

2022 South Australian election

Response to SACOSS

The Marshall Liberal Government is focused on keeping South Australia safe and strong, including a particular focus on supporting vulnerable and disadvantaged people, through the implementation of important public health measures, provision of housing and financial assistance, and promoting their access and inclusion in relevant policies, programs and services. Please find below responses to your organisation's specific election policy platform recommendations, on behalf of the Government:

1. Rental affordability

- 1.1 *Make a significant new investment to increase the net stock of public housing (investment to be at least equal to the Victorian package: pro rata = \$1.4bn over 4 years).*

The Government recognises the importance of a housing system in South Australia that is well-functioning, sustainable and affordable. Our focus has been, and will continue to be, on bringing our existing public housing stock up to standard, ensuring a fairer eligibility system for people accessing public housing, providing long-term security to low-middle income South Australians through the supply of affordable housing and ensuring public housing is managed efficiently and responsibility. We will also continue to work closely with the community housing and private sectors to contribute social and affordable rental options. Together, these initiatives sustainably relieve housing and rental stress and increase the chances of more South Australians buying their own home.

When compared to the national average (85.5 persons per asset) South Australia has better ratios of population per public housing assets. It is significantly better than Victoria (104 persons per asset), with 55 persons per public housing assets. Victoria is the lowest (in terms of public housing per capita), so in that sense their "historic" budget package is a long overdue catch-up.

- 1.2 *Implement minimum energy efficiency standards for private and public rental properties, and mandatory disclosure of energy efficiency ratings for all rental properties in South Australia.*
- 1.3 *Commit additional funding of \$64 million over four years for Housing SA and other community-based organisations to deliver a targeted energy efficiency program for public and community housing tenants.*

The average age of public housing stock is 40 years – constructed at the time under different building codes and standards for thermal, energy and water efficiencies. Retrospectively fitting these efficiencies is costly.

The Government will commit to continue the following energy efficient initiatives:

- As per the State Government's Climate Change Action Plan 2021-2025, the South Australian Housing Authority supports climate smart development for public housing, which includes consideration of thermal performance, energy efficiency

and solar and battery storage systems and health and wellbeing outcomes for public housing. This is achieved through:

- Ensuring new builds meet the current Building Code of Australia for six-star energy efficiency rating;
- Newbuild construction programs seek to achieve a minimum of 75% of installation of solar panels and batteries on new public housing;
- Newbuild properties will have the provisions installed to accommodate the installation of Solar PV and batteries through Tesla after practical completion by the builder.
- Sustainable Housing Principles guidelines provided to all residential projects that involve land and properties owned by the South Australian Housing Trust. This includes design principles such as passive solar design, sun-shading, energy efficiency, water conservation, and wastewater management. It also includes broader building and construction guidelines to minimise environmental impacts.
- A Preventative Maintenance and Upgrade Program to improve 450 ageing public housing properties. The Program resulted in 471 properties being upgraded including with the likes of roof replacements, and the refurbishment of wet areas (kitchens, bathrooms and laundries) and the replacement of windows. These refurbishments enable the installation of products with greater thermal, energy and water efficiencies, including solar and battery installation where appropriate. Total expenditure under the Program as at 30 September 2021 was \$31.4 million (an average of \$67,000 per dwelling).
- Continue to roll out the Virtual Program to appropriate public houses.

The Government will continue to explore energy efficient housing initiatives going forward to reduce living costs and improve comfort levels for residential occupants, particularly in extreme heat and cold.

1.4 Increase the renter payment rate of the Cost of Living concession to the homeowner level.

Refer to section **3. Concessions**.

2. Digital inclusion

Since being elected, the Government has worked to remove barriers to digital inclusion - especially for our public school students from low-socio economic areas.

In February we announced a \$33 million Digital Strategy, which will ensure that all children have access to the devices they need to further their education and engage in learning.

We have also committed an extra \$2 million over four years for STEM scholarships for young women, Aboriginal students, and students in disadvantaged situations in our public schools to cover the costs associated with IT Equipment and other barriers to education.

The Government has also tasked the Department of the Premier and Cabinet to drive the development of better services for the people and businesses of South Australia. The Department of the Premier and Cabinet is working with agencies, other jurisdictions, industry, academia, and the community, to progress a number of digital and ICT-enabled initiatives.

This includes initiatives that improve the use of government-held data, connect the community to digital entrepreneurs to help solve the issues that impact them, and leverage the great work being done in other jurisdictions to ensure we work together on solutions that impact us all.

As services are increasingly being offered online, many Australians struggle to access digital technologies due to their social or economic circumstances, lack of connectivity to quality infrastructure, affordability and low digital skills. We are working to close the digital divide by co-designing a Digital Inclusion Strategy for South Australia. We are working with national advocacy groups, government agencies and the community.

We are intending to launch the Strategy in Q2 of 2022.

3. Concessions

- 3.1 *Initiate a broad review of the concession system as a whole to ensure consistency, proper targeting and ease of access across the system; Also, 3.2 to 3.4.10;*
- 1.4 *Increase the renter payment rate of the Cost of Living concession to the homeowner level;*
- 6.2.3 *Review eligibility criteria for Emergency Electricity Payment Scheme (EEPs) with a view to raising the debt cap and ensuring those on hardship programs are not prevented from eligibility or referral*

The Government has commenced a review of the State household concessions system, encompassing at least the following concessions:

- Cost of Living Concession
- Water & Sewerage concessions
- Energy concession
- Medical Heating & Cooling
- Residential Parks resident concession
- Emergency Electricity Payment Scheme (EEPS)
- ESL fixed property concession
- Funeral Assistance SA
- Glasses SA
- Personal Alert SA

The review will consider effectiveness, fairness, whether existing concessions are appropriately targeted, as well as the time it takes to administer concessions. It will explore the concerns raised and recommendations proposed to reform concessions, including issues raised in 'The State of Concessions in South Australia: Poverty Premiums and Barriers to Access report', published by the South Australian Council

of Social Service (SACOSS), as well as community feedback and a comparison of concessions and their administration across other Australian jurisdictions.

The review report is expected in April 2022.

A re-elected Government will give due consideration to all recommendations in the Concessions Review Report.

4. Public health

The Government has delivered a renewed focus on public health.

We made the Chief Public Health Officer a full time, stand-alone role. The subsequent onset of the COVID-19 pandemic demonstrated the wisdom of that decision. We have led the world in immunisation - we introduced free flu vaccines for under five year olds, and a world first Meningococcal B vaccination program for children and young people. Our COVID-19 response has been strongly grounded in public health and science.

The Government established Wellbeing SA as an independent agency in January 2020 to affirm our renewed focus and action on prevention, health promotion and primary health care. The Wellbeing SA Strategic Plan shows how Wellbeing SA will lead the system change required to support health and wellbeing and embed prevention across the life course. The three priority focus areas are: (1) the early years; (2) mental health and wellbeing and suicide prevention; and (3) chronic disease, integrated care and injury prevention.

Using a population health approach to improve the health of the entire population, Wellbeing SA leads community wide action on the determinants and risk factors of good health and wellbeing, and models for care in the community. Wellbeing SA works across the disease continuum in primary, secondary and tertiary prevention to promote wellbeing and prevent risk factors in well people; identify people who have risk factors or an illness early so that it can be cured or best managed; and ensure people who have an established disease receive the best care, close to their home.

The Government has established a Health Promotion Branch, an Early Years, Children and Young People Team, the first Aboriginal Health Promotion Team in South Australia and has recommenced an Injury Prevention Unit for South Australia, incorporating an emergency department-based injury surveillance system.

Wellbeing SA has led the Chronic Disease Integrated Partnerships Grants, Healthy Towns Challenge - Partnering for Children's Wellbeing Grants, established co-investments for preventative health measures across South Australia, provided funding to support positive physical, mental and/or social wellbeing through the Community Wellbeing and Resilience Grants, lead the targeted Community Wellbeing and Resilience Program for those impacted by the 2019/20 Bushfires in South Australia, and launched the Open Your World web platform.

If re-elected the Government will continue to build on this important work.

- 4.7 Extend the Ambulance Cover concession for pensioners to all those on equivalent/lower incomes.

Under a re-elected Government, this issue will be proposed for consideration by the Health Performance Council as part of a review of ambulance services.

5. Water

- 5.1 Undertake the following steps to ensure everyone in SA has access to safe and affordable water:

- 5.1.1 Extend the scope of the planned water security stocktake of self-supplied remote communities to all remote communities, both inside and outside of SA Water's network.

The Government considers that the current scope of the planned water security stocktake of self-supplied remote communities addresses the most disadvantaged and those required.

- 5.1.2 Develop a policy that outlines a basic level of service that the Government commits to not falling below, and apply it to all remote communities, both inside and outside of SA Water's network.

The Government considers that this should be examined on completion of the stocktake.

- 5.1.3 Work with communities to undertake water security planning in regional and remote communities.

The Government advises that public consultation is a part of the water security planning that takes place as part of the state-wide Water Security statement process.

- 5.1.4 Extend the application of the Community Service Obligations (CSOs) to all residential drinking water service providers.

The Government notes the merit in exploring this. It is proposed that this be considered as part of the SA Water pricing methodology review. As you may be aware, a commitment to this review has been committed has been announced as part of the *Water Industry Act 2012* review released in 2021.

- 5.1.5 Commit to interim measures to deliver clean and safe water to communities in need, until such time as sustainable access to safe water is established.

The Government considers that the most appropriate juncture for examination of this is upon completion of the stocktake.

- 5.2 Regulate for or commit to all Ministerial Directions for SA Water expenditure to be either funded directly from Treasury, or at least included in the regulatory review of SA Water's expenditure.

Capital expenditure captured in Ministerial Directions are within the scope of the Essential Services Commission of South Australia's (ESCOSA) ex-post capital expenditure review. Operational expenditure is not, but could be, the subject of review by ESCOSA if a request was made through the Pricing Order.

5.3 Revise legislation governing water supply charges for renters to align with other states and make landlords responsible for water supply.

The Government is not inclined to seek to amend the legislation to make landlords responsible for water supply charges at this point in time.

6. Protection and support

6.1 Policies to protect and support particular vulnerable and disadvantaged groups.

6.1.1 Commit to passing legislation to raise the age of criminal responsibility from 10 to at least 14 years of age, without exception

Since 2015-16, when Labor was in government, we have seen a halving in the average daily number of young people in detention in SA from 51 to 24 in 2020-21.¹

On 12 November 2021, at the Meeting of Attorneys-General, the Government was pleased to support the motion for State Attorneys-General to develop a proposal to increase the minimum age of criminal responsibility from 10 to 12.

Children who interact with the criminal justice system at 10 or 11 are more likely to end up spending the rest of their lives in and out of custody than those who enter the criminal justice system at an older age.

Diversion programs and schemes that help rehabilitate children are likely to see better long-term results than interacting with the criminal justice system. That is why the Government has committed \$1.3 million over two years to a nation-first child diversion program, which includes a triage and support service for children who are at risk of being remanded in custody due to lack of accommodation and the trial of a service model to provide an alternative location from Kurlana Tapa Youth Justice Centre, for police custody for children and young people aged 10 to 13 years of age.

We believe that national consensus on this issue is important. A re-elected Government will therefore continue to work with our state and territory counterparts on a proposal that best protects young and vulnerable South Australians.

6.1.2 Provide more detail and regular public reporting about meeting Closing the Gap commitments to reduce the incarceration of young and adult Aboriginal people by 30% and 15% by 2031

The Government will continue to consider policy options in this area.

¹ <https://www.pc.gov.au/research/ongoing/report-on-government-services/2021/community-services/youth-justice>

6.1.3 Provide the option of extended care from 18 to at least 21 years for all young people leaving care, including those in residential care

The Government supports improving transition from care as outlined within our child and young person in care strategy, *Every effort for every child: South Australia's strategy for children and young people in care 2020-2023*.

We have delivered on our commitment to extend foster and kinship care payments to age 21 for young people leaving care through our *Stability in Family Based Care Program*. This program has supported more than 100 young people to stay at home with their families beyond age 18.

In addition, the Over 18 Education Initiative provides carer subsidies and quarterly education grants to carers of young people completing education or training until achieving their qualification or reaching 25 years of age.

As part of the 2021-22 State Budget, we announced \$2.7 million over four years to implement the *Next Steps – Stability Post Care Program* which will provide increased support up for young people up to the age of 21 leaving care. Next Steps will provide young people leaving residential care with support to build practical life skills in areas such as housing, employment, education, financial literacy and health, up to the age of 21.

The Government understands that moving into adulthood and independence is challenging for any young person. This is why we are committed to supporting young people leaving care to have access to the supports they need to thrive and reach their potential.

6.1.4 Review the Impact of the Introduction of the “fee for service” model on access to (and use of) the Communication Partner Service in police interviews and court hearings

The South Australian Law Reform Institute recently released their report, ‘*Providing a Voice to the Vulnerable: A Study of Communication Assistance in South Australia*’, advocating for a Government funded and managed communication partners (CP) model. The 2016 CP service model was free and used trained volunteers. The service was underutilised and therefore funding was removed in the 2018-19 State Budget. In May 2020 a new CP fee-for-service model was introduced using skilled professionals. Under this model, entities including SAPOL, the Office of the Director of Public Prosecutions, the courts and legal practitioners are responsible for engaging CPs and ensuring they are properly trained for their specific need.

It is important that the most vulnerable in our community have the opportunity to provide their best evidence. Thus far, neither model has shown great efficacy in practice, yet as the fee-for-service model is still relatively new and may have been affected by the Covid-19 pandemic, allowing some more time to evaluate how the scheme works in practice is appropriate.

A re-elected Government will review the model at an appropriate time.

6.2 Policies to protect and support people with particular financial hardships.

6.2.1 Remove the \$20.90 charge imposed on payment plans for state government fines

As you are aware, pursuant to section 15(1) and 20(1) of the *Fines Enforcement and Debt Recovery Act 2017*, a prescribed fee is to be paid to the Chief Recovery Officer for a payment arrangement for a pecuniary sum or expiation amount. The Government is advised that the prescribed fee, currently \$21.30, can be added to the debt, rather than being payable upon application for the payment plan.

The Government is advised that FERU has in place a number of measures to address those clients who are suffering hardship which are utilised on a discretionary basis tailored to an individual's particular circumstances. This includes waiving the prescribed fee where an individual is assessed as experiencing financial hardship or vulnerability.

As recently communicated to SACOSS, the Government is pleased to advise that in addition to the above, the Treasurer endorsed the Chief Recovery Officer's new policy that provides that the prescribed fee is to be automatically waived when:

- The debtor establishes a payment arrangement through Centrepay deductions;
- The debtor is a youth (identified as a client aged 19 years or younger; or
- The debtor asserts financial hardship, is identified as vulnerable, or makes contact with an advocate or counsellor.

6.2.2 Remove the Victims of Crime Levy on expiation notices for those in receipt of Centrelink payments and or an SA government concession

The Government has recently reduced the Victims of Crime (VOC) levy applying to young people under 18 years of age by way of the *Victims of Crime (Fund and Levy) (Young Offenders) Variation Regulations 2021*. SACOSS suggests that the reduction (and preferably removal) should also apply to those receiving Centrelink and other SA Government concessions on the basis that people with low incomes often struggle to pay fines and expiation notices.

The process for imposition and variations of the VOC levy is found in section 32 of the *Victims of Crime Act 2001*. Whether someone receives income or Government Support is not a factor listed in section 32, but whether or not someone is an adult is a listed factor. This means the regulations can be used to reduce the VOC levy for young people, but not for those receiving income support payments.

6.2.3 Review eligibility criteria for the Emergency Electricity Payment Scheme (EEPS), with a view to raising the debt cap and ensuring those on hardship programs are not prevented from eligibility or referral.

Please refer to the response provided in section 3 - Concessions.

6.2.4 Require all retailers to participate in pre-disconnection for non-payment site visit programs for all customers, irrespective of meter type.

The Government already funds a range of SA Government services which assist people with energy costs and debt, including energy concessions and the Emergency Electricity Payment Scheme through Concessions SA, which assists those in danger of disconnection or who have already been disconnected (with both of these concessions to be considered as part of the Concessions Review).

In addition, the Government funds financial counselling, which may involve financial counsellors supporting people to manage their energy debt. An Energy and Water Ombudsman in SA to whom people can refer complaints is also available:
<https://ewosa.com.au/>.

Disconnection for non-payment of bills is viewed as a last resort after payment plans and hardship programs have been attempted with a customer and only after the strict processes set out in the National Energy Retail Rules have been followed. Retailers are also required to try and contact a customer in a number of ways before proceeding with a disconnection.

While the ability now exists to remotely disconnect a customer with the advent of smart meters, due to the proportionally small number of smart meters installed in South Australia, to date the number of remote disconnections has been limited. This means when a disconnection is undertaken, it is more likely to be a physical disconnection which involves the relevant metering coordinator – usually SA Power Networks (SAPN) – being onsite. Leveraging this business process, SAPN currently offers retailers a service of a pre-visit, a few days ahead of a scheduled disconnection date, with a letter delivered to the customer either face-to-face or left onsite. SAPN has found physical attendance to a site generally prompts a customer to contact their retailer, at which point a plan can be put in place to prevent the planned disconnection. While SAPN's service is voluntary for retailers to use, the positive results it has had in prompting a customer to contact their retailer and remedy their debt illustrates its value.

A re-elected Government would encourage energy retailers to utilise the pre-disconnection service offered by SAPN and publish a list of retailers using this service, thereby highlighting retailers who are committed to supporting customers in this way.

6.2.5 Legislate to void any requirement for mandatory gas connections in new residential developments.

As a matter of principle, the Government understands the view that purchasers of property should not be locked into using a particular energy source or pay for an energy source they choose not to use.

However, previous attempts to void provisions that properties be required to be connected to gas have sought to amend the Planning, Development and Infrastructure Act (the PDI Act). The Government has previously sought advice on this and it is considered neither suitable nor appropriate that such a prohibition be placed within the scope of the PDI Act, noting that the planning system itself has a very limited role in the provision of gas or other utilities (one such example being the promotion of green technologies in the State Planning Policy on climate change).

The Government will consider further advice regarding other regulatory options. Furthermore, the Australian Energy Regulator is already considering how future consumer choice will impact investment into domestic gas infrastructure.

- 6.3 *Policies to protect and support people most at risk from climate change and natural disasters.*
- 6.3.1 *Implement a percentage-based concession scheme for home, contents, and vehicle insurance for people on low incomes, and resource non-government organisations to facilitate access to the concessions for communities that would benefit.*

No commitment from the Government to this proposal.

- 6.3.2 *Establish and fund a disaster resilience and risk reduction fund to be managed by the People at Risk in Emergencies Action Group*

No commitment from the Government to this proposal.

- 6.3.3 *Amend the Climate Change and Greenhouse Emissions Reduction Act 2007 to include a representative of the non-government health and community services sector on the Premier's Climate Change Council, with the appointment to be made after consultation with SACOSS*

No commitment from the Government to this proposal at this stage but the Government will consult further on the proposal whenever the legislation is next debated in Parliament.

- 6.4 *Policies to support the non-government health and community services sector in our work.*
- 6.4.1 *Legislate and provide seed-funding for a portable long service leave scheme for all SCHADS workers in SA*

The Government recognises and values the significant contribution made by employees, employed in not for profit organisations (NFPs), in delivering services to improve the lives of many South Australians in our community.

Your submission raises the issue of long service leave for employees of NFPs providing community services.

You submit that a number of employees experience changes of employment within this sector, with some of these changes caused by an NFP completing service provision contracts as funding comes to an end and other NFPs gaining contracts for existing service provision through tender processes. As a result of this type of change, an employee may cease employment in one NFP and gain new employment in another NFP in the community services sector.

If re-elected the Government will commission a South Australian Productivity Commission review of issues relating to long service leave arrangements for employees moving employment between NFPs in the community services sector and also the costs of implementing such a scheme.

As explained to SACOSS by the Treasurer, such an inquiry is not commitment at this stage by the Government to implement such a scheme in South Australia.

6.4.2 Fix the definition of electoral matters and political expenditure in the Electoral Act, and/or exempt ACNC-regulated charities from SA election expenditure disclosure

The Government does not support exempting charities from the operation of Part 13A of the Electoral Act.

Political expenditure has a particular defined meaning, and, in general terms, means expenditure incurred for the purpose of participation in the political process (public expression of views on parties or candidates, election issues, or the production of political material, for example).

It is reasonable that a person participating in the political process by incurring political expenditure should be required to disclose these amounts as a third party. Exempting them on the basis that they are a charity reduces transparency around this participation and expenditure.

6.4.3 Implement a broad-based, collaborative review of the Associations Incorporation Act.

The *Associations Incorporation Act 1985* has not been subject to a comprehensive review since 1997.

Over the last few years, Consumer and Business Services has undertaken extensive work and consultation to ensure any amendments to the Act will improve the regulatory framework for the support, oversight and management of associations operating in South Australia.

When the Bill was introduced in the Parliament, amendments that were filed were initiated and recommended by the Commissioner following subsequent stakeholder meetings and extensive consultation.

Funding would be allocated for the implementation of new reforms, general education and support. The funding would be expected to include the production of publication, paid media outreach and translation services, to ensure that associations are properly supported in the implementation through a reform package and ongoing good governance mechanisms under an amended act.

It is the Government's intention, if re-elected, to pass this legislation as a priority.