



Tara Cheyne MLA

Assistant Minister for Economic Development

Minister for the Arts

Minister for Business and Better Regulation

Minister for Human Rights

Minister for Multicultural Affairs

Member for Ginninderra

RESPONSE TO QUESTION ON NOTICE

Questions on Notice Paper No 1

4 December 2020

Question No. 69

MRS ELIZABETH KIKKERT MLA:

- (1) What are the complete powers, roles and responsibilities of the Discrimination, Health Services, Disability and Community Services Commissioner.
- (2) What data does the Commissioner collect in relation to people living with disability in the ACT.
- (3) Does the Commissioner engage any staff to assist in carrying out their role; if so, how many (a) full-time equivalent staff are currently employed and (b) staff are currently employed, what are their work classifications and what type of employment are they engaged in, ie full-time, part-time, casual etc.
- (4) What is the total number of complaints received by the Commissioner for each year the past four years to the date this question on notice was published.

MS CHEYNE MLA - The answer to the Member's question is as follows:

- (1) The DHSDCS has a range of roles and responsibilities outlined in the legislation which includes handling individual complaints, undertaking systemic investigations, participating in policy and legislative reform processes, undertaking community education and training across the areas of legislative responsibility. The DHSDCSC handles (or will handle) complaints about
 - Discrimination
 - Health services including individual registered practitioners
 - Services for children and young people
 - Services for older people
 - Retirement villages
 - Disability services
 - Vulnerable people (abuse, neglect & exploitation of older people and people with a disability)

- Veterinary Services
- Victims of Crime Charter of Rights (1/21)
- Occupancy (2/2021)
- Sexuality and gender identity conversion practices (4/2021)

The powers roles and responsibilities of the Discrimination, Health Services, Disability and Community Services Commissioner (DHSDCS Commissioner) are provided for in the *Human Rights Commission Act 2005* at

- Division 3.4, Section 21, Disability and Community Services commissioner’s functions
- Division 3.5, Section 23, Discrimination Commissioners functions
- Division 3.6, Section 25, Health Services commissioners functions
- Part 4 of the HRC Act which provides the complaint handling functions
- Part 5 of the HRC Act regarding Health codes, health profession boards and veterinary practitioners and the relationship between the commission, the health profession boards and the veterinary practitioners board
- Part 6 of the HRC Act, Miscellaneous

- (2) The DHSDCS Commissioner collects data regarding people with a disability in the ACT who make a complaint to the Commission, including the nature of the person’s disability, noting that provision of this information is voluntary.
- (3) The Commissioner currently has 11 staff (10.2 FTE) who assist in carrying out the role and responsibilities of the commissioner who are public servants employed by the Human Rights Commission not directly engaged by the DHSDCSC. The staff profile is

1 x FT SOG B, 5 x FT SOG C, 3 x PT SOG C, 1 x FT APS 6, 1 x FT APS 5

(4)

Complaints received	2016/17	2017/18	2018/19	2019/20	1 July-30/11/2020
Total	507	633	683	829	350

Approved for circulation to the Member and incorporation into Hansard.



Tara Cheyne MLA
Minister for Human Rights

Date: 20/1/21

This response required 2hrs to complete, at an approximate cost of \$345.38.

