

SUPPLEMENTARY QUESTIONS – OFFICE OF THE CHILDREN’S GUARDIAN

COMMITTEE ON CHILDREN AND YOUNG PEOPLE – 2022 Review of the annual reports and other matters of the Office of the Children’s Guardian

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| 1. Has any progress been made in reducing the potential misuse of the WWCC – for example, when organisations conduct background checks on employees not engaged in child-focused work? |
| 2. Are there any risks to the safety of children if no employer can be found for an individual barred from working with children? |

ANSWER (to Q1-2)

The Office of the Children’s Guardian (OCG) monitors and audits how organisations are meeting their Working with Children Check (WWCC) obligations.

Employers and sole traders in child-related work have legal obligations around the WWCC.

Employers and organisations need to decide who engages in child-related work and requires a WWCC, or if any roles fall under an exemption.

The WWCC in NSW is an online system and organisations and sole traders are required to make the link between their workers and volunteers, themselves and the OCG by verifying their workers and volunteers, and by keeping a record that they have done so.

Compliance activities we conduct include:

- Contacting organisations to establish whether they are providing services to children.
- Audit visits. The main purpose of our audit visits is to help employers and workers understand and comply with their legal responsibilities.
- Investigate where there is evidence of non-compliance with the *Child Protection (Working with Children) Act 2012*.

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| 3. Noting the review of the Permanent Care Standards, what short-term actions can be taken to improve the quality and timeliness of leaving care planning? |
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ANSWER

In 2020-21, the Office of the Children’s Guardian (OCG) reviewed leaving care practices in relation to 635 young people who turned 18 between 23 March 2020 and 31 December 2020. The OCG provided feedback to agencies regarding the circumstances of individual young people throughout the monitoring program and will continue to provide feedback to individual agencies regarding their leaving care practices and areas for improvement. Further information, and the report, is available at <https://ocg.nsw.gov.au/news/leaving-care-report-released>.

The OCG continues to review agencies compliance against Standard 12: Living Independently as part of its accreditation and monitoring functions. Living independently and leaving care will remain a specific focus of the revised standards for out-of-home care.