

Public hearing – 2024 review of the annual reports and other matters of the Office of the Advocate for Children and Young People and Office of the Children’s Guardian

9 April 2024

Supplementary questions for witnesses

1. Does the Office of the Advocate for Children and Young People use KPIs and other transparent means of tracking and reporting on outcomes of your consultations, surveys and research?

The Office of the Advocate for Children and Young people (ACYP) regularly engages with children and young people in order to represent their views to government and undertakes a variety of research and consultation methodologies to do so. These involve online representative surveys, qualitative consultations, opportunities to have a say via email, semi-structured focus groups, in-depth interviews, forums, student-led discussions and other research approaches. The methodology chosen is tailored to each project.

ACYP seeks to widely share and promote the key findings from this work, including through the development of formal reports and recommendations to support policy and program development that responds to the needs of children and young people across NSW and supports them to thrive.

For example, in the last 12 months ACYP has published reports outlining key findings from consultations relating to:

- Young people’s perspectives on vaping;
- How children and young people are impacted by and responding to the rising cost of living in NSW;
- Voices of children and young people living in the Northern Rivers in regards to disaster recovery and preparedness; and
- Strategic Plan Tracking Report 02.

All of these reports, including key findings and recommendations, have been circulated and promoted broadly to government and non-government stakeholders. In addition, the key findings are used to inform the work of the ACYP, including regular engagement with government stakeholders to share data and promote key findings as relevant issues arise.

In addition, when ACYP launched the NSW Strategic Plan for Children and Young People 2022-2024 we made a commitment to release an annual tracking report, based on an annual poll of children and young people’s experiences and perspectives against the six key focus areas of the Strategic Plan. To date, two annual tracking reports have been published based on 2022 and 2023 data.

2. What is your process of following up on recommendations that have not been implemented or responded to?

The Advocate has developed collegial and effective relationships across the government, non-government and business sectors. These relationships are critical when it comes to implementing and responding to the recommendations contained in their reports.

When forming their recommendations, the Advocate endeavours to be cognisant of the work already being undertaken by these sectors to ensure that wherever possible their recommendations align or build on existing work.

Prior to the release of their reports, the Advocate or the Office will send an embargoed copy of the report to each relevant Secretary or Minister. They will then meet with each agency who has responsibility for recommendations contained within the report to brief them on the findings and proposed recommendations. This gives the agency and the Advocate an opportunity to refine the recommendation.

Following the release of a report, the Office will meet with relevant departments to discuss the implementations of their responsible recommendations. It is important to note, that the Advocate does not have significant mechanisms to enforce their recommendations, however they are always willing to collaborate wherever possible. This process is often run concurrently to the relevant agency or department preparing a formal response to the Advocate's report.

The Advocate and the Office will continue to advocate for their recommendations in meetings with Ministers, Secretaries and Departmental / Interdepartmental Working Groups.

Internally, the Advocate has recently developed a number of mechanisms to track the implementation of their recommendations. These have included an advocacy engagement strategy for the *Voices of Children and Young People in the Northern Rivers Report*, which highlights the responsible agency and implementation status.

The Advocate has also developed a broader monitoring report that lists and tracks all the recommendations made during their term. Consideration is currently underway about how best to utilise this tool in their forward planning and advocacy work.

3. Can you provide information on the target audience and readership of your consultation reports?

ACYP's consultations derive from the priority areas that are in the *Strategic Plan for Children and Young People 2022-2024*, which has been co-designed by children and young people across NSW. The design and development of consultation products (i.e., reports, social media tiles, presentations, audio-visual footage and submissions) are guided by the direction of the Advocate to reach as wider audience, as appropriate. The purpose of these products is to highlight the views, experiences and insights of children and young people. As part of this process, children and young people will inform the development of recommendations by the Office of the Advocate for Children and Young People.

The target audience for our consultation products are our stakeholders; primarily, but not limited to children and young people, the NSW Government and the youth sector. The Office develops recommendations that require consideration and/ or implementation by the decision makers who make decisions, develop policies and/or deliver programs and services that impact the lives of children and young people. Where appropriate, the target audience of our reports includes businesses, researchers, academics, other States and Territory governments, the Federal Government, members of the broader community that work with children and young people including internationally. However, the format and approach used by ACYP to present the consultation findings and recommendations varies and is dependent on the purpose of the consultation products and the target audiences' level of engagement.

Currently, all ACYP's consultation reports are presented on the ACYP website landing page under publications. ACYP's customer relationship management (CRM) platform, Hubspot, tracks the number of views for all ACYP's consultation reports, but does not specify which targeted audience accesses these reports. However, it is standard practice for ACYP to distribute our reports to a broad range of stakeholders through EDMs and those who have subscribed to our mailing list. The report is also provided to Secretaries, Deputy Secretaries and relevant Minister prior to release.

ACYP's consultation reports are one of the ways that the Office highlights the findings and recommendations. Consultation reports are a formal way of presenting young people's views, experiences, and recommendations. ACYP acknowledges this is a more appropriate product for the Advocate to use and present recommendations to Parliament, government and non-government agencies but is not necessarily the preferred way to engage children and young people. It is important to acknowledge and recognise that children and young people prefer audio-visual modes of engagement, such as social media tiles and videos that accompany our reports. This is demonstrated in ACYP's Instagram, where the median post reach is 707 people for videos and 378 people for images. Although Meta does not provide statistics on the number of young people, under the age of 18 that accesses our content, approximately 17% of ACYP's followers are women aged 18-24 years and 9% are men aged 18-24 years.

4. On what basis or criteria do you decide to undertake a consultation as opposed to a Special Inquiry?

Part 5 of the *Advocate for Children and Young People Act 2014*, sets out the criteria, mechanism and conduct under which the Advocate can establish a Special Inquiry. Notably a Special Inquiry may be established either at the request of the Advocate or the Minister's own initiative. However, under both instances, any such Inquiry would require approval from the responsible Minister. The Advocate may establish a Special Inquiry due to the extensive impact or sensitive nature of an issue to ensure that children and young people are supported and given the environment to discuss this issue.

Alternatively, there is a much broader scope within Part 3(b) of their enabling legislation for the Advocate to engage in consultations with children and young people. A consultation project allows the Advocate to more responsive to the changing needs of children and young people and for the Office to pivot to a particular topic or piece of work quickly. For example, recognising the impact Cost of Living was having on young people following their Youth Week 2023 Poll, the Advocate was able to pivot the work of the Office to undertake an extensive consultation project to better understand these impacts.

While it has previously been the practice of the Advocate's work to undertake consultations, it is critical that the Special Inquiry be retained and strengthened as they serve a separate but important function.

5. In the 2022-2023 annual report, you note that the Office's budget and financials are consolidated into that of the Department of Communities and Justice. Can you tell us about your current funding arrangements and whether you think they are adequate in fulfilling your statutory obligations?

The Department of Communities and Justice allocates a modest annual budget to the Advocate to perform their legislative responsibilities.

In FY 22/23 the Advocate was allocated \$2.7 million in employee related expenses related to fund the 19.4 full time equivalent team members employed by DCJ to support the Advocate's work. An additional \$745k in operational expenses is allocated for the Advocate to undertake work to improve the welfare and wellbeing of children and young people in NSW.

The Advocate uses the funds allocated on projects that will have positive impacts for children and young people in NSW.

It is noted that an increased funding would allow the Advocate to expand their annual program of work, increase the program of activities for the NSW Youth Advisory Council and respond to a greater number of requests received from cross-government colleagues.

The Advocate is jointly funded by the NSW and Commonwealth Government through the Natural Disaster Relief and Recovery Arrangements to deliver the Recovery Youth Support Service in the Northern Rivers. The project is funded to engage six dedicated youth support workers with a total budget of \$2,229,740.00. The funding deed was entered into on 5 September 2022 and expires on 31 March 2025. Following the expiration of this funding agreement, the ACYP would need to seek additional funding to continue this service provision.

6. In which areas of work do you work with the Office of the Children's Guardian? Do you think there are some functions of the Advocate for Children and Young People that should belong to the Children's Guardian, or vice versa?

The Advocate enjoys a respectful and productive relationship with the Children's Guardian. Appreciating the distinctive functions and roles of the Office, the Advocate and the Guardian will collaborate where appropriate. For example, the Guardian has sought the Advocate's feedback around a number of Child Safe Action Plan that Departments have drafted under the Child Safe Standards. The Advocate and the Guardian also consult and collaborate on a number of projects through their joint participation in the Australian New Zealand Children Commissioners, Guardians and Advocates Group.

With regard to the functions that reside with the Children's Guardian, the Advocate is of the view it is important to maintain a separation between the oversight and regulatory functions that the Children's Guardian holds and the functions that the Advocate holds. Each of these distinctions complement each other, ensuring that NSW has a system that supports and protects children and young people.