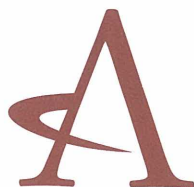


**INQUIRY INTO FOLLOW UP OF AUDITOR-GENERAL'S
PERFORMANCE AUDIT REPORTS OCTOBER 2009 TO
SEPTEMBER 2010**

Organisation: NSW Audit Office
Name: Mr Peter Achterstraat
Position: Auditor-General
Telephone: 9275 7100
Date Received: 21/09/2011

Theme:

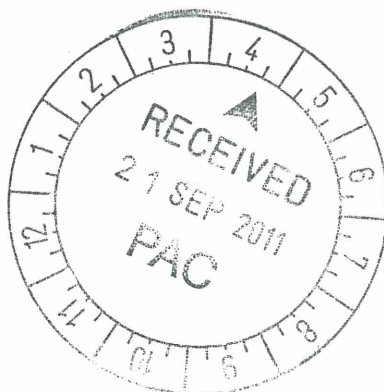
Summary



THE AUDIT OFFICE
OF NEW SOUTH WALES

CONTACT NAME
TELEPHONE
OUR REFERENCE
YOUR REFERENCE

Mr J O'Dea
Chair
Public Accounts Committee
Parliament House,
Macquarie Street
SYDNEY NSW 2000



15 September 2011

Dear Mr O'Dea

**Examination of Auditor-General's Performance Audit Report
Working With Children Check**

We have reviewed the submission provided by the NSW Commission for Children and Young People concerning the recommendations in the above performance audit report.

Following tabling of the report, we were pleased that the Commission accepted all our recommendations.

The Commission's submission indicates that it is making progress in implementing the recommendations.

Please find attached our comments on the progress reported in relation to each recommendation in our original report. We have not substantiated the submission.

In some instances, legislative changes to the NSW Commission for Children and Young People Act 1998 are required to address our recommendations.

I am happy to provide any further assistance the Committee may need in completing its examination.

Yours sincerely

Peter Achterstraat
Auditor-General

Attachment

PERFORMANCE AUDIT - WORKING WITH CHILDREN CHECK, NSW COMMISSION FOR CHILDREN AND YOUNG PEOPLE
IMPLEMENTATION OF RECOMMENDATIONS

	Recommendation	Accepted	Actions to be taken	Due	Reported status/comment	Our comments
1	Reduce the risk of prohibited people working with children	Accepted	<p>The Commission will:</p> <ul style="list-style-type: none"> a) Have all volunteer organisations register with the Commission; b) Move to direct electronic lodgement to the Commission of the Prohibited Employment Declaration by volunteers; c) Undertake regular audits to check that volunteers are completing Prohibited Employment Declarations and are not prohibited persons; d) Make sure that organisations and parents check that self-employed people have current certificates. 	Dec 2010	<p>Completed to the extent possible under current legislation; changes proposed to Government.</p> <p>Completed to the extent possible under current legislation; changes proposed to Government</p> <p>Completed</p> <p>Completed</p>	<p>Satisfactory. However following review of the Act, legislative changes are pending and thus recommendations have not been fully implemented.</p> <p>Satisfactory. See comment above.</p> <p>Satisfactory. Audits need to be ongoing.</p> <p>Satisfactory. In addition to the information on the website, it would be interesting to find out what awareness campaigns are undertaken to educate parents and organisations.</p>
2	Improve compliance with WWCC	Accepted	<p>The Commission will:</p> <ul style="list-style-type: none"> (a) Undertake regular audits to ensure all employers who are required to request the check are in fact doing so; (b) Implement provisions to 	Dec 2010	<p>Completed</p> <p>Unable to complete without statutory change; changes with Government</p>	<p>Satisfactory. Audits need to be ongoing.</p> <p>Legislative changes are pending. Recommendations have not been implemented.</p>

PERFORMANCE AUDIT - WORKING WITH CHILDREN CHECK, NSW COMMISSION FOR CHILDREN AND YOUNG PEOPLE
IMPLEMENTATION OF RECOMMENDATIONS

				only check certain short term employees once every 12 months (c) Screen applications and only process checks for child-related employment.		Completed	Satisfactory. However legislative changes are pending and thus recommendation has not been fully implemented particularly relating to user fee for paid workers.
3	Improve risk estimate outcomes	Accepted	The Commission will: a) Ensure consistent practices amongst screening agencies by December 2010; b) Complete the evaluation of AWARE as planned.	Dec 2010	Completed	Completed Commenced; on track	Satisfactory. However a review of the Act following the audit proposes the establishment of a single agency check. This is pending legislative changes. Satisfactory. PAC could request details on current status.
4	Manage risks following employment	Accepted	The Commission will: a) Ensure employers of significant risk employees implement Child Safe Child Friendly strategies; b) Identify people that have committed a prohibited offence while in child-related employment and advise Police.	June 2010	Completed	Completed Unable to complete without statutory change; proposed changes to Government	Satisfactory. PAC could request details of how employers have been assisted and what strategies were implemented. Legislative changes are pending. Recommendations have not been implemented.
5	Improve the reliability of checks	Accepted	The Commission will review its approach to collecting	Dec 2010	Commenced; on track	Commenced; on track	This is delayed. PAC could request details on current status.

PERFORMANCE AUDIT - WORKING WITH CHILDREN CHECK, NSW COMMISSION FOR CHILDREN AND YOUNG PEOPLE
IMPLEMENTATION OF RECOMMENDATIONS

			and analysing relevant employment information and review the usefulness of apprehended violence orders.		Legislative changes are pending. Recommendations are not fully implemented.
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