

MINISTERIAL BRIEF

Minister for Veterans' Affairs

Through: Deputy Secretary Veteran and Family
Services

CC: Secretary

Received in MO

7 December 2022

Update on Department of Veterans' Affairs response to Royal Commission into Defence and Veteran Suicide Interim Report, recommendations 9-13.

Critical Date: Nil

Reason: Routine.

Recommendation – That you:

- 1) **note** the update on Department of Veterans' Affairs (DVA) response to the *Royal Commission into Defence and Veteran Suicide Interim Report* recommendations 9-13. **Noted / please discuss**

S 47F

21/12/22

The Hon Matt Keogh MP
Minister for Veterans' Affairs

Comments (for MO use only)

Key points

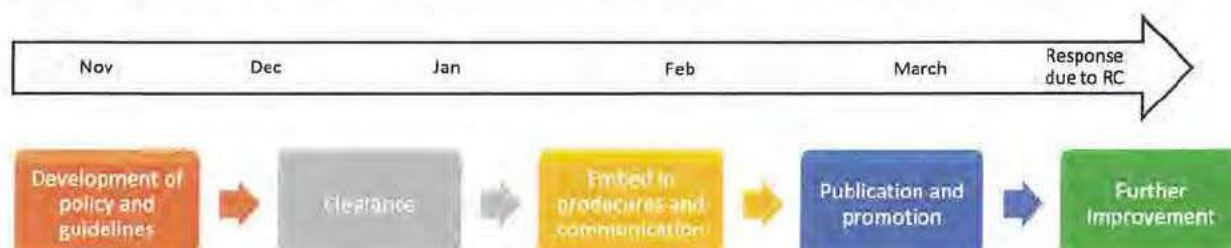
1. You requested an update on the consultations taken to date and the proposed approach to implementing the recommendations.
2. Recommendations 9-13 of the *Royal Commission into Defence and Veteran Suicide Interim Report* (Interim Report) relate to information access, with a focus on access to personal information:
 - Recommendation 9: Improve administrative release of information
 - Recommendation 10: Co-design information to increase awareness of redactions for access requests
 - Recommendation 11: Embed trauma-informed practices for information access
 - Recommendation 12: Encourage up-to-date consent for information access
 - Recommendation 13: Co-design education on information access mechanisms.
3. The Department of Defence (Defence) has the lead for Recommendations 9-13.
4. Defence and the Department of Veterans' Affairs (DVA) engaged an independent, third-party consultant, the Customer Experience Company (CEC), to facilitate co-design workshops/engagements with Australian Defence Force (ADF) members, veterans, families and representative cohorts for these recommendations.
5. On 18 October 2022, co-design sessions commenced to explore what the future experience of accessing information should look like.

6. As at 10 November 2022, 13 co-design sessions had been completed with a total of 94 individuals engaged. Co-design sessions comprised of six face-to-face sessions held in Sydney, Melbourne, and Townsville and seven online sessions. A small number of one-on-one sessions are planned for December 2022.
7. The 94 participants identified themselves as:
 - current serving (21)
 - ex-serving (26)
 - transitioning (3)
 - veteran's family members (17)
 - representatives (26)
 - Australian Federal Police (AFP) Peacekeeper (1).
8. Noting the potentially sensitive nature of the subject matter the Open Arms – Veterans and Families Counselling (Open Arms) were on standby during the co-design workshops to provide appropriate support if required. DVA and Defence representatives also attended the workshops in an observer capacity to hear experiences and insights first hand.
9. Five key themes were identified in the feedback from participants:
 - information access is the means, not the end – information is sought for a purpose such as completing a claim; verifying eligibility for a concession
 - consent is king – having up to date consent is critical for accessing personal information
 - there is one Commonwealth – that DVA and Defence should align where possible in providing access to a person's records
 - consistently, inconsistent – members, veterans and families found that the processes across both departments for access to personal information are inconsistent
 - the digital bar has been set – veterans and families expressed the desire to have more digital access to information, similar to what is available through other government agencies
10. The feedback received from participants at the co-design workshops is shaping the development of policies, procedures and guidelines for DVA staff, along with communication and education products for veterans and families.
11. Significant stakeholder consultation is underway within DVA to develop policy and procedures in line with the recommendations.
12. Following release of the Interim Report, the Information Access Unit (IAU) in DVA started immediately to assess each Freedom of Information (FOI) request for possible conversion to the administrative release pathway, in line with the recommendations in the report. The IAU staff are working with clients in these situations to explain the benefits of engaging in the administrative release pathway and the process ahead. Communication materials are being developed to promote the uptake of administrative release over FOI.
13. DVA and Defence are collaborating closely to make it easier for members, veterans and families to access information. DVA and Defence conducted a series of working groups to share materials and insights with the aim of developing alignment and consistency for ADF members, ex-serving ADF and families. The work continues with DVA and Defence coming together regularly to develop joint material, whilst concurrently developing departmental specific processes and information.

14. An assessment has been completed of the current state around information access, and the co-design activities with veterans and families.
15. The focus is now on the development of policy and guidelines to inform changes to procedures and education/communication materials.
 - DVA is working closely with Defence to develop and align administrative release guidelines as closely as possible to reduce confusion for members, veterans and families.
 - Significant work is required in the area of updating consent due to the legislative requirements around consent and the current complexity of procedures and forms:
 - i. DVA is providing opportunities for veterans to update their consent. By March 2023, in line with the Interim Report's recommendation, DVA will develop clear information around consent, including what it means and how to provide and update it in relation to information access as well as ensuring the review of consent is clearly embedded in information access procedures. However, to achieve consequential improvement in this area, further work will be required beyond March 2023. Future ICT changes and the use of web-forms would enable DVA to align better with current Defence capability and improve the experience for veterans and families.
 - ii. Defence will develop guidance through scenarios to inform life stages of consent by March 2023. This information will provide advice on what consent is and how to provide, update or remove consent. This information will be shared with DVA to ensure consistency of language and information. The information around consent will be available to advocate groups and families in addition to Defence personnel and DVA clients. Defence has reviewed the current web form system and identified a number of opportunities to enhance consent awareness and will work through these updates beyond March 2023 to continually improve the experience.
 - DVA and Defence are collaborating to identify an aligned set of principles for a trauma-informed approach that will be used to guide procedures and communication:
 - i. DVA is reviewing several decision information release letters, to simplify them and ensure the language and messaging adopts principles of a trauma informed approach. DVA is working to identify an agreed internal approach to training to ensure that its client-facing staff are appropriately skilled to assist clients experiencing trauma. By March 2023 it is intended that a training pathway has been developed for the information access unit staff, noting DVA already conducts trauma informed training for delegates.
 - ii. Defence is working across stakeholders to identify written communications and opportunities to include trauma informed practices into existing communications. Defence is working closely with DVA to align this recommendation for consistency across both departments.
 - For both departments, internal procedures need to be updated to balance the "no wrong door" approach with a "single access point" whilst ensuring the most efficient process for clients.

- Whilst DVA has established its Information Access Unit, further work is required to consolidate it as a single point of access by March 2023. Communications for veterans and families are being developed to promote the single access point. Whilst a single point of contact across DVA and Defence is out of scope for these recommendations, further work post March 2023 is required to consider matters such as ICT capability and data sharing across departments to enable a single point of access across DVA and Defence.

16. With the work due for final delivery at the end of March 2023, the policies and guideline documents are being developed now and will be drafted by mid-December 2022 to enable internal consultation and clearance ahead of implementation and publication in March 2023.



Sensitivity

17. Nil.

Media

18. Nil media interest around the co-design work or outcomes has occurred at this time.

Stakeholders

19. Serving Members, veterans, families and advocate groups have been engaged through co-design workshops.
20. Defence and DVA provided an overview of the approach being taken to implement the recommendations to the Office of the Australian Information Commissioner on 15 November 2022 and have agreed to continue with regular engagement.

Appointments

21. Nil.

Legal Implications

22. DVA and Defence are currently investigating whether a Privacy Impact Assessment is required for the work being undertaken.
23. Issues requiring potential legislative change or consideration are not included in scope for the March 2023 implementation timeframe but will remain on the longer term work plan. These include some additional opportunities for consent, and issues associated with information sharing between departments.

Financial Implications

24. Defence funded the majority of engagement with CEC.
25. DVA's implementation of the March 2023 deliverables is being absorbed internally at this time. Outputs post-March 2023 including the expansion of trauma-informed training through the department and ICT enhancements will be scoped and costed post-March 2023.

Background

26. The Royal Commission into Defence and Veteran Suicide released its Interim Report on 11 August 2022.
27. The report provided 13 recommendations, with recommendations 9-13 relating to concerns about access to information and the difficulties experienced by veterans and families seeking access to their own information.
28. The Commissioners reported a concern about the lack of transparency and the impact it may have on serving and ex-serving ADF members when trying to access information about themselves; and on families seeking information about a member who may have died by suicide.
29. Recommendations 9-13 relate directly to DVA and Defence and are on track to be implemented by the due date of March 2023.
30. The recommendations 9-13 are seen by the Commissioners as urgent and non-controversial steps to immediately improve access to information.

Related correspondence / briefs

31. Yes. MB22-000406 - QIB - Expression of Interest; co-design to improve how veterans and their families.

Consultation

32. The Royal Commission Reviews and Inquiries and Implementation Team and Defence were consulted in the drafting of this brief.

Summary of attachments

33. Nil.

Clearance

Cleared by:	Traci-Ann Byrnes, First Assistant Secretary	s 47F
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