NATIONAL PARTNERSHIP AGREEMENT ON TREATING MORE PUBLIC DENTAL PATIENTS

Council of Australian Governments

An agreement between

- the Commonwealth of Australia and
- the States and Territories, being:
 - New South Wales
 - ♦ Victoria
 - ♦ Queensland
 - Western Australia
 - South Australia
 - ♦ Tasmania
 - the Australian Capital Territory
 - the Northern Territory

This Agreement will contribute to the improved oral health of patients who are eligible for public dental services, by providing treatment for 400,000 patients of public dental services, with a particular focus on Indigenous patients, patients at high risk of, or from, major oral health problems and those from rural areas.

National Partnership Agreement on Treating More Public Dental Patients

INTERGOVERNMENTAL AGREEMENT ON FEDERAL FINANCIAL RELATIONS

PRELIMINARIES

- 1. This National Partnership Agreement (the Agreement) is created subject to the provisions of the Intergovernmental Agreement on Federal Financial Relations and should be read in conjunction with that Agreement and its Schedules, which provide information in relation to performance reporting and payment arrangements under the IGA.
- 2. In entering this Agreement, the Commonwealth and the States and Territories (the States) recognise that they have a mutual interest in improving outcomes in public dental services and need to work together to achieve those outcomes.
- 3. The Commonwealth will provide up to \$344 million to the States to assist them in alleviating pressure on the public dental system by providing treatment for 400,000 patients of public dental services.
- 4. This Agreement will be implemented consistently with the objectives and outcomes of all National Agreements and National Partnerships agreed by the Parties. In particular, the Parties are committed to addressing the issue of social inclusion, including responding to Indigenous disadvantage (for example, the reform commitments provided in the National Indigenous Reform Agreement) and those commitments are embodied in the objectives and outcomes of this Agreement.
- 5. For this Agreement to have the desired impact on public dental services, it is essential that the States' clinical activity related to public dental services (child, adult and special needs patients) is maintained and not withdrawn or redirected away from dental services. Investments under this Agreement are additional to such effort.

PART 1 - FORMALITIES

Parties to this Agreement

6. This Agreement is between the Commonwealth of Australia (the Commonwealth) and the States and Territories (the States).

Term of the Agreement

7. This Agreement will commence as soon as the Commonwealth and one other Party signs the Agreement and will expire on 31 December 2015, or on completion of the project, including the acceptance of final performance reporting and processing of final payments against performance benchmarks. The Agreement may be terminated earlier or extended as agreed in writing by the Parties.

PART 2 - OBJECTIVES, OUTCOMES AND OUTPUTS

Objectives

8. This Agreement aims to alleviate pressure on public dental waiting lists with a particular focus on Indigenous patients, patients at high risk of, or from, major oral health problems and those from rural areas.

Outcomes

9. This Agreement will improve the oral health of patients who are eligible for public dental services.

Output

10. The objective and outcome of this Agreement will be achieved by providing treatment for 400,000 patients of public dental services.

PART 3 - ROLES AND RESPONSIBILITIES OF EACH PARTY

11. To realise the objectives and commitments in this Agreement, each Party has specific roles and responsibilities, as outlined below.

Role of the Commonwealth

- 12. The Commonwealth agrees to be accountable for:
 - (a) providing a financial contribution to the States to support the implementation of this Agreement;
 - (b) coordinating the development of Implementation Plans in partnership with the States; and
 - (c) monitoring and assessing the performance in the delivery of services under this Agreement to ensure that outputs are delivered and outcomes are achieved within the agreed timeframe.

Role of the States

- 13. The States agree to be accountable for:
 - (a) developing Implementation Plans in consultation with the Commonwealth;
 - (b) delivering on outcomes and outputs assigned to the States for implementation;
 - (c) monitoring and assessing the performance in the delivery of services under this Agreement; and

(d) reporting on the delivery of outcomes and outputs as set out in Part 4 – Performance Monitoring and Reporting.

Shared roles and responsibilities

- 14. The Commonwealth and the States share the following roles and responsibilities:
 - (a) participating in consultations as appropriate regarding the implementation of this Agreement;
 - (b) negotiating new or revised Schedules, including Implementation Plans, to this Agreement; and
 - (c) undertaking evaluations and reviews of services and outputs delivered under this Agreement.
- 15. The Parties will meet the requirements of Schedule E, Clause 26 of the Intergovernmental Agreement on Federal Financial Relations, by ensuring that prior agreement is reached on the nature and content of any events, announcements, promotional material or publicity relating to activities under an Implementation Plan, and that the roles of both Parties will be acknowledged and recognised appropriately.

Implementation Plans

- 16. The Commonwealth and each State will agree an Implementation Plan for that State that sets out the jurisdiction's strategies for achieving their share of the additional services to the 400,000 patients.
- 17. The Implementation Plan will include detailed plans for enhancing access to dental services in the period between the signing of the Agreement and 30 June 2013, including where and how additional services will be delivered.
- 18. Implementation Plans will outline the activities and associated funding allocations and timeframes to be carried out under the Agreement, and will be published online.

PART 4 - PERFORMANCE MONITORING AND REPORTING

Performance indicators

- 19. Achievement of the objectives and outcomes in this Agreement will be informed with reference to the following performance indicators, reported in the format provided in Schedule A:
 - (a) number of patients receiving dental services;
 - (b) number of patients on dental waiting lists;
 - (c) waiting time for patients on public dental waiting lists;
 - (d) number of children and adults receiving specialist or general anaesthetic services;
 - (e) number of dental occasions of service provided; and
 - (f) number of additional Dental Weighted Activity Units (DWAUs) as defined in clauses 20 to 21 of the Agreement.

Dental weighted activity units

- 20. Throughput under this Agreement will be measured in terms of dental weighted activity units (DWAU), calculated using the Australian Dental Association (ADA) three digit item codes and a weighting for those items as set out in Schedule A1¹.
- 21. Nothing in this agreement prevents a State using its own reporting or performance measures within its jurisdiction. However, States will still be required to report to the Commonwealth in the format provided in Schedule A2.

Performance benchmarks

- 22. The Parties agree to meet the following performance benchmarks:
 - (a) 2011-12 financial year will be the baseline against which performance will be assessed;
 - (b) the States will at least maintain their baseline levels of DWAU; and
 - (c) over the life of the Agreement, the States will provide the additional numbers of DWAU set out in Table 1.
- 23. 2013-14 and 2014-15 in-arrears project payments will not be made unless the State has achieved at least 65 per cent of the performance benchmark for the period. At and above that threshold, payments will be paid proportional to the achievement against the performance benchmark on a pro rata basis, from 65 per cent up to 100 per cent of funding (for achieving 100 per cent of the throughput target). If a performance benchmark is not fully met, the amount of any unmet performance benchmark above the 65 per cent threshold and the remaining available funding tied to the benchmark may be added to the following period, subject to Commonwealth Budget rules.

¹ For example, a dental weighted activity unit with a weighting of one will be equivalent to 11 comprehensive oral examination items (ADA code o11).

Period to be Measured	Report Due	State	Target (DWAU)	65 per cent of Target (DWAU)	100% of funds (\$m) to be paid if target is fully met ³
Date	16 August	NSW	29,249	19,011	25,006,020
Agreement signed –	2013	VIC	22,521	14,638	19,253,447
30 June 2013		QLD	17,758	11,543	15,181,349
		WA	7,629	4,959	6,522,354
		SA	7,309	4,751	6,248,321
		TAS	2,614	1,699	2,769,940
		ACT	819	532	1,235,335
		NT	992	645	1,383,234
		TOTAL	88,889	57,778	77,600,000
Date	14 February	NSW	58,497	38,023	25,006,020
Agreement signed –	2014	VIC	45,041	29,277	19,253,447
31 December	_	QLD	35,515	23,085	15,181,349
2013		WA	15,258	9,918	6,522,354
		SA	14,617	9,501	6,248,321
		TAS	5,228	3,398	2,769,940
	_	ACT	1,638	1,065	1,235,335
	_	NT	1,984	1,290	1,383,234
		TOTAL	177,778	115,556	77,600,000
Date	15 August	NSW	87,747	57,036	15,416,082
Agreement signed -	2014	VIC	67,560	43,915	11,869,651
30 June 2014		QLD	53,272	34,627	9,359,223
		WA	22,887	14,877	4,020,998
		SA	21,925	14,251	3,852,058
	_	TAS	7,841	5,097	1,707,654
	_	ACT	2,457	1,597	761,578
	_	NT	2,976	1,934	852,757
		TOTAL	266,667	173,334	47,840,000

Table 1: Performance benchmarks and payments for 2013-14 and 2014-15²

² Refer to Table 7.

³ Project payments will not be made unless the State has achieved at least 65% of the performance benchmark. Additional funds may also be payable from previous quarters if the state or territory did not reach a previous target. See clause 23.

Period to be Measured	Report Due	State	Target (DWAU)	65 per cent of Target (DWAU)	100% of funds (\$m) to be paid if target is fully met ⁴
Date	13 Feb 2015	NSW	116,996	76,047	15,416,082
Agreement signed –	-	VIC	90,082	5 ⁸ ,533	11,869,651
31 December	-	QLD	71,029	46,169	9,359,223
2014	-	WA	30,516	19,835	4,020,998
	_	SA	29,234	19,002	3,852,058
	-	TAS	10,455	6,796	1,707,654
	_	ACT	3,276	2,129	761,578
		NT	3,968	2,579	852,757
		TOTAL	355,556	231,111	47,840,000
Date	15 May 2015	NSW	131,620	85,553	7,708,041
Agreement signed –	-	VIC	101,342	65,827	5,934,826
31 March 2015	-	QLD	79,908	51,940	4,679,612
	-	WA	34,330	22,315	2,010,499
	-	SA	32,888	21,377	1,926,029
	-	TAS	11,762	7,645	853,827
		ACT	3,686	2,396	380,789
	-	NT	4,464	2,902	426,378
		TOTAL	400,000	260,000	23,920,000

Table 1: Performance benchmarks and payments for 2013-14 and 2014-15- continued

24. Performance relative to the benchmarks will be calculated by subtracting from the actual performance in the relevant period, a measure of baseline activity, as set out in Table 2. See Schedule A₃ for calculation of baseline activity measures.

⁴ Additional funds may also be payable from previous quarters if the State or Territory did not reach a previous target. See clause 23.

Table	2:	Basis	of	performance	measurement
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Period to be Measured	Report Due	Performance calculation
Date Agreement signed –	16 August 2013	Dental weighted activity units for the period
30 June 2013		less
		Dental weighted activity units for the period January to June 2012
Date Agreement signed –	14 February 2014	Dental weighted activity units for the period
31 December 2013		less
		Dental weighted activity units for the 2011-12 financial year
Date Agreement signed –	15 August 2014	Dental weighted activity units for the period
30 June 2014		less
		Dental weighted activity units for the 2011-12 financial year plus dental weighted activity units for the period January to June 2012
Date Agreement signed –	13 February 2015	Dental weighted activity units for the period
31 December 2014		less
		Twice dental weighted activity units for the 2011-12 financial year
Date Agreement signed –	15 May 2015	Dental weighted activity units for the period
31 March 2015		less
		Twice dental weighted activity units for the 2011-12 financial year plus dental weighted activity units for the period January to March 2012

Reporting arrangements

- 25. The States will report on Implementation Plans and against the agreed performance indicators and benchmarks as set out in Schedule A.
- 26. The initial progress report will be provided by 15 May 2013, and will include information on the increased access to services achieved under the detailed plans for the period between signing of the Agreement and 1 May 2013 included as part of the Implementation Plan under clause 17⁵.
- 27. Further progress reports including throughput data in the format in Schedule A2 will be provided as set out in Table 3.
- 28. The States will also prepare a final Program Report within 90 days of the completion of all the activities agreed under the National Partnership and/or Implementation Plans. The Program Report will be a stand-alone document that can be used for public information dissemination purposes regarding the Program. The final Program Report will:

⁵ The initial progress report will not need to include the detailed performance data in Schedule A2.

- (a) describe the conduct, benefits and outcomes of the Program as a whole;
- (b) evaluate the Program from the responsible Party's perspective, including assessing the extent to which the objective has been achieved against the key performance benchmarks and indicators contained in the National Partnership and/or Implementation Plans, and explaining why any aspect was not achieved; and
- (c) include a discussion of any other matters relating to the project, limited to the minimum necessary for the effective assessment of performance and agreed between the Commonwealth and the States, at least 60 days before it is due.

Table 3: Progress reports

Reporting Period	Due date
Date Agreement signed to 30 June 2013	16 August 2013
1 July 2013 to 31 December 2013	14 February 2014
1 January 2014 to 30 June 2014	15 August 2014
1 July 2014 to 31 December 2014	13 February 2015
1 January 2015 to 31 March 2015	15 May 2015

PART 5 - FINANCIAL ARRANGEMENTS

Financial contributions

- 29. The Commonwealth will provide a total financial contribution to the States of up to \$344 million in respect of this Agreement.
- 30. The Commonwealth's funding contribution will not be reduced where the States secure funding from other activity partners through innovative and collaborative partnerships.
- 31. The Commonwealth's estimated financial contribution to the operation of this Agreement, including through National Partnership payments to the States paid in accordance with *Schedule D — Payment Arrangements* of the Intergovernmental Agreement on Federal Financial Relations, is shown in Table 4.

Table 4: Estimated financial contributions

(\$ million)	2012-13	2013-14	2014-15	Total
<i>Estimated</i> total budget ^(a) (1)	69.2	155.2	119.6	344.0
Estimated National Partnership payment (2)	69.2	155.2	119.6	344.0
Commonwealth own purpose expense (3)	0.0	0.0	0.0	0.0
Total Commonwealth contribution (4) = (2) + (3)	69.2	155.2	119.6	344.0
Balance of non-Commonwealth contributions ^(a) (5) = (1) – (4)	0.0	0.0	0.0	0.0

(a) States are not required to provide a financial or in-kind contribution under the terms of this Agreement. However, as States are responsible for the provision of public dental services, they allocate their own source funding and provide in-kind contributions accordingly, including in support of services funded under this Agreement.

32. In recognition of the implementation costs associated with achieving the outcome and output of this Agreement, \$48.5 million in in-advance project payments will be paid to the States following signature of the Agreement by the State and Commonwealth and agreement to the relevant Implementation Plan by the Commonwealth health portfolio minister. Table 5 sets out the distribution of these payments.

Table 5: 2012-13 in-advance project payment allocations for each Jurisdiction

	NSW	VIC	QLD	WA	SA	TAS	ACT	NT	Total
2012-13 (\$m)	15.6	12.1	9.5	4.1	3.9	1.8	0.8	0.8	48.5

33. A further \$20.7 million will be paid in June 2013 as in-arrears project payments, contingent on provision of baseline data for 2011-12 as set out in Schedule A2, and acceptance by the Commonwealth health portfolio minister of the initial progress report made under clause 26. Table 6 sets out the distribution of these payments.

Table 6: 2012-13 in-arrears project payment allocations for each Jurisdiction

	NSW	VIC	QLD	WA	SA	TAS	ACT	NT	Total
2012-13 (\$m)	6.7	5.1	4.0	1.7	1.7	0.7	0.3	0.4	20.7

34. Up to a further \$155.2 million in 2013-14 and \$119.6 million in 2014-15 will be paid as in-arrears project payments. Table 7 sets out the distribution of these payments.

Table 7: 2013-14 and 2014-15 in-arrears project payment allocations for each Jurisdiction

	NSW	VIC	QLD	WA	SA	TAS	ACT	NT	Total
2013-14 (\$m)	50.0	38.5	30.4	13.0	12.5	5.5	2.5	2.8	155.2
2014-15 (\$m)	38.5	29.7	23.4	10.1	9.6	4.3	1.9	2.1	119.6
TOTAL (\$m)	88.5	68.2	53.8	23.1	22.1	9.8	4.4	4.9	274.8

- 35. The payments in Table 7 will be contingent on:
 - (a) acceptance by the Commonwealth health portfolio minister of progress and performance reports under clause 28 for the periods from signing of the Agreement to 30 June 2013, 1 July 2013 to 31 December 2013, 1 January 2014 to 30 June 2014, 1 July 2014 to 31 December 2014, and 1 January 2015 to 31 March 2015; and
 - (b) achievement of performance benchmarks under Tables 1 and 2.

Project management risk

36. Having regard to the agreed estimated costs of projects specified in an Implementation Plan, a State will not be required to pay a refund to the Commonwealth if the actual cost of the project is less than the agreed estimated cost. Similarly, the States bear all risk should the costs of a project exceed the agreed estimated costs. The Parties acknowledge that this arrangement provides the maximum incentive for the States to deliver projects cost effectively and efficiently.

PART 6 - GOVERNANCE ARRANGEMENTS

Enforceability of the Agreement

37. The Parties do not intend any of the provisions of this Agreement to be legally enforceable. However, that does not lessen the Parties' commitment to this Agreement.

Review of the Agreement

38. The Agreement will be reviewed approximately six months before its completion with regard to progress in respect of the agreed outcomes.

Variation of the Agreement

- 39. The Agreement may be amended at any time by agreement in writing by all the Parties.
- 40. A Party to the Agreement may terminate their participation in the Agreement at any time by notifying all the other Parties in writing.

Delegations

- 41. The relevant Commonwealth Minister with portfolio responsibility for health is authorised to agree and amend Schedules, including Implementation Plans, to this Agreement and to certify that performance benchmarks have been achieved, so that payments may be made.
- 42. Respective State Ministers with portfolio responsibility for health are authorised to agree and amend Schedules, including Implementation Plans.
- 43. The Commonwealth Minister may delegate the assessment of project-based performance benchmarks and the authorisation of related project payments to senior Commonwealth officials, having regard to the financial and policy risks associated with those payments.

Dispute resolution

- 44. Any Party may give notice to other Parties of a dispute under this Agreement.
- 45. Officials of relevant Parties will attempt to resolve any dispute in the first instance.
- 46. If a dispute cannot be resolved by officials, it may be escalated to the relevant Ministers and if necessary, the relevant COAG Council.
- 47. If a dispute cannot be resolved by the relevant Ministers, it may be referred by a Party to COAG for consideration.

Signed for and on behalf of the Commonwealth

of Australia by

The Honographe Julia Gillard MP Prime Minister of the Commonwealth of Australia [Day]-[Month] [Year]

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Signed for and on behalf of the State of New South Wales by

The Honourable Barry O'Farrell MP Premier of the State of New South Wales

[Day] [Month] [Year]

Signed for and on behalf of the State of Queensland by

The Honourable Campbell Newman MP Premier of the State of Queensland

[Day] [Month] [Year]

Signed for and on behalf of the State of South Australia by

The Honourable Jay Weatherill MP Premier of the State of South Australia

[Day] [Month] [Year]

Signed for and on behalf of the Australian Capital Territory by

Katy Gallagher MLA Chief Minister of the Australian Capital Territory [Day] [Month] [Year] Signed for and on behalf of the State of Victoria by

The Honourable Ted Baillieu MLA Premier of the State of Victoria [Day] [Month] [Year]

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The Honourable Lara Giddings MP Premier of the State of Tasmania

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The Honourable Terence Mills MLA Chief Minister of the Northern Territory of Australia [Day] [Month] [Year]

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Chief Minister of the Australian Capital Territory

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The Honourable Ted Baillieu MLA Premier of the State of Victoria

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The Honourable Terence Mills MLA Chief Minister of the Northern Territory of Australia [Day] [Month] [Year]

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The Honourable Julia Gillard MP

Prime Minister of the Commonwealth of Australia

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7 Jon 2013 Signed for and on behalf of the Australian Capital Territory by

Katy Gallagher MLA Chief Minister of the Australian Capital Territory

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[Day] [Month] [Year]

Signed for and on behalf of the State of Western Australia by

The Honourable Colin Barnett MLA Premier of the State of Western Australia

> [Day] [Month] [Year] 3 April 2015

Signed for and on behalf of the State of Tasmania by

The Honourable Lara Giddings MP Premier of the State of Tasmania

[Day] [Month] [Year]

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The Honourable Terence Mills MLA Chief Minister of the Northern Territory of Australia

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Katy Gallagher MLA

Chief Minister of the Australian Capital Territory [Day] [Month] [Year] Signed for and on behalf of the State of Victoria by

The Honourable Dr Denis Napthine MLA Premier of the State of Victoria

[Day] [Month] [Year]

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The Honourable Lara Giddings MP Premier of the State of Tasmania [Day] [Month] [Year]

Signed for and on behalf of the Northern Territory by

The Honourable Adam Giles MLA Chief Minister of the Northern Territory of Australia

[Day] [Month] [Year] 8th April 2013

Signed for and on behalf of the Commonwealth of Australia by

The Honourable Julia Gillard MP Prime Minister of the Commonwealth of Australia

[Day] [Month] [Year]

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The Honourable Barry O'Farrell MP Premier of the State of New South Wales

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[Day] [Month] [Year]

Signed for and on behalf of the State of Western Australia by

The Honourable Colin Barnett MLA Premier of the State of Western Australia

[Day] [Month] [Year]

Signed for and on behalf of the State of Tasmania by

The Honourable Lara Giddings MP Premier of the State of Tasmania

[Day] [Month] [Year]

Signed for and on behalf of the Northern Territory by

The Honourable Terence Mills MLA Chief Minister of the Northern Territory of Australia

[Day] [Month] [Year]

Signed for and on behalf of the Commonwealth of Australia by

The Honourable Julia Gillard MP Prime Minister of the Commonwealth of Australia

Signed for and on behalf of the State of New South Wales by

The Honourable Barry O'Farrell MP

Premier of the State of New South Wales

Signed for and on behalf of the State of Victoria by

The Honourable Denis Napthine MP Premier of the State of Victoria

and

The Honourable Colin Barnett MLA

State of Western Australia by

Signed for

Signed for and on behalf of the State of Queensland by

The Honourable Campbell Newman MP Premier of the State of Queensland

Signed for and on behalf of the State of South Australia by

The Honourable Jay Weatherill MP Premier of the State of South Australia

Signed for and on behalf of the *Australian Capital Territory by*

Katy Gallagher MLA Chief Minister of the Australian Capital Territory Premier of the State of Western Australia

on

behalf

the

of

Signed for and on behalf of the State of Tasmania by

The Honourable Lara Giddings MP Premier of the State of Tasmania

Signed for and on behalf of the Northern Territory by

The Honourable Terence Mills MLA Chief Minister of the Northern Territory of Australia