

# **Kununurra Community Panel**

## **Guidelines**

### **Cashless Debit Card Trial**

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These guidelines outline the parameters, application and decision making processes and the code of conduct of the Kununurra Community Panel, to support the Cashless Debit Card Trial in the Kununurra region.

The panel members agree to adhere to these guidelines to make fair decisions that help support a positive, strong and safe Kununurra.

When applying to the Kununurra Community Panel participants will need to demonstrate to the panel that they are caring for their family; that their children are going to school and are well cared for; their behaviour is good and they do not commit crimes; and that they pay their rent and look after their home.

The Kununurra Community Panel members agree to follow these guidelines, to consider the applications fully and holistically, and make fair and impartial decisions which reflect the best interest of the Kununurra region.

## **Contents**

1 Introduction .....	3
1.1 Objectives of the Cashless Debit Card Trial .....	3
1.2 Role of the Kununurra Community Panel .....	3
1.3. Overview .....	4
1.4. Legislated Powers .....	5
1.5. Community Panel Boundaries .....	6
2 Governance and Membership .....	7
2.1 Governance .....	7
2.2. Operations .....	8
2.3. Discretionary Powers .....	8
2.4. Payment for service .....	9
2.5. Panel Administrator .....	9
3 Assessment .....	10
3.1 Assessment Criteria .....	10
3.2 Assessment process .....	11
3.3 Panel discretion – 50, 60 or 70 per cent .....	11
4 Application Process .....	12
4.1 Application .....	12
4.2. Assessment Process .....	12
4.3. Assessment Process for Voluntary Participants .....	13
4.4. Notification and Review Process .....	13
4.5. Conditional Decisions.....	14
4.6 Deferred decisions .....	14
4.7 Change in Circumstances .....	14
5 Code of Conduct.....	15
5.1 Values and Behaviours .....	15
5.2 Privacy.....	16

## **1 Introduction**

### **1.1 Objectives of the Cashless Debit Card Trial**

The Cashless Debit Card Trial (the trial) is a way to support people, families and communities in places where high levels of welfare dependence co-exists with high levels of community harm caused by alcohol, gambling and drug use. The Cashless Debit Card is not a punitive measure. The trial is a community-owned and community-driven initiative that aims to reduce the amount of cash in the community that could be used to buy these harmful goods.

All people who receive a working age income support payment and live in Kununurra and the surrounding region will take part in the trial. People on the Age Pension can voluntarily take part in the trial.

Participants will have 80 per cent of their payment transferred to a cashless debit card, which will look and operate like a normal debit card, but cannot be used to purchase alcohol, gamble or to withdraw cash. This part of the payment is known as the 'restricted portion'.

The remaining 20 per cent of a recipient's welfare payment will be paid into their usual bank account. This part of the payment is known as the 'unrestricted portion'.

The trial began in Kununurra on 26 April 2016.

### **1.2 Role of the Kununurra Community Panel**

Separate Community Panels are being established for the Kununurra and Wyndham regions. These guidelines relate to the Kununurra Community Panel.

The Kununurra Community Panel supports people who may request access to a higher proportion of 'unrestricted' funds. It does so in a way to encourage people to do the right thing for their community. The establishment of a Community Panel is not a mandatory feature of the Cashless Debit Card Trial.

Panel members consider applications by drawing on local knowledge to ensure that in granting the request, the applicant will not contribute to community harm, or compromise the objectives of the trial. Panel decisions will encourage participants to work with local service providers to support and further reinforce the objectives of the trial to make Kununurra a stronger place.

### 1.3. Overview

Kununurra Community Leaders have a strong vision for the East Kimberley region. The region has both a diverse and sizeable Indigenous and non-Indigenous population consisting of high-functioning families, who own their own homes, who have well-educated children, who value their culture, and who participate equally in the economy.

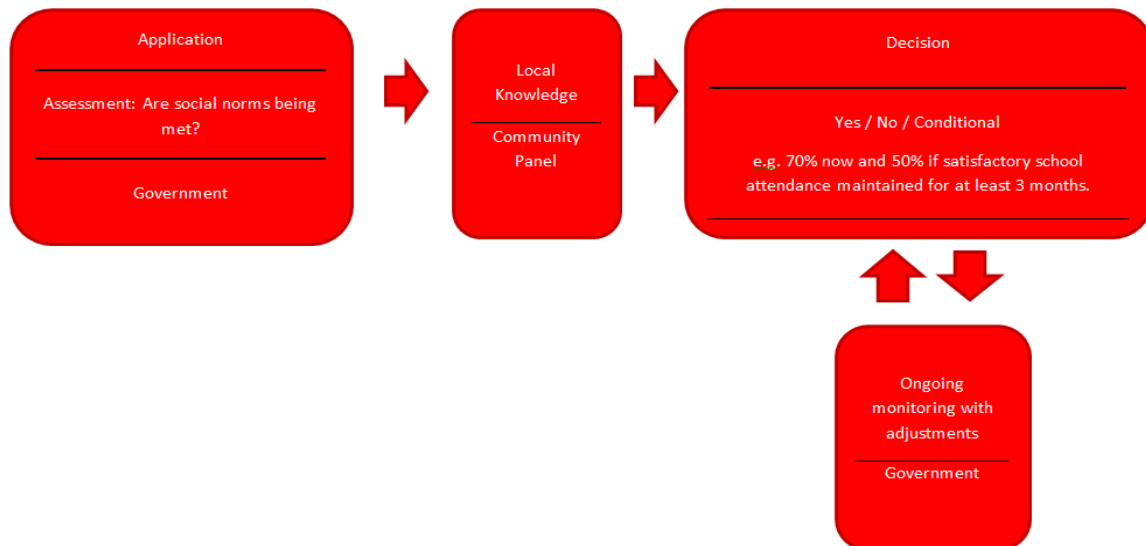
Fundamental to achieving this vision for all Kununurra residents will be embedding the five social norms of the Empowered Communities model in individuals, families and communities. The five social norms are:

- Adults who are capable go to work or are in training
- We care for children, old people and the vulnerable
- Children go to school and are ready to learn
- People take personal responsibility and do not commit crimes
- People look after their homes and pay rent

To help reinforce this vision, the Kununurra Community Panel will use these social norms as the primary assessment criteria (Section 3) when assessing applications from individuals seeking access to a higher proportion of their income support payment as 'unrestricted' funds. Supplementary information may be provided by Commonwealth and WA State Government agencies, to assist in assessing applications from trial participants.

- If approved, the Department of Social Services will provide a written instruction to the Department of Human Services to lower the restricted portion to that agreed by the panel and the applicant (50, 60 or 70 per cent). The Department of Social Services will also inform the applicant of the decision in writing.
- If the panel proposes to reject an application, the Department of Social Services will notify the applicant of the reason for proposed rejection and invite the applicant to submit any further information to support their claim. This may include evidence of ongoing participation with a relevant local service provider to help address the panel's concerns. The panel will consider this additional information before making a final decision.
- If the panel does not agree to reduce a person's restricted amount, the Department of Social Services will notify the applicant in writing and include the reason why the application was not supported. The panel's decision does not prevent the applicant from lodging any further applications.

- If the application is approved on the condition that the applicant continues to maintain contact with a service provider, the Department of Social Services may confirm the participant’s attendance with the service provider from time to time to ensure compliance with the condition agreed. The Department of Social Services will report any concerns with attendance to the panel.



The Kununurra Community Panel will also play an important role in helping to connect applicants with relevant local support services to help them fully realise the social norms.

#### 1.4. Legislated Powers

- The Minister for Human Services, under section 124PE of the *Social Security (Administration) Act 1999*, authorises the Kununurra Community Panel to consider, and on an individual basis, make a decision to vary the restricted portion of funds being placed on the cashless debit card.
- With the agreement of the applicant, the Kununurra Community Panel can:
  - Consider applications from a trial participant living in Kununurra and surrounding regions on a case by case basis.
  - Decide to reduce the restricted portion to between 80 and 50 per cent.
  - Decide to put terms and conditions on a decision to support the objectives of the trial and reinforce the assessment criteria.
  - Decide to revoke a previous decision to reduce an individual’s restricted payment, at any time, if circumstances change (and they are no longer meeting the assessment criteria).

- The Kununurra Community Panel does not have the power to:
  - Decide who will or will not participate in the trial.
  - Exempt people from the trial.
  - Increase the restricted portion above 80 per cent or decrease the restricted portion below 50 per cent.
  - Make decisions for people living outside the Kununurra region.
  - Change decisions made by other cashless debit card community panels.
- Under section 124PJ, the Minister may, by legislative instrument, vary the restricted and unrestricted portions of payments for a particular class of person and/or a particular trial area. The panel should seek the agreement of trial participants/voluntary participants to allow a lower restricted portion that applies to a participant under the legislative instrument to override any previously agreed restricted amount between the panel and the participant.

### **1.5. Community Panel Boundaries**

Separate community panels are being established for the Kununurra and Wyndham regions.

The Kununurra Community Panel will assess applications from people residing in the following communities:

ALLIGATOR HOLE	EMU CREEK	KUMBRARUMBA	NULLYWAH
BELL SPRINGS	FLYING FOX	KUNUNURRA	RED CREEK
BETHAL	FOUR MILE	MINIATA	WARINGARRI
CARLTON HILL	GEBOOWAMA	MIRIMA	WOOLAH
COCKATOO SPRINGS	GLEN HILL	MOLLY SPRINGS	WUGGABUN
DILLON SPRINGS	GOOSE HILL	MUD SPRINGS	YIRRALALLEM
DINGO SPRINGS	GULBERANG	MUNTHANMAR	
DOON DOON	HOLLOW SPRINGS	NGULWIRRIWIRRI	
	JIMBILUM	NIMBING	

The Wyndham Community Panel will assess applications from people residing in the following communities:

NINE MILE COMMUNITY	WARRAYU VILLAGE	WYNDHAM
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## **2 Governance and Membership**

### **2.1 Governance**

- Positions on the Kununurra Community Panel are open to all Kununurra and region community members.
- Based on an expression of interest, panel members will be selected and appointed by the Kununurra Implementation Advisory Group.
- Panel members will have:
  - A good understanding of the Cashless Debit Card Trial;
  - A personal commitment to uphold the objectives of the trial and the five social norms;
  - A strong understanding of the Kununurra community and the surrounding region;
  - The ability to collaborate and contribute to decision making free from personal bias; and
  - Demonstrate impartiality and sound decision making.
- Appointment to the panel will be subject to obtaining a National Police Certificate to the satisfaction of the Department of Social Services.
- Panel members agree to adhere to these guidelines, including the Code of Conduct (Section 5) and will sign a Deed of Confidentiality and Conflict of Interest with the Department of Social Services.
- Panel members must attend a training and induction workshop before they participate in meetings.
- Where possible the membership of the panel will have equal gender representation and reflect the ethnic diversity of the community.
- A panel member may resign from the panel at any time.

## **2.2. Operations**

- Each panel meeting will comprise four panel members. Three panel members will be selected via a roster arrangement. The fourth panel member will be an officer from the Kununurra Police Station. The panel administrator (Part 2.5) will assist in developing a roster for panel members' attendance at panel meetings.
- The panel will meet monthly, for up to two hours at a time.
- Initially the panel may meet more frequently than monthly, if there are a high number of applications to be assessed. The panel administrator will notify panel members where there are high numbers of applications and if more frequent meetings are required, and will assist the panel to schedule these meetings.
- Consideration will be given to the availability and relevant expertise of the membership when rostering panel members for a particular meeting, so that the panel is best placed to meet the needs of the applications being considered.
- If a panel member is also a trial participant and wishes to apply to the panel to reduce their restricted percentage, they can do this through the usual process, but only with independent panel members assessing their application. In this instance, the panel member/trial participant will not discuss their application or assessment with the sitting panel members unless they request additional information from the applicant.
- Panel members are required to attend panel meetings. Failure to attend may be grounds for the Kununurra Advisory Implementation Group to terminate the offending person's membership.
- Where a panel member discloses a conflict of interest in relation to a particular applicant/s, the panel member must take action necessary to avoid and/or appropriately manage the conflict as directed by the panel administrator.

## **2.3. Discretionary Powers**

- The Kununurra Community Panel aims to support people with a legitimate need for increased proportion of funds to be provided to their unrestricted account, without compromising the objectives of the trial or values of the Kununurra community.
- At times, panel members may need to draw on their discretion to ensure that panel decisions maintain these goals.



## **2.4. Payment for service**

- Panel members may be paid for performing the following services, performed in accordance with these guidelines:
  - Attending panel meetings; and
  - Assessing and deciding on the outcome of applications from participants to vary the restricted portion of funds being placed on their cashless debit card.

## **2.5. Panel Administrator**

- The panel will be supported by a panel administrator employed by the Department of Social Services.
- The panel administrator has no decision making power. The role of the administrator is to support the panel by:
  - Working with Commonwealth and WA State Government agencies to verify information collected in the application;
  - Preparing a summary report of all applications for consideration by the panel;
  - Recording the decisions of the panel;
  - Assisting people to complete applications as required;
  - Advising the applicant of the outcome of the application;
  - Advising the Department of Human Services to amend the applicant's restricted amount;
  - Assist the applicant to access appropriate support services;
  - Monitor applicants attendance at support services as required;
  - Advising the Department of Human Services to restore the default 80/20 split if a previous panel decision is revoked;
  - Assisting to develop a roster for panel members' attendance at panel meetings; and
  - Notifying panel members where there are high numbers of applications and if more frequent meetings are required, and assisting to schedule these meetings.

## **3 Assessment**

The Kununurra Community Panel is designed to support people with a legitimate need for increased proportion of funds to be provided to their unrestricted account, without compromising the objectives of the trial.

### **3.1 Assessment Criteria**

- The Panel will first consider any reason provided by the applicant as to why they require additional access to cash.
- Applications will then be assessed with consideration of the following criteria:
  - Adults go to work or are in training
  - We care for children, old people and the vulnerable
  - Children go to school and are ready to learn
  - People take personal responsibility and do not commit crimes (including paying any outstanding fines relating to motor vehicle or driving offences).
  - People look after their homes and pay rent.
- In making decisions, the panel will draw on the information presented by the applicant as well as its local community knowledge. The panel will also draw on verifying data provided by relevant Government agencies, provided in the summary report prepared by the panel administrator.
- Decisions must give due consideration to whether granting the application supports the Trial objectives and is in the best interests of the Kununurra community.

### 3.2 Assessment process

- **3.2.1 Application:** with the consent of the applicant, the community panel will draw on its collective community knowledge to consider whether granting the application will continue to support the objectives of the cashless debit card and the achievement of the five social norms.
- **3.2.2 Community Knowledge:** if possible, panel members will draw on their knowledge of the individual to make a judgement on whether the applicant is adhering or meeting the expected behaviours under the agreed social norms, and to consider the reason why the applicant believes they need access to additional cash.
- **3.2.3 Supporting Data:** to support this assessment the panel member will also have access to supporting evidence. This evidence will be in the form of a summary report produced by the panel administrator based on information provided by WA Police, Housing, Hospital, and Child Protection and Family Services. This summary report will consolidate information that participants have provided or agreed to provide via their application: *Kununurra Community Panel – Cashless Debit Card Trial – Application to change restricted amount.*

### 3.3 Panel discretion – 50, 60 or 70 per cent

- If, after applying the assessment criteria, panel members agree to change the restricted amount on an applicant's Cashless Debit Card, the panel will exercise its discretion to reduce the restricted amount to 50, 60 or 70 per cent.
- Circumstances where these different percentages may be appropriate include:
  - Where the panel is satisfied the applicant is meeting all social norms but the applicant has not provided a strong reason why they need access to additional cash, a reduction to 70 per cent may be appropriate.
  - Where the panel is satisfied the applicant is meeting all the social norms and has provided a strong reason why they need access to additional cash, a reduction to 60 per cent may be appropriate.
  - A reduction to 50 per cent should only be granted in exceptional circumstances, such as where an applicant is meeting all social norms and has a unique or significant reason why they need access to additional cash.

## **4 Application Process**

### **4.1 Application**

- The panel administrator is available to assist participants to make an application to the Kununurra Community Panel.
- The application process is voluntary and open to all trial participants living in the Kununurra region.
- When a person applies to the panel, they complete an application form, and can submit additional information if they choose.
- When applying to the panel, the applicant gives their consent for the panel administrator to contact nominated Commonwealth and WA State Government agencies to verify the claims made.
- The applicant may seek the maximum reduction to the restricted proportion in their application form, but a lesser reduction may be suggested should the panel feel it is more appropriate.
- The panel will agree to any request by an applicant to increase their restricted amount, following an initial reduction.
- If an applicant applies to the Kununurra Community Panel, but lives in the Wyndham region, the panel administrator will refer their application to the Wyndham Community Panel.

### **4.2. Assessment Process**

- The community panel will draw on its collective community knowledge to consider whether granting the application will support the objectives of the Cashless Debit Card Trial and the assessment criteria, and is in the best interests of the Kununurra community.
- The panel will also consider the panel administrator's summary report when making a decision.
- If requested by the panel, and with the consent of the applicant, the panel administrator will work with nominated Commonwealth and WA State Government agencies to verify the information provided and to confirm whether the assessment criteria are being met.
- The panel administrator will subsequently provide a summary report to the panel confirming whether the criteria has or has not been met;

- Any decisions informed by local knowledge will be made in line with the values and code of conduct in these guidelines.
- Once a decision is made, the panel administrator will inform the Department of Human Services of the panel's decision and notify the applicant.

#### **4.3. Assessment Process for Voluntary Participants**

- For people volunteering to be on the trial, the panel agrees to approve the requested percentage as indicated on the application form with minimal assessment.
- The panel administrator must confirm that the participant is indeed a voluntary participant.

#### **4.4. Notification and Review Process**

- Applicants will be given an opportunity to respond to the panel where the panel proposes not to agree to the requested reduction in the restricted amount.
- The panel administrator will inform all applicants of the outcomes of their application, including reasons for the panel's decision, in writing.
- If a change is to be made to the applicant's restricted/unrestricted payments, applicants will be advised of the date when the change will come into effect.
- If the application is not successful, applicants will have 21 days to consider the position of the panel and provide any additional information in support of the claim and have the application reassessed.
- The panel administrator will draw on any additional information provided to give an updated report to the panel for its consideration.
- If no additional information is provided in the 21 day review period, the decision will be finalised and the panel administrator will notify the applicant.

#### **4.5. Conditional Decisions**

- The panel will consider applications from applicants working towards the assessment criteria but may not yet have met all criteria.
- The panel may use its discretion to decide, on a case by case basis, to give a time-limited decision on the condition that certain arrangements are met to encourage continued progress towards meeting the criteria.
- A conditional decision could include, but is not limited to, maintained satisfactory or improved attendance with a support service over time.
- The panel administrator may seek information from the service providers to inform the panel that the conditions of the decision are being met.
- While the conditions are being met, the decision to reduce the restricted portion will remain in effect. However, should the conditions be breached, the panel will revoke the decision and the individual will return to the default 80/20 percent rate.

#### **4.6 Deferred decisions**

- In the consideration of an application, the panel may recommend that an applicant undertake a course of action for a period of time to help them meet the assessment criteria.
- A decision may be deferred for up to three months to give the applicant time to consider and act on the recommendation before a final decision is made.
- The applicant may provide evidence that they have acted on the recommendation for consideration by the panel.

#### **4.7 Change in Circumstances**

- Applicants are encouraged to adhere to the assessment criteria and seek support as needed to help realise these goals.
- If the panel becomes aware of a change in circumstances of an applicant, they can decide, at any time, to review their original decision and amend it (with the agreement of the applicant), or revoke the decision meaning that the default 80/20 split will take immediate effect.

## **5 Code of Conduct**

### **5.1 Values and Behaviours**

- All panel members agree to be bound by and hold to the following values and behaviours:
  - The panel makes decisions free of discrimination.
  - The panel respects the privacy of applicants and only discusses applications with other panel members and the panel administrator for the purpose of finalising the application.
  - The panel considers all information presented to it without personal bias.
  - All panel members are equal. If a decision cannot be agreed upon, a majority rule of sitting members will apply.
  - The panel is accountable for its decisions and seeks further information from the applicant where an unfavourable decision may be made. The panel also provides feedback to unsuccessful applicants via the panel administrator.
  - The panel promotes a fair system of review; applicants have the opportunity to provide additional information and have decisions reconsidered.
  - Panel members will act with integrity in the course of the decision making process.
  - Panel members will act respectfully towards applicants.
  - Panel members comply with Australian laws relating to Privacy, Discrimination, Good Administrative Practice, and Principles of Natural Justice.
  - Panel members must disclose any conflicts of interest and avoid making decisions where a conflict is present.
  - Panel members must not provide false or misleading information in the decision making process.

## 5.2 Privacy

- Personal information will only be collected by the panel administrator on behalf of the panel for the assessment and administration of the application, with the permission of the applicant.
- De-identified summaries of collected information may be used to assist ongoing management and evaluation of the trial.
- To protect the identity of the panel members from community harassment, the specific panellists for each decision will not be made public.
- To protect the information of the applicant, panel members will be required to sign a non-disclosure confidentiality agreement with the Department of Social Services.