

Department of Veterans' Affairs

Response to Notice to Give dated 8 August 2022 (NTG-DVA-030)

Question 1

Provide a summary of the Ex-Service Organisation Round Table (ESORT).

In answering this question, specifically provide:

a. an overview of ESORT

- 1.2. The Ex-Service Organisation Round Table (**ESORT**) is the main national consultative forum within the Department of Veterans' Affairs (**DVA**) National Consultation Framework (**NCF**).
- 1.3. In addition to ESORT, the NCF has four other national forums:
- a. Younger Veterans Contemporary Needs Forum (**YVF**)
 - b. National Aged and Community Care Forum (**NACCF**)
 - c. Operational Working Party (**OWP**)
 - d. Female Veterans' and Families Policy Forum.

b. when and for what purpose ESORT was established

- 1.4. ESORT was established following an announcement of the NCF by then Minister for Veterans' Affairs, the Hon Alan Griffin, on 9 April 2009. The first meeting of ESORT was convened on 12 May 2009. Its purpose was to provide a forum for DVA, the Repatriation Commission and the Military Rehabilitation and Compensation Commission (**MRCC**) to consult ex-service and Defence communities on issues of strategic importance impacting them and their families.

c. the objectives of ESORT

- 1.5. ESORT's objectives are set out in its terms of reference as follows:¹

Objectives

This forum is intended to enhance the capacity of the Repatriation Commission and the MRCC to address issues of strategic importance to the ex-service and Defence communities and assist in setting strategic directions for the medium to long term, including:

- acting as the main forum for dialogue between the MRCC, Repatriation Commission, DVA and the leadership of the ex-service organisations (**ESO**) and Defence communities.
- providing advice on how government can better facilitate a common approach to veteran and ex-service issues against the current background of ageing members, declining membership and multiple ESOs not necessarily united in their common concerns.
- enable broad consultation on mental health issues.

¹ See the ESORT Terms of Reference (DVA.5010.0002.2353 produced under NTP-DVA-012).

- provide a mechanism to disseminate information about DVA initiatives and providing regular consultation and discussion about emerging issues affecting younger members and their families.
- enhance the ex-service community's understanding of DVA's service delivery performance through information sharing and improved communication between DVA and the ex-service community.
- consider how DVA engages with and provides services to younger members.
- identify and provide recommendations for improvements in operational policy to promote quality and accountability in service delivery.
- be a forum for ESO to discuss concerns arising from operational issues.
- guiding strategic directions for the portfolio.
- serving as the main body for consultation under the *Legislative Instruments Act 2003* on the development of legislative instruments impacting members of the ex-service and Defence communities under the:
 - *Veterans' Entitlements Act 1986*
 - *Military Rehabilitation and Compensation Act 2004*
 - *Safety, Rehabilitation and Compensation (Defence Related Claims) Act 1988*
 - *Defence Service Homes Act 1918*
 - *War Graves Act 1980*.

d. history of the composition of ESORT

1.6. The history of ESORT's composition from commencement to the present, is at **Attachment A**.

e. the current composition of ESORT

1.7. The current composition of ESORT includes National Presidents or equivalents drawn from the following organisations:²

- Royal Australian Air Force Association
- Australian Peacekeepers and Peacemakers Veterans Association Inc.
- Australian Special Air Service Association
- Defence Families Australia
- Defence Force Welfare Association
- Defence Reserves Association
- Legacy Australia Inc.
- Naval Association of Australia
- Partners of Veterans' Association

² See ESO Round Table | Department of Veterans' Affairs at <https://www.dva.gov.au/about-us/overview/consultations-and-grants/how-we-consult-ex-service-community/eso-round-table>.

- Royal Australian Regiment Corporation
- Returned and Services League of Australia
- Australian Federation of Totally and Permanently Incapacitated Ex-Servicemen and Women
- Vietnam Veterans Association of Australia
- Vietnam Veterans Federation of Australia
- Australian War Widows Inc.
- all members of the Repatriation Commission and the MRCC.

f. how often ESORT meets per year

- 1.8. Apart from the Out of Session meetings (discussed below), full meetings of ESORT are held approximately two or three times a year.

g. the quorum for ESORT meetings

- 1.9. As ESORT is a consultative body, there is no quorum required for meetings to proceed.

Question 2

Identify the current Secretariat of ESORT, including but not limited to, either full names, qualifications and position within the Department, if any.

- 2.1. DVA provides the secretariat support to ESORT through the Governance and Ministerial Events Section which sits within DVA's Parliamentary and Governance Branch. The ESORT Secretariat performs a governance function that is administrative in nature.

- 2.2. The Assistant Secretary of the Parliamentary and Governance Branch, Ms Liane Pettitt, has oversight of the ESORT Secretariat.

s 22 - Out of scope

Question 3

Outline the process by which ex-service organisations are selected to comprise ESORT, including without limitation, the following matters:

a. How organisations are selected for ESORT membership

- 3.1. The NCF Terms of Reference for the previous three NCF Reviews have authorised the Steering Committee to advise the Secretary of DVA on a range of matters, including the composition and membership of ESORT.³ Taking this advice into account, the Secretary of DVA then decides which organisation should be invited to join ESORT.
- 3.2. Outside of NCF Reviews, the Chair of ESORT (being the Chair of the MRCC) can consider requests for membership to ESORT.

b. Who from the Department selects organisations for ESORT membership

³ See DVA's response to NTG-DVA-00006 (DVA.9999.0001.0244) for further information on the NCF Review process.

3.3. At its establishment, ESORT membership was decided by the Secretary of DVA and the then Minister for Veteran's Affairs. Currently, requests for membership of ESORT are considered by the Chair of ESORT (being the Chair of the MRCC).

c. Any screening, evaluation or due diligence processes the Department undertakes when assessing organisations prior to membership of ESORT

3.4. Apart from an organisation needing to be a national body that represents a broad constituent of veterans and families, DVA does not undertake any screening, evaluation or due diligence process when assessing the suitability of such an organisations prior to them being invited for ESORT membership.

d. The application process to the Department for selection for ESORT, if any

3.5. There is no formal application process for selection for ESORT. Organisations can request to join ESORT at any time, in writing, to the ESORT Secretariat.

e. The selection criteria administered by the Department in selecting those organisations comprising ESORT

3.6. DVA does not administer a set of selection criteria for ESORT membership. As set out in response to Question 3(c) above, as long as the organisation is a national body that represents a broad constituent of veterans and families, they are eligible for consideration for an invitation to join ESORT membership.

f. The terms of an organisation's membership of ESORT, including tenure

3.7. The terms of an organisation's membership of ESORT are set out in the ESORT Terms of Reference, which state 'member roles and responsibilities' are as follows:⁴

- Members are expected to be available for face-to-face or videoconference meetings; however if this is not possible, a proxy can be appointed. If a member or their proxy is unable to attend three consecutive meetings, the ESORT Chair may exercise the right to review that organisation's membership on the forum.
- Members or their proxies are expected to prepare for meetings by ensuring familiarity with the agenda topics and background papers if available.
- Members or their proxies will ensure qualified representation of the organisational position, policies and programs to enable informed and non-speculative discourse.
- Members or their proxies are encouraged to raise any matter of concern, no matter how controversial the particular matter may be, and for it to be addressed at the forum. Members may also take the opportunity, where appropriate, to consult directly with the DVA Executive on sensitive matters.
- Where a forum member becomes aware of behaviour of another member that is contrary to that expected of members, the member may raise the matter at the next meeting to be discussed by the entire membership and the most appropriate course of action will be determined by the forum membership.

⁴ See the ESORT Terms of Reference (DVA.5010.0002.2353 produced under NTP-DVA-012).

- Members or their proxies are expected to observe 'Chatham House' rules and the confidentiality of sensitive discussions during a forum meeting.
 - Members or their proxies must disclose or take reasonable steps to avoid any conflict of interest (real or apparent) in connection with their appointment to or attendance at ESORT meetings.
 - There is a mutual obligation on forum members, their proxies and the organisations they represent to make every effort to disseminate outcomes and relevant information arising from the NCF forum meetings to their membership and the broader ex-service community in a timely manner.
- 3.8. An organisation will remain a member of ESORT until the Secretary of DVA and the Minister for Veterans' Affairs decide to cease the organisation's membership.
- g. How often the membership for ESORT is reviewed, including when and how organisations are selected or re-selected for, or removed from, ESORT, and the process for same.**
- 3.9. Membership for ESORT is reviewed every three years, as part of the NCF Review outlined in response to Question 3(a) above.
- 3.10. If an organisation's ESORT membership is to be ceased, the Secretary of DVA would convey that decision both orally and in writing to the organisation. An organisation's membership of ESORT may be ceased if they are no longer a national body representing a broad constituent of veterans and families.

Question 4

Outline the reporting structure for ESORT, if any.

- 4.1. There is no reporting structure for ESORT because it is a consultative forum.

Question 5

Once an organisation is a member of ESORT, is that organisation subject to:

a. Any evaluation or review of the services that it offers and if so, by whom? If not, why does no such evaluation take place?

- 5.1. No, the services offered by a member of ESORT is not dependent on that organisation's membership of ESORT.

b. Any requirement to re-apply to ESORT, either on an annual basis or otherwise?

- 5.2. No, there is no requirement for a member of ESORT to re-apply for membership either on an annual basis or otherwise.

Question 6

Is there any obligation imposed by the Department upon ESORT member organisations to consult with other Ex-Service Organisations that are not members of ESORT? If so, please explain that obligation and where it is recorded.

- 6.1. No.

Question 7

Explain how action items developed at ESORT meetings are recorded, progressed and further, how outcomes are reported to ESORT, including any other reporting lines ESORT may have.

- 7.1. Action items developed at ESORT meetings are recorded in meeting minutes and in an 'Action Item Register' before being progressed to relevant ESORT members and/or DVA business areas to respond.
- 7.2. Once meeting minutes have been endorsed by the Chair of ESORT, action items are sent to relevant business areas in DVA to action. DVA business areas provide updates about action items back to the ESORT Secretariat. The updates are then presented to the ESORT members at subsequent ESORT meetings.

Question 8

Detail any recommendations made by ESORT, to whom those recommendations were made and whether they were implemented.

- 8.1. As ESORT is a consultative body, it does not make recommendations that a particular proposal be actioned. Rather, it provides the mechanism through which DVA and the Commissions can share information with the ex-service and Defence communities and seek their views.

Question 9

Detail any outcomes of ESORT, including without limitation any programs or initiatives that have arisen as a result of ESORT.

- 9.1. As ESORT is a consultative body, it generally does not produce outcomes as such. Rather, ESORT seeks to inform the decision-making of DVA and the Minister for Veterans' Affairs, who in turn make decisions that lead to outcomes for veterans and families.

Question 10

Provide an overview of 'out of session' ESORT meetings (OOS ESORT meetings) including but not limited to:

a. The purpose of OOS ESORT meetings

10.1. The purpose of OOS ESORT meetings is to discuss emerging issues or urgent matters of importance that may impact veterans and families. Generally, the matters which give rise to OOS meetings are assessed as not being able to be held over for a scheduled meeting.

b. The attendees of OOS ESORT meetings

10.2. ESORT members who are available to attend the meetings do so. Meetings are held via videoconference such as GovTEAMS.

c. An example of the topics discussed at OOS ESORT meetings

10.3. Examples of topics canvassed at previous OOS ESORT meetings include:

- natural disasters (e.g. the Black Summer Bushfires)
- the COVID-19 pandemic
- national and international affairs (e.g. the withdrawal of the Australian Defence Force from Afghanistan and the trilateral partnership between Australia, the United Kingdom and the United States of America)
- updates regarding DVA's service delivery, systems and programs (e.g. issuing of veteran cards and the Home Care Program).

Question 11

Provide an overview of 'out of session working groups', including but not limited to:

a. A list of all current out of session working groups

11.1. As at 29 August 2022, ESORT has four current working groups:

- 'Multi-Act Claims Working Group' - this group was convened to examine the complexities of claims made by clients with eligibility under multiple Acts. The group has now expanded its remit to also serve as a consultative group for DVA's work related to clearing the claims backlog and the harmonisation of legislation
- 'Grants Working Group' – this group was convened to review the changes to the Building Excellence in Support and Training (BEST) Grants Program
- 'Quality Assurance of Advocacy Working Group' – this group was convened to contribute to a Statement of Principles for a Quality Assurance program for advocates who assist clients to lodge claims with DVA
- 'Booked Car With Driver Working Group' – this group was convened to discuss general transport issues and challenges and explore eligibility and entitlements under the BCWD Program.

b. The purpose of out of session working groups

- 11.2. The purpose of out of session working groups is to consider emerging issues or urgent matters of importance to ex-service and Defence communities as well as their families.
- 11.7. They provide an opportunity for in-depth discussion of the particular issue or matter, as opposed to higher level strategic discussions that occur at ESORT meetings. By their very nature, out of session working groups are normally short-lived.

c. Whether any minutes or agendas are available for out of session working groups.

- 11.8. Yes, some meetings of out of session working groups have minutes and/or agendas.

Question 12

Explain why no agendas or minutes are taken at OOS ESORT meetings.

- 12.1. Most OOS ESORT meetings have agenda items, minutes, talking points and submissions made by member organisations.
- 12.2. However, as OOS ESORT meetings are intended to be short and informal discussions, documentation will vary depending on the nature of the emerging or urgent issues being discussed.
- 12.3. Further, the ESORT Secretariat has been affected by resourcing constraints which have limited the level of documentation that can be prepared for OOS ESORT meetings.
- 12.4. Where available, documentation relating to OOS ESORT is provided in response to Question 1(h) of NTP-DVA-037.