The older person ('Person Experiencing Abuse') was the reporter to the ADC in 12.2% of cases.

**Figure 9: Relationship of reporter to the older person in reports to the ADC, 2023-24**



Paid workers were the main source of reports to the ADC about adults with disability in 2023-24, accounting for over half (59.8%) of the 1,102 reports about adults with disability. Family members were the reporters in 9.3% of reports about adults with disability, and the adult with disability ('Person Experiencing Abuse') was the reporter in 10.6% of cases.

**Figure 10: Relationship of reporter to the adult with disability in reports to the ADC, 2023-24**

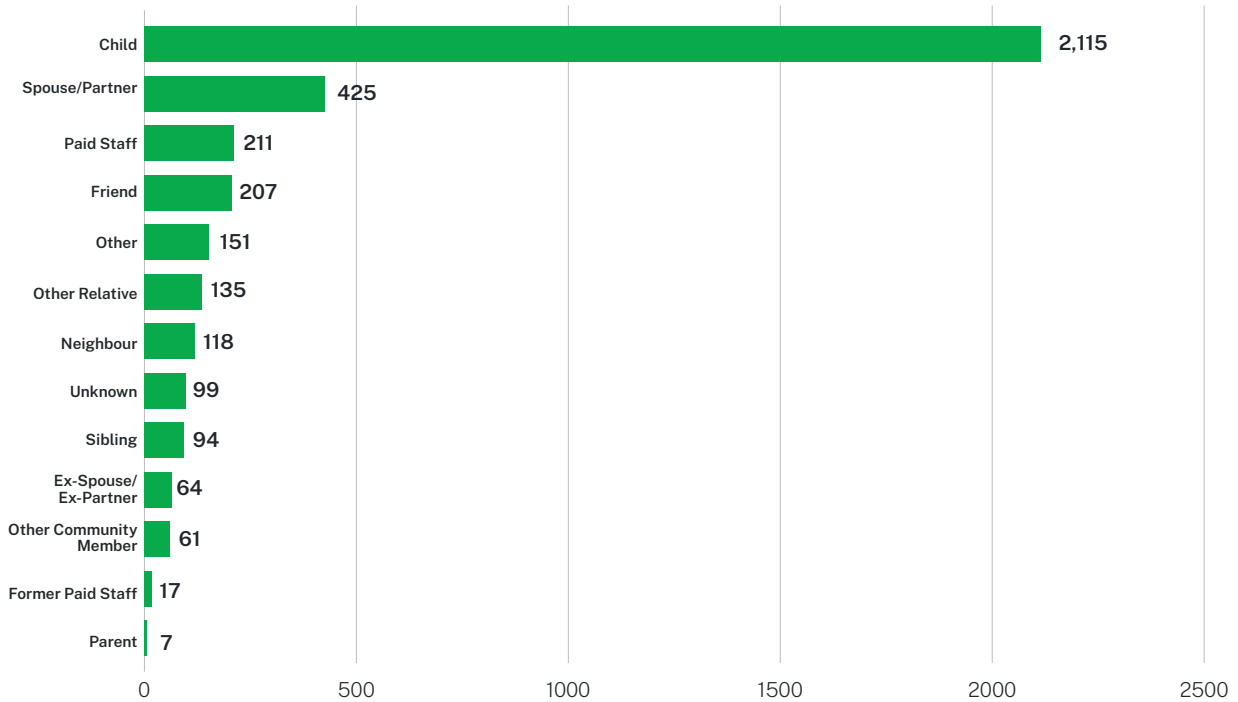




## Subjects of allegation

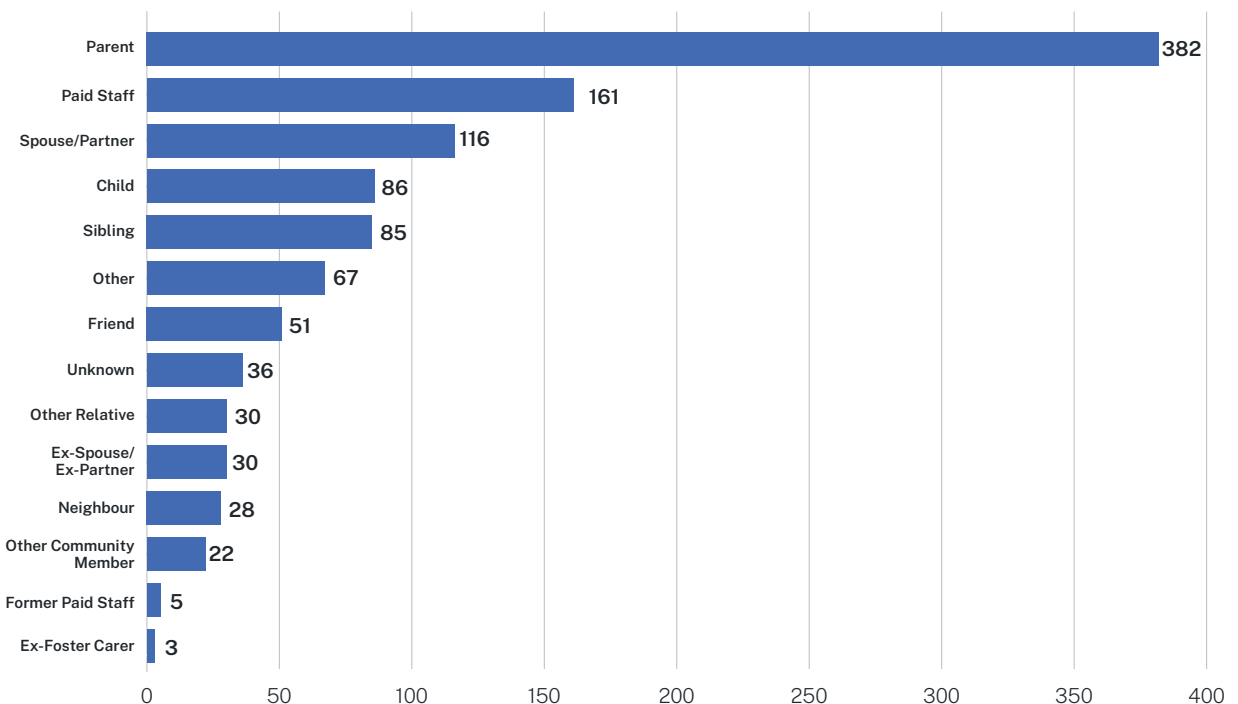
The subjects of allegation in over half (57.1%) of the 3,704 reports about older people in 2023-24 were the person's adult children. All up, relatives were the subjects of allegation in 63.5% of the reports about older people. Allegations against a spouse or partner (or ex-spouse/ partner) featured in 13.2% of the reports about older people.

**Figure 11: Relationship of the subject of allegation to the older person in reports to the ADC, 2023-24**



In 34.7% of the 1,102 reports about adults with disability in 2023-24, the allegations pertained to the adult's parent(s). All up, relatives were the subjects of allegation in 52.9% of the reports about adults with disability. In 13.2% of matters, the adult's spouse or partner (or ex-spouse/partner) was the subject of the allegations.

**Figure 12: Relationship of the subject of allegation to the adult with disability in reports to the ADC, 2023-24**

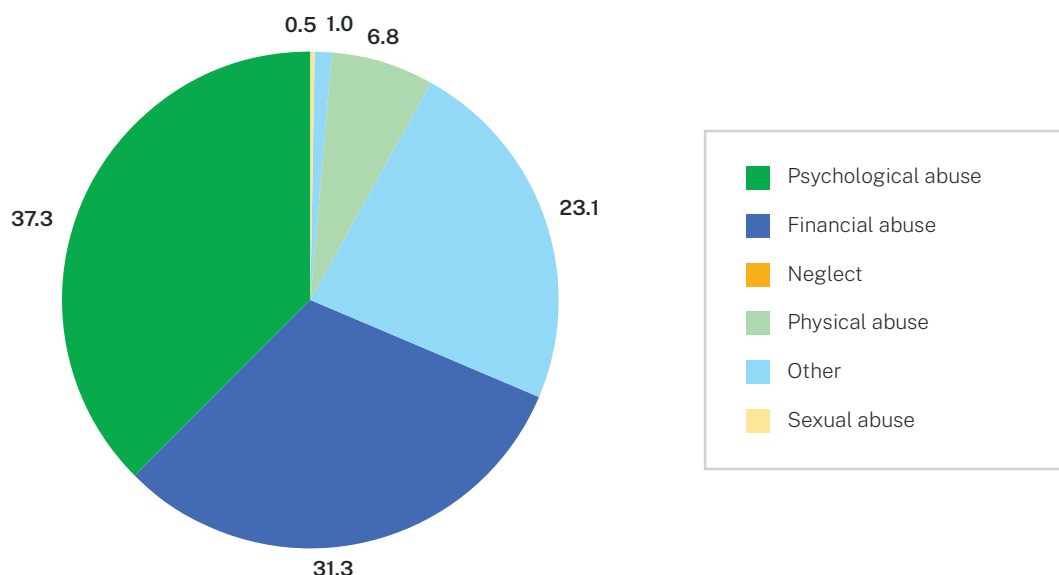


## Type of alleged abuse

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 2023-24 were psychological abuse and financial abuse. This is consistent with previous years.

In comparison to 2022-23, a slightly higher proportion of allegations related to financial abuse (previously 28.2%).

**Figure 13: Percentage of allegations by type of abuse, reports to the ADC about older people, 2023-24**



**Table 23: Type of alleged abuse of the older person in reports to the ADC, 2023-24<sup>13</sup>**

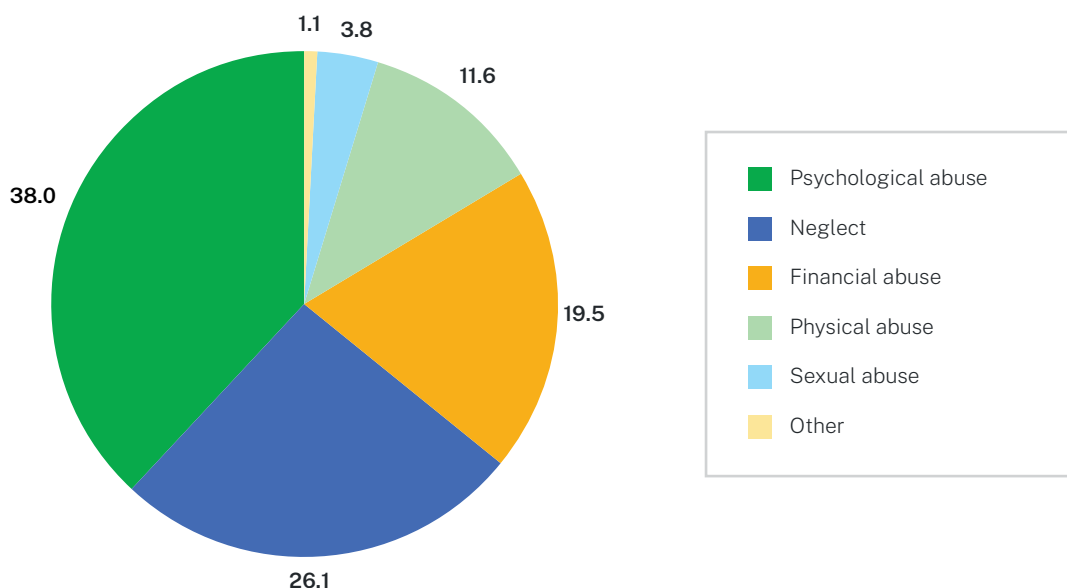
Type of alleged abuse	Number of allegations	% of all allegations in reports about older people
<b>Psychological abuse</b> Mainly verbal abuse; preventing or restricting access to family/ others; and preventing or restricting access to supports/ services.	2,304	37.3%
<b>Financial abuse</b> Mainly financial exploitation; misuse of Power of Attorney/ Enduring POA; and theft.	1,934	31.3%
<b>Neglect</b> Mainly failure to meet the person's support needs; medical neglect; and inadequate clothing or food.	1,428	23.1%
<b>Physical abuse</b> Mainly hitting, kicking, punching; and pushing, shoving, grabbing, shaking.	423	6.8%
<b>Other</b>	59	1.0%
<b>Sexual abuse</b> Mainly sexual assault and indecent assault.	33	0.5%
<b>Total allegations in reports about older people</b>	<b>6,181</b>	<b>100%</b>

13. 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 2023-24 were psychological abuse, followed by neglect and financial abuse.

In comparison with 2022-23, a slightly higher proportion of allegations related to neglect (previously 25.5%), physical abuse (previously 10.9%), and sexual abuse (previously 2.7%).

**Figure 14: Percentage of allegations by type of abuse, reports to the ADC about adults with disability, 2023-24**



**Table 24: Type of alleged abuse of the adult with disability in reports to the ADC, 2023-24<sup>14</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.	760	38.0%
<b>Neglect</b> Mainly failure to meet the person’s support needs; medical neglect; and inadequate clothing or food.	522	26.1%
<b>Financial abuse</b> Mainly financial exploitation; misuse of Power of Attorney/ Enduring POA; and theft.	390	19.5%
<b>Physical abuse</b> Mainly hitting, kicking, punching; and pushing, shoving, grabbing, shaking.	231	11.6%
<b>Sexual abuse</b> Mainly sexual assault and indecent assault.	76	3.8%
<b>Other</b>	21	1.1%
<b>Total allegations in reports about adults with disability</b>	<b>2,000</b>	<b>100%</b>

14. 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 25: Leading outcomes for the Person the subject of a report to the ADC, reports closed 2023-24

Person outcomes	Number of cases <sup>15</sup>
Will and preference of Person ascertained	575
Will and preference of Person respected/upheld	549
Referral or help to access aged care supports	85
Referral or help to access legal support	74
Other supports/services provided or increased	62
Change in accommodation	49
Review or assessment of aged care supports	46
Referral or help to access advocacy supports	45
Referral or help to access other supports	43
Aged care support provided/increased	43
Review or assessment of disability supports	39
Other police/justice action	30
Disability support provided/increased	30
Referral or help to access health services	27
Guardianship application	27
Reduced or addressed social isolation	26
Review or assessment of decision-making capacity	25
Referral or help to access disability supports	25
Review or assessment of health/medical needs	24
Financial management application	24

15. There can be multiple outcomes for an individual.

**Table 26: Leading outcomes in relation to the subject of allegation in a report to the ADC, reports closed 2023-24**

Subject of allegation outcomes	Number of cases <sup>16</sup>
Education or advice provided	498
Linked to or received more support	105
Reduced or supervised access	16
Prevented from access	13
ADVO put in place	13
Removal as Power of Attorney or Enduring POA	10
Benefit changed	6
Removal as NDIS nominee	6
Criminal charges	5
Removal as enduring guardian	4
Benefit removed	3
Removal of other authority	3
Other action on worker check	3
Removal as guardian	2
Removal as financial manager	2

**Table 27: Number and outcome of referrals by the ADC to the HCCC, 2023-24**

Outcome of referral	Number of referrals
Accepted as complaint – discontinued	7
Made inquiries – no further action	2
Accepted as complaint – current	1
Accepted as complaint – referred back	1
Accepted as complaint – referral to resolution service	1
Accepted as complaint – referred for local resolution	1
Accepted as inquiry – information provided	1
<b>Total</b>	<b>14</b>

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



**Table 28: Number and outcome of referrals by the ADC to the Aged Care Quality and Safety Commission, 2023-24**

Outcome of referral	Number of referrals
Accepted as complaint	34
Accepted referral	20
Accepted as enquiry	13
Declined at outset	2
<b>Total</b>	<b>69</b>

**Table 29: Number and outcome of referrals by the ADC to the NDIS Quality and Safeguards Commission, 2023-24**

Outcome of referral	Number of referrals
Accepted referral	87
Other	11
Made inquiries – no further action	4
Investigated – no further action	3
Made inquiries – took further action	2
Investigated – took further action	2
<b>Total</b>	<b>109</b>

**Table 30: Number and outcome of referrals by the ADC to NSW Police, 2023-24**

Outcome of referral	NSW Police Force (potential criminal offences)	NSW Police Force (other referrals <sup>17</sup> )
Agency made inquiries – no further action	80	6
Agency accepted referral	53	19
Agency investigated – taking/took further action	46	0
Agency made inquiries – taking/took further action	42	1
Agency advised will act on matter	14	0
Agency investigated – no further action	11	0
Other	8	3
Agency declined matter	3	0
<b>Total</b>	<b>257</b>	<b>29</b>

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

**Table 31: Number and outcome of referrals by ADC to other person or body, 2023-24**

Referral made to	Outcome of referral	Number of referrals
<b>Advocacy support services</b> (Including Disability Advocacy NSW, Justice Advocacy Service, Older Persons Advocacy Network, Seniors Rights Service)	Agency accepted referral	21
	Agency advised will act on matter	1
<b>Aged care assessment and support services</b> (Including Aged Care Assessment Teams, My Aged Care, Multicultural Care, Dementia Outreach Service)	Agency accepted referral	15
	Agency made inquiries – taking further action	5
	Agency advised will act on matter	2
	Agency made inquiries – no further action	1
	Other	1
<b>Carer and respite services</b> (Including Carer Gateway, Care Finder)	Agency accepted referral	6
	Agency made inquiries – taking further action	2
<b>Counselling and mediation services</b> (Including Relationships Australia, Community Justice Centre)	Agency accepted referral	14
<b>Disability support services</b> (Including Settlement Services International, The Benevolent Society, NDIS Local Area Coordination)	Agency accepted referral	9
	Other	1
<b>Domestic and family violence services</b> (Including Women’s Domestic Violence Court Advocacy Service, Staying Home Leaving Violence)	Agency accepted referral	3
	Agency declined matter	1
<b>Emergency services</b> (Including NSW Ambulance)	Agency accepted referral	5
	Agency made inquiries – no further action	1
	Other	1
<b>Financial services</b> (Including Illawarra Region Financial Counselling Service)	Agency made inquiries – taking further action	2
	Agency accepted referral	1
<b>Commonwealth Government agencies</b> (Including National Disability Insurance Agency, Services Australia)	Agency accepted referral	4
	Agency advised will act on matter	2
	Other	2
<b>NSW Government agencies</b> (Including Department of Communities and Justice, NSW Trustee and Guardian, Homes NSW, Office of the Legal Services Commissioner, Official Community Visitor Scheme, Multicultural NSW)	Agency accepted referral	18
	Agency made inquiries – taking further action	2
	Agency made inquiries – no further action	1
	Agency advised will act on matter	1

Referral made to	Outcome of referral	Number of referrals
<b>Health (including mental health) services</b> (Including Local Health Districts, Mental Health Line, Specialist Intellectual Disability Health Team, Geriatric Flying Squad)	Agency accepted referral	20
	Agency advised will act on matter	2
	Agency made inquiries – taking further action	2
	Agency investigated – no further action	1
	Agency made inquiries – no further action	1
<b>Legal support services</b> (Including Justice Connect, Legal Aid Elder Abuse Service, Seniors Rights Service, Intellectual Disability Rights Service)	Agency accepted referral	50
	Agency declined matter	1
	Agency made inquiries – no further action	1
	Other	2
<b>Other State/Territory Government agencies</b> (Including Qld Elder Abuse Prevention Service)	Agency accepted referral	1
	Agency advised will act on matter	1
<b>Total</b>		<b>204</b>

## A3. Modern slavery reporting

The following outlines the steps taken to ensure that goods and services procured by and for the ADC in 2023-24 were not the product of modern slavery.

Reasonable Steps Taken	Response
<b>1. Commit</b>	
<b>1.1 Stakeholder Engagement</b>	
What steps did your entity take to engage with stakeholders during this reporting period in relation to modern slavery?	<p>During the reporting period, the ADC engaged with potential suppliers in relation to modern slavery requirements as part of a tender process.</p> <p>The core work of the ADC involves engagement with older people and adults with disability who are reported to be subject to, or at risk of, abuse, neglect and exploitation in their family, home and community, including via modern slavery. During the reporting period, we engaged with people with lived experience of modern slavery and provided assistance and support. However, our engagement did not include discussions about the ADC's supply chains.</p> <p>More broadly, modern slavery is incorporated in the ADC's community education and training as part of our communication and discussions about exploitation of adults with disability and older people. During 2023-24, the ADC participated in 78 community education and engagement events.</p>
Did you engage with external stakeholders on modern slavery risks in this reporting period?	Yes
<b>1.2 Identify salient risks at the organisational level</b>	
What steps did your entity take to identify salient modern slavery risks at the organisational level (i.e. across all operational and procurement activities) during this reporting period?	During the reporting period, the ADC commenced steps to identify salient modern slavery risks at the organisational level through use of the Inherent Risk Identification Tool (IRIT). We have undertaken initial scoping and will seek to build on this in the next reporting period.
Did you conduct or update a Salient Modern Slavery Risk Assessment in this reporting period?	No
<b>1.3 Modern Slavery Policy</b>	
What steps did your entity take to adopt a Modern Slavery Policy during this reporting period?	As a small agency, the ADC receives back-of-house support from the Department of Communities and Justice (DCJ). We use DCJ policies until such time that we develop our own. At this stage, the ADC has adopted the DCJ Modern Slavery Policy.
Do you have a modern slavery policy, approved by your senior governing body (e.g. Agency Head / Secretary), in place?	Yes – the ADC has adopted the DCJ policy until we have the capacity to develop our own.
<b>1.4 Modern Slavery Risk Management Plan</b>	
What steps did your entity take to adopt a Modern Slavery Risk Management Plan during this reporting period?	As a small agency, the ADC receives back-of-house support from the Department of Communities and Justice (DCJ). We use DCJ policies until such time that we develop our own. At this stage, the ADC has adopted the DCJ Modern Slavery Risk Management Plan.
Do you have a modern slavery risk management plan, approved by your senior management, in place?	Yes – the ADC has adopted the DCJ plan until we have the capacity to develop our own.

Reasonable Steps Taken	Response
<b>2 Plan</b>	
2.1 Identify and map your supply-chain risks for each procurement	
What steps did your entity take to identify and map your modern slavery risks at the supply-chain level during this reporting period?	During the reporting period, the ADC commenced steps to identify and map modern slavery risks through use of the IRIT. We have undertaken initial scoping and will seek to build on this in the next reporting period.
2.2 Develop a risk-reducing sourcing strategy	
What steps did your entity take to develop a modern slavery risk-reducing sourcing strategy during this reporting period?	As part of tenders and procurement of goods and services by the ADC during the reporting period, we ensured early engagement with suppliers to understand drivers of risk and risk mitigation measures.
<b>3. Source</b>	
3.1 Select appropriate suppliers	
What steps did your entity take to address modern slavery risks when selecting suppliers during this reporting period?	The ADC addressed modern slavery risks in the supplier tender selection process via guidance in the tender request that identified that any procurement would be subject to review of modern slavery and any services procured must not be the product of modern slavery. Wherever possible, we procured through a whole of government pre-qualification scheme.
3.2 Adopt a shared responsibility approach to contracting	
What steps did your entity take to adopt a shared responsibility approach to modern slavery risks in contracting during this reporting period?	During the reporting period, the ADC built expectations around modern slavery risk management into its tender guidance for suppliers and used model contract clauses on modern slavery in relation to some contracts. Contracts used by the ADC also require suppliers to comply with all applicable laws and codes of practice, as well as commit to reporting on any awareness of the compromise of potential or actual risk of health or safety.
<b>4. Manage</b>	
4.1 Monitor and evaluate supplier performance	
What steps did your entity take to monitor and evaluate supplier performance relating to modern slavery, during this reporting period?	The ADC monitored supplier performance throughout the term of agreements through regular meetings and contract requirements for larger procurement/tenders. However, this related to broader supplier performance, not specific to modern slavery.
Has your entity required any of your Tier 1 suppliers to undergo an audit addressing modern slavery risks in this reporting period?	No
4.2 Develop supplier capabilities	
What steps did your entity take to develop supplier capabilities relating to modern slavery risks during this reporting period?	None during this reporting period.

Reasonable Steps Taken	Response
<b>5. Remedy</b>	
5.1 Provide or enable access to effective grievance mechanisms	
<p>What steps did your entity take to provide or enable access to effective modern slavery grievance mechanisms during this reporting period?</p>	<p>The ADC has a publicly available Complaints and Feedback Policy that provides a mechanism and workflow for the assessment and handling of complaints to the ADC by external parties. The Ageing and Disability Abuse Helpline provides a central point to receive and respond to concerns.</p> <p>As part of support arrangements provided by DCJ, the ADC also has access to a Fraud and Corruption Hotline. The Hotline provides a mechanism for certain allegations of misconduct involving the ADC to be reported and assessed for appropriate action.</p> <p>No complaints relating to modern slavery associated with the ADC were received during the reporting period.</p>
5.2 Take safe immediate steps to remedy harm	
<p>What steps did your entity take to safely and immediately remedy modern slavery harms to which you were connected during this reporting period?</p>	<p>No modern slavery harms were identified that were connected to the ADC during this reporting period.</p>
5.3 Use leverage to remediate deficient practices	
<p>What steps did your entity take to use leverage to remediate deficient modern slavery risk management practices during this reporting period?</p>	<p>No deficient modern slavery risk management practices were identified during this reporting period.</p>
5.4 Withdraw responsibly	
<p>What steps did your entity take to withdraw responsibly during this reporting period, in connection to modern slavery risks?</p>	<p>No risks that required the ADC to withdraw from a supplier or business partner relationship were identified within this reporting period.</p>



Reasonable Steps Taken	Response
<b>6. Report</b>	
<b>6.1 Establish a victim-centred reporting protocol</b>	
<p>What steps did your entity take to establish a victim-centred modern slavery reporting protocol during this reporting period?</p> <p>Do you have a modern slavery reporting protocol in place that prioritises the interests of the victim/survivor?</p>	<p>The Ageing and Disability Commissioner Act 2019 (ADC Act) provides for anyone to make a report to the ADC if they have reasonable grounds for believing that an adult with disability or older person is subject to, at risk of, or living in circumstances that will result in, abuse, neglect or exploitation. This includes matters relating to modern slavery involving adults with disability and older people in NSW.</p> <p>The ADC Act:</p> <ul style="list-style-type: none"> <li>• Contains protections for reporters, including that their identity cannot be disclosed (except in very limited circumstances), and they cannot be subject to civil, criminal or disciplinary proceedings for making a report to the ADC.</li> <li>• Is person-centred, requiring anyone carrying out functions under the Act to have regard to the wishes of the adult with disability or older person. The ADC is also required to have the consent of the adult before commencing an investigation into a report, with limited exceptions.</li> <li>• Requires the ADC to refer any report, or part of a report, that may provide evidence of the commission of a criminal offence to NSW Police or the Director of Public Prosecutions, with very limited exceptions.</li> <li>• Provides for the ADC to share information with relevant agencies and other entities to enable or assist the agency/entity to provide a service, make a decision or assessment, or take other action in relation to the adult. The ADC has a range of information sharing arrangements in place with key agencies to support effecting information sharing and referrals in relation to reports.</li> </ul> <p>The ADC does not currently have a specific modern slavery reporting protocol.</p> <p>The ADC Act prioritises the rights and wishes of the adult with disability or older person who is the subject of a report to the ADC, including those with lived experience of modern slavery.</p> <p>The ADC does not currently have a specific modern slavery reporting protocol.</p>
<b>6.2 Report on your modern slavery risk management efforts</b>	
<p>What steps did your entity take to report on your modern slavery risk management efforts during this reporting period?</p> <p>Did your entity report on modern slavery in its prior Annual Report?</p> <p>During the period, did your entity comply with its obligations to report heightened modern slavery due diligence procurements valued at \$150,000 inc. GST) or more within 45 days?</p>	<p>During the year, the ADC:</p> <ul style="list-style-type: none"> <li>• provided information in our annual report, which was tabled in Parliament in October 2023</li> <li>• provided certain information to the Office of the Anti-slavery Commissioner in response to a request for information.</li> </ul> <p>Yes</p> <p>Yes. The ADC did not have any heightened modern slavery procurement instances valued at \$150,000 during the reporting period.</p>

Reasonable Steps Taken	Response
<b>7. Improve</b>	
7.1 Learn lessons from your performance and others'	
<p>What steps did your entity take to learn lessons from your modern slavery performance and others' during this reporting period?</p>	<p>The ADC draws on information from our complaint handling and grievance mechanisms, and stakeholder engagement, to help inform our service improvement activities. During this reporting period, we did not take steps that were specific to modern slavery performance.</p>
<p>Has your entity updated its modern slavery policies or procedures based on stakeholder feedback or lessons from a grievance mechanism during this period?</p>	<p>As a small agency, the ADC receives back-of-house support from the Department of Communities and Justice (DCJ). We use DCJ policies until such time that we develop our own. At this stage, the ADC has adopted the DCJ Modern Slavery Policy.</p>
7.2 Train your workforce	
<p>What steps did your entity take to train your workforce during this reporting period?</p>	<p>The role of the Office of the Anti-slavery Commissioner, the Modern Slavery Act 2018 (NSW), and intersections with the work of the ADC were discussed by the Ageing and Disability Commissioner at an ADC all-staff meeting during this reporting period.</p> <p>Feedback was also provided to staff on the meeting between the two Commissioners, including the intention to put in place an MOU between our agencies in light of intersecting issues, and to support referrals to the ADC.</p>
<p>What percentage of your workforce received modern slavery training in the period?</p>	<p>Approximately 75% of ADC staff received the above information.</p> <p>ADC staff did not receive formal training on modern slavery in the reporting period.</p>
7.3 Cooperate with the Anti-slavery Commissioner	
<p>What steps did your entity take to cooperate with the Anti-slavery Commissioner during this reporting period?</p>	<p>The ADC responded to a request for information from the NSW Anti-slavery Commissioner relating to certain steps to address modern slavery taken by the ADC during this reporting period.</p>

