



Office of
Communities
Commission for Children & Young People

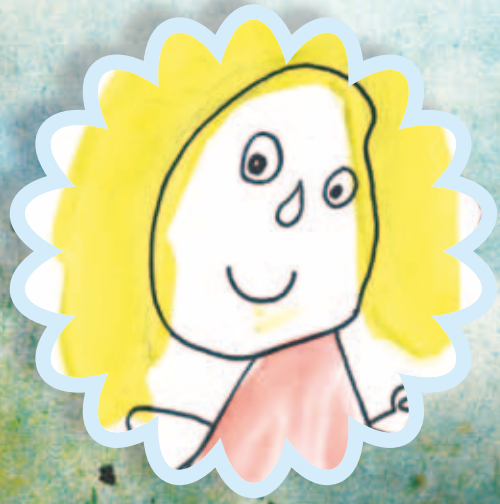


2011-2012 ANNUAL REPORT

NSW COMMISSION FOR CHILDREN
AND YOUNG PEOPLE



*Together, making
New South Wales
a better place for
children and young people*



The Hon Donald Harwin MLC
President
Legislative Council
Parliament House
SYDNEY NSW 2000

The Hon Shelley Hancock MP
Speaker
Legislative Assembly
Parliament House
SYDNEY NSW 2000

In accordance with section 23 of the *Commission for Children and Young People Act 1998*, I am pleased to present the *Commission's Annual Report 2011-2012*.

The *Annual Report 2011-2012* has been prepared in accordance with the *Annual Reports (Statutory Bodies) Act 1984* (as modified by the *Commission for Children and Young People Act 1998*), the *Annual Reports (Statutory Bodies) Regulation 2010* and the *Public Finance and Audit Act 1983*.

As provided by section 26 of the *Commission for Children and Young People Act 1998*, I ask that you make this report publicly available now.

Yours sincerely



Megan Mitchell
Commissioner
26 October 2012

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Commissioner's foreword



It is a pleasure to introduce the annual report of the Commission for Children and Young People (the Commission) for 2011-2012, setting out our achievements and activities as we work to help make NSW a better place for children and young people.

A key highlight of the year was that in June 2012 important changes to the Working With Children Check (the Check) were passed in Parliament, in the *Child Protection (Working with Children) Act 2012*. This was achieved with the assistance of many, in particular the Minister for Citizenship and Communities, and Minister for Aboriginal Affairs, the Hon Victor Dominello, and the members of the Interagency Committee overseeing the development of the legislation.

Under the new system, to begin in 2013, workers and volunteers will apply for their own Check once every five years; employers will verify a child-related worker's or volunteer's clearance number; everyone with a clearance will be continuously monitored for sex and violence offences against children and, importantly, the same Check will apply to everyone – paid workers, self-employed people and volunteers.

More details of how the new Check will work are contained in this report, and you can find all of the latest news on its implementation online at www.newcheck.kids.nsw.gov.au. The transition to the new system will also be supported by the Commission's ongoing Child Safe Organisations training and audit program.

The Check is an important element in the network of safety the NSW government and the wider community build for our children. The new Check will make that network even stronger and more effective.

The Commission's work on children, young people and the built environment continued during the year with a successful program of seminars, complemented by the announcement of the inaugural Planning for Children and Young People Award as part of the Planning Institute of Australia, NSW, award scheme.

At the time of writing, production was well advanced for the Commission's latest contribution to supporting agencies and organisations with guidance on how to facilitate the participation of children and young people in decisions that affect them. *Citizen Me! Engaging children and young people in your organisation* draws on the latest research and best practice in participation, and complements the Commission's established resources in the *TAKING PARTICIPATION Seriously* kit. *Citizen Me!* will be published as a pdf document and as an e-book, available from the Commission's website.

One of the ways the Commission involves children and young people in our work is the Young People Advisory Group (YPAG), which met for the first time in January 2012. By the end of 2012, the group will have participated in six weekend meetings, and spent time throughout the year researching and obtaining the views of other children and young people across NSW, about the out of school

hours activities of 9-14 year old children. Findings will feed into the Commission's and NSW government's broader agenda for understanding and responding to the middle years of childhood.

The Commission continued to release the latest statistics on the lives and experiences of the state's children through its online databook, *A picture of NSW children*, including important information on children's physical and mental health, and statistics on children and crime. *A picture of NSW children* is at www.picture.kids.nsw.gov.au.

Much more can be found in this comprehensive online publication about children and young people in relation to their diversity, their geographic distribution, educational attainment, and economic well-being. Thank you to all of the government departments and other contributors of data that make up *A picture of NSW children*.

Thank you also to the staff at the Commission and the many organisations and individuals who contribute to our work, including members of the Joint Parliamentary Committee for Children and Young People, the Commission's Expert Advisory Committee (EAC), YPAG and agencies and individuals throughout the government and non-government sectors with whom we partner. Special thanks to the children and young people who have given of their time, talents and wisdom during the course of the year.

Megan Mitchell
Commissioner

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Introduction

2.1 About the Commission

The NSW Commission for Children and Young People (the Commission) is an independent statutory organisation within government that promotes the interests of all children and young people in NSW. Megan Mitchell is the Commissioner for Children and Young People.

The Commission works to influence and initiate positive change for children and young people.

The Commission administers the *Commission for Children and Young People Act 1998*, which can be found at www.legislation.nsw.gov.au.

The Commission does not have powers to examine individual complaints about unfair, illegal or improper conduct relating to children. Individual grievances by children and young people are referred to an appropriate body such as the Ombudsman,

the Health Care Complaints Commission or the Independent Commission Against Corruption. However, the Commission may provide children and their families, friends and advocates with information about and referral to programs and services.

2.2 Vision and principles

2.2.1 Vision

Together, making NSW a better place for children and young people.

2.2.2 Principles

Guided by the *Commission for Children and Young People Act 1998*, we:

- ★ make the safety, welfare and well-being of children our paramount consideration
- ★ consult with and listen to children and young people, take their views seriously and promote their interests
- ★ believe strong relationships between children, families and communities are important
- ★ focus on things that make a positive difference to children and young people, giving priority to vulnerable children and young people
- ★ work cooperatively with other agencies and organisations to achieve our objectives.

2.3 Purpose and functions

The Commission promotes the safety, welfare and well-being of children and young people in NSW. To achieve this we:

- ★ research important issues relating to children and young people, and monitor their well-being
- ★ make recommendations to parliament, government and non-government agencies on legislation, policies, practices and services that affect children and young people
- ★ promote children and young people's participation in activities and decision-making about issues that affect their lives
- ★ provide information and training for children and young people and those who work with them
- ★ oversee the Working With Children Check (the Check) and the Certificate for Self Employed People to reduce risks to children in child-related employment settings, and ensure compliance with that system
- ★ help employers make their organisations child-safe and child-friendly
- ★ manage a voluntary accreditation system for counsellors and therapists who work with people who have committed sexual offences against children
- ★ make vulnerable children and young people a priority within our work.

2.4 Values

- * **Respect**
- * **Communication**
- * **Honesty, trust and integrity**
- * **Performance**

Our shared values guide every aspect of making NSW a better place for children and young people and our relationships within our work teams and with external stakeholders. Through our values we seek to uphold our reputation and professionalism, the quality of our services, our capacity for collaboration with colleagues, stakeholders and children and young people, and develop our most valuable resource – our staff.

2.5 Objectives

The Commission's key objectives are reflected in our Strategic Directions:

- * promote the rights and well-being of children and young people
- * promote the views and participation of children and young people in their communities and in decisions that affect their lives
- * positively influence legislation, policies and programs that impact on children and young people
- * encourage a shared understanding of children's lives
- * make sure children and young people are safe in their communities
- * work ethically, efficiently, effectively and be accountable.

2.6 Stakeholders

The Commission's key stakeholders include:

- * children and young people (17 years and younger)
- * Parliamentary Joint Committee on Children and Young People
- * complaints and oversight agencies
- * Expert Advisory Committee to the Commission
- * general public who have an interest in our agendas for children
- * the media
- * parents, carers and families of children and young people
- * people working for, with, and in the interests of children and young people
- * politicians, Ministers, parliamentary committees, state and national government departments
- * state and national non-government organisations and peak bodies advocating and working for children and young people
- * Young People Advisory Group
- * Commission staff and committees.



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Introduction

continued

2.7 History

The history of the Commission is detailed in *Captured by kids*, available on the Commission's website: www.kids.nsw.gov.au.

The 1994 Royal Commission into the NSW Police Service was a major catalyst for establishing the Commission. In its report to the NSW Government in August 1997, the Royal Commission identified serious, systematic failures that put children and young people at risk of abuse. It found there was no single voice speaking for the interests of children and young people in NSW and recommended a Commission for Children be established to advocate for their safety and welfare.

Children, young people and others who were consulted about establishing the Commission felt it should broaden its focus to encompass issues affecting all children and young people

in NSW and should focus on their well-being.

The Commission was established with bipartisan support in June 1999 by the *Commission for Children and Young People Act 1998*.

The Act requires that the Commission's legislation be reviewed every five years. An independent review of the Commission's legislation, *Commission for Children and Young People Act 1998* and the *Child Protection (Prohibited Employment) Act 1998*, was completed in 2004, recommending improvements to the legislation while finding the Commission's objectives generally remained appropriate.

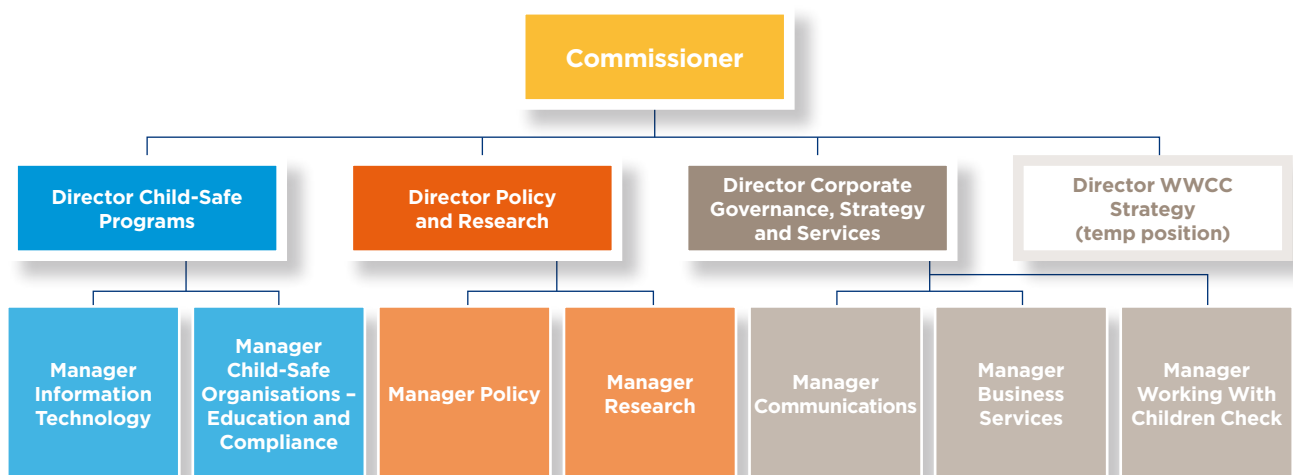
The *Commission for Children and Young People Amendment Act 2005* was passed in

November 2005, again with bipartisan support.

The *Commission for Children and Young People Act 1998* underwent a second independent statutory review in 2010 and a report was submitted to the former Minister for Youth. On 2 August 2011, the Minister for Citizenship and Communities, and Minister for Aboriginal Affairs, the Hon Victor Dominello MP, tabled the report of the 2010 Review of the *Commission for Children and Young People Act 1998*. The report noted strong support for the Commission's current objectives and suite of functions, and proposed significant reforms to the Check. The report also recommended that the government reaffirm and strengthen the Commission's policy, research and monitoring roles.

2.8 Structure and staff

Figure 1: Commission's organisational structure



Staff at the Commission were employed by the Office of Communities (OoC) within the Department of Education and Communities (DEC) NSW.

The Commission employed 48 staff at 30 June 2012 - a full-time equivalent of 46.2 against a staff establishment of 56 positions.

More information about the human resource policies and practices of the Commission can be found in the 'Achievements' section of this Annual Report (pages 37-38).

2.9 Performance measures

The Commission's Strategic Directions 2011–2014 sets out performance indicators against the following domains:

- ★ children benefit from improved legislation, policies, practices and services
- ★ children participate in decisions that affect their lives
- ★ children are safe in organisations and their communities
- ★ the Commission is accountable, responsive and adaptive.

Achievements and performance against these domains are detailed below and throughout this report wherever possible.

Our Mission	Together, making NSW a better place for children and young people			
Summary of key performance measures against key results for 2011–2012	Children benefit from improved legislation, policies, practices and services	Children participate in decisions that affect their lives	Children are safe in organisations and their communities	The Commission is accountable, responsive and adaptive
	145 people attended two middle years seminars, with 93.8% indicating that they had gained new knowledge or new ways of working (p. 14)	Young People Advisory Group members said that they had got what they wanted or more from the experience (p. 23)	1,440 people from 686 organisations attended 74 child safe organisation training and information sessions, an 18% increase in unique organisations attending from the previous year	86% of correspondence completed within the required timeframe, above the target of 85%
	94 people attended two built environment seminars, with 95% indicating that they had gained new knowledge or new ways of working (p. 12)	The Young People Advisory Group provided advice on the middle years of childhood, student voice in schools, childhood injury prevention, the <i>Citizen Me!</i> participation toolkit and Proud Schools branding design	76 accredited counsellors registered under the Child Sex Offender Counsellor Accreditation Scheme	All staff completed performance development reviews and have current performance agreements in place
	Commissioner gave more than 50 presentations to key conferences and events	Seven KidsPolls were conducted, with a 41% increase in average votes from the previous year. The participation of children and young people remained consistent with the previous year (p. 18–19)	541 businesses were audited for compliance with their Working With Children Check obligations, resulting in 124 new businesses registering with the Commission	Six corporate policies reviewed and reissued, supported by staff training

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Introduction

continued

2.9 Performance measures (continued)

Our Mission	Together, making NSW a better place for children and young people			
Summary of key performance measures against key results for 2011–2012	Children benefit from improved legislation, policies, practices and services	Children participate in decisions that affect their lives	Children are safe in organisations and their communities	The Commission is accountable, responsive and adaptive
	Responded to 220 requests for policy advice and made 23 submissions to inquires and reviews, including eight joint submissions with the Australian Children's Commissioners and Guardians	Six young people participated or had a presence in the middle years seminars	85,479 Working With Children Checks processed, 68% within two days and 94% within 10 days	All internal audit recommendations implemented
	Published five chapters of <i>A Picture of NSW Children</i> , a comprehensive data collection relating to all aspects of child well-being	Connections made on the Facebook organisation page and Twitter profile more than doubled compared to the previous year	76% of risk assessments related to Working With Children Checks were undertaken within 16 weeks, above the target of 70%	The Commission is represented on 28 Committees and Boards (p. 39)
	Finalised a whole-of-government Childhood Injury Prevention scoping paper (p. 17)	Commissioner conducted five community outreach visits (p. 20)	5,407 Certificates for Self Employed People issued	98.5% of all accounts paid on time, above the target of 90%
	<i>built4kids</i> resource accessed 155,229 times from the Commission's website	For Children's Week 2011, the Commission launched a website (www.nswchildrensweek.org.au), conducted a poster competition which attracted over 200 entries, and co-sponsored the 'As Eye See It' photography exhibition by children and young people in out-of-home care	100% of attendees at Child Safe Organisations training rated that they were satisfied or very satisfied with the course	25% increase in unique visitors to the Commission's website from the previous year
	6,565 unique visitors accessed <i>A picture of NSW children</i> from the Commission's website		Received and actioned an average of 90 phone calls and 175 emails per day in relation to the Working With Children Check	31.3% increase in subscribers to <i>What's New</i> , the Commission's electronic bulletin, compared to the previous year

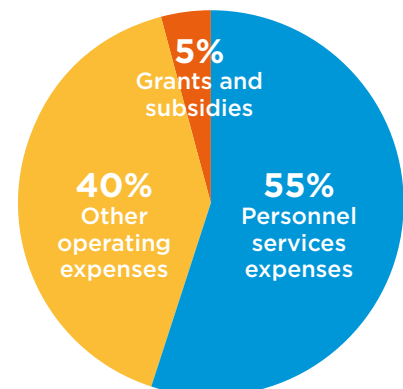
Our Mission Together, making NSW a better place for children and young people				
Summary of key performance measures against key results for 2011-2012	Children benefit from improved legislation, policies, practices and services	Children participate in decisions that affect their lives	Children are safe in organisations and their communities	The Commission is accountable, responsive and adaptive
			Consultations on the new Working With Children Check were held with the education, sport and recreation, welfare, health and children's services sectors and with a range of trade unions	48 media releases and web news items distributed
			36% of project work and 75% of system build for the Working With Children Check completed, in line with project expectations	

2.10 Financial overview

The Commission's funding comes from receipt of revenue from the OoC as grants and contributions. For 2011-2012 this was \$9,257,000. These grants and contributions, in addition to investment income and the sale of goods and services, totalled \$9,711,000.

Figure 2: How the money was spent (\$000s)

\$000	% of total	Expenditure area
\$5,351	55%	Personnel services expenses
\$3,914	40%	Other operating expenses
\$446	5%	Grants and subsidies



3

Achievements

3.1 Children benefit from improved legislation, policies, practices and services

3.1.1 Submissions to inquiries and reviews

As part of its functions the Commission for Children and Young People (the Commission) makes recommendations to government and non-government agencies on legislation, policies, practices and services affecting children.

This includes responding to government and parliamentary inquiries and reviews on issues that affect children and young people in NSW.

In 2011–2012, the Commission responded to 220 requests for policy and related advice. Major submissions were made in the following areas:

- ★ **The NSW Long Term Transport Master Plan Discussion Paper, May 2012.** The Commission suggested that the primary aim of the Transport Master Plan should be to shape a transport system that prevents social and economic isolation and exclusion among all people in NSW. The Commission noted that this is particularly important for children and young people who need rich social connections to thrive and who can experience poorer outcomes if they live in families who are socially and economically excluded.
- ★ **The NSW Family and Community Services (FaCS) Statutory Review of the *Children and Young People (Care and Protection) Regulation 2000*, February 2012.** The Commission made a number of recommendations on how the Regulations could strengthen the involvement of children and young people in decision-making and on how the Regulations should reflect the current and new legislation relating to the Working With Children Check

(the Check). Comments were separately provided to inform the development of the *Children and Young People (Care and Protection) Regulation 2000 Statutory Review Discussion Paper* and on the Regulatory Impact Statement.

- ★ **The FaCS Reportable Conduct Unit (RCU) Policy and Procedures Manual, June 2012.** The Commission emphasised the need to ensure that the interests of children and young people remain at the centre of any investigation, while at the same time providing procedural fairness to the adults involved.
- ★ **Department of Planning and Infrastructure NSW on the New Planning System, November 2011 and March 2012.** The Commission suggested that the health and well-being of people, including children and young people, should be an overarching objective of a new planning system and that the participation of children and young people in planning should be encouraged at all levels.
- ★ **The NSW Ministry of Health, as input to the establishment of a NSW Mental Health Commission, August 2011.** The Commission strongly supported the establishment of a Mental Health Commission in NSW and argued that the Mental Health Commission should accord strong priority to addressing the mental and emotional health of children and young people.
- ★ **NSW Parliament's Standing Committee on Social Issues Inquiry into Transition Support for Students with Additional or Complex Needs, August 2011.** The Commission stressed the importance of adequately resourcing transition planning for students with a disability, including the development of transition plans at each educational transition point as a matter of course and fully involving students in this process. The Commissioner attended a public hearing at the request of the Committee.
- ★ **NSW Parliament's Joint Standing Committee on Road Safety's Inquiry into School Zone Safety, October 2011.** The Commission suggested that the NSW Government retain 40km/h speed zones around schools in light of their effectiveness in improving pedestrian safety. It also suggested that consideration be given to making flashing light warning systems available in all school zones and developing improved road safety educational programs and resources for children, parents and carers. Commission staff attended a public hearing at the request of the Committee.
- ★ **Department of Education and Communities' (DEC) Review of School Counselling Services in NSW, November 2011.** The Commission noted that access to school counsellors by children and young people is limited by factors such as supply, service design and the accessibility of services to children. The Commission suggested that the review explore the feasibility of boosting the numbers of counsellors, examine alternative allocation and delivery of services, and directly consult with children and young people to ensure that services are provided in ways that best suit them.
- ★ **NSW Parliamentary Committee on Law and Safety Inquiry into the Inclusion of Donor Details on the Register of Births, December 2011.** The Commission suggested that the basic elements of the current system for recording donor details be

retained, with improved access to information about the donor for a donor-conceived child. The Commission also suggested inclusion of the details of donors of children conceived through informal arrangements in the register of births, where the donor is known to the mother, and all relevant parties wish to have the donor included in the register on the understanding that the donor will perform the role of parent.

★ **FaCS Review of the NSW Adoption Regulation 2003, February 2012.** The Commission suggested ways to strengthen the Regulation to ensure that the best interests of the child are the paramount consideration in adoption law and practice and that adoption is regarded as a service to the child which delivers stability, certainty, openness and a sense of belonging.

★ **NSW Parliament's Joint Standing Committee on Road Safety's Inquiry into Driver and Road User Distraction, May 2012.** The Commission highlighted the way in which driver and road user distraction impacts upon children and young people within the context of their high rate of injury as novice drivers, cyclists and pedestrians, developmental limitations and high uptake of technology such as hand-held electronic devices. The Commission suggested that emphasis should be given to additional educational strategies to address the problem of distraction, such as integration of this issue into school road safety programs, instructional manuals for learner drivers and driver testing scenarios.

★ **Centre for Aboriginal Health, NSW Ministry of Health 'Towards an Aboriginal Health Plan for NSW Discussion Paper', June 2012.**

The Commission suggested that the proposed Aboriginal Health Plan should include a stronger reference to preventive and environmental health and the social determinants of health, including lack of access to nutritious food, exposure to smoking and maternal alcohol consumption.

★ **Inquiry into Education Amendment (Ethics Classes Repeal) Bill 2011.**

The Commission supported the ongoing provision of Special Education in Ethics in NSW public schools.

★ **Division of Local Government Swimming Pools Act 1992 Review Discussion Paper, February 2012.**

The Commission supported the general direction of the proposed changes and highlighted where proposals fell short of what is necessary to protect young children, for example in relation to possible non-compliance arising from the proposed system of self-registration and self-certification of pool safety by the pool owner.

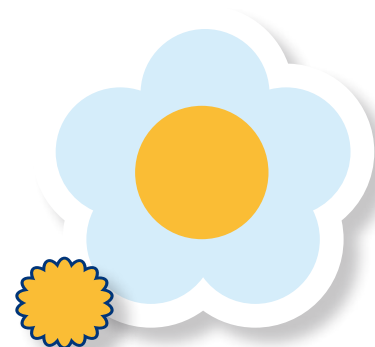
★ **NSW Department of Attorney General and Justice Review of Young Offenders Act 1997 and Children (Criminal Proceedings) Act 1987, December 2011.**

The Commission suggested that in light of new insights into the social and emotional development of children and the particular vulnerability of many of the children who come into contact with the criminal justice system, that consideration be given to raising the minimum age of criminal responsibility in NSW, that the juvenile criminal justice system be reserved for serious indictable children's offences only, and that investment be refocused on prevention and early intervention for at risk youth.

★ **Australian Children's Commissioners and Guardians (ACCG).** The NSW Commissioner for Children and Young People is part of the ACCG, who collaborate to provide joint submissions relating to national policy issues affecting children.

As part of the ACCG, the Commissioner was a signatory to the following ACCG submissions:

- ★ Commonwealth Guidelines for the Classification of Computer Games
- ★ compulsory participation plans and support for teenage parents – targeted locations
- ★ Charter on the Rights of Children and Young People in Healthcare Services
- ★ Australian Government Detention of Indonesian Children in Australian Adult Prisons
- ★ the Australian Human Rights Commission Inquiry into the treatment of suspected people smugglers who say they are children
- ★ free calls to Kids Helpline from Mobile Phones
- ★ the Standing Committee on Social Policy and Legal Affairs – Inquiry into Foetal Alcohol Spectrum Disorder (FASD)
- ★ the Senate Standing Committee on Legal and Constitutional Affairs – Inquiry into the Australian Human Rights Commissioner Amendment (National Children's Commissioner) Bill 2012.



3

Achievements

continued

3.1.2 Major strategic projects

3.1.2.1 Children, young people and the built environment

The Commission has continued to fulfil its obligations following two Parliamentary Joint Inquiries into children, young people and the built environment. In 2011–2012 the Commission:

- ★ commenced a four-part seminar series into children, young people and the built environment. The purpose of the series is to bring together policy makers and built environment practitioners – architects, landscape architects, planners and developers – to engage with the latest thinking and practice on creating more inclusive environments for children and young people. During 2011–2012, two of the four seminars took place and have included local, national and international guests and speakers. Fifty seven guests attended the first seminar and 37 guests attended the second, with 95% of attendees

indicating that they had gained new knowledge or new ways of working. All seminars were recorded and are available at www.kids.nsw.gov.au.

The final two seminars take place in the second half of 2012.

- ★ completed a survey, developed in partnership with the Urban Research Program, Griffith University to local councils in NSW, to understand how *built4kids* is utilised. *built4kids* is designed to support organisations in creating child-friendly built environments and also provides advice on how to involve children in their development. The survey indicated that the majority of survey participants found the resource to be ‘very useful’. *built4kids* was accessed 155,229 times in 2011–2012.
- ★ continuation of the Child Friendly by Design regional workshop series with Healthy Cities Illawarra. The workshops deliver a practical approach to turning the theory of child-

friendly places into practice, to make places child friendly at a community and local government level.

- ★ progressed the Planning for Children and Young People Award, in partnership with the Planning Institute of Australia NSW. The award recognises a built environment project that is truly reflective of the participation of children and young people, responsive to the needs and desires of children and young people, and fosters children and young people’s enjoyment of the places where they live and their healthy development, resilience and interaction in their communities. Nominations for the award opened in June 2012.

Some feedback on the Built Environment seminars

- “An excellent outline of all the issues and most importantly, what to do about it. Very constructive and helpful!”
- “The seminar provided greater insight into how children and young people perceive their built environments and how they engage with it.”
- “I have learned new ways of gathering information and incorporating the perspectives of young people.”
- “It has inspired me to try and think of new ways for young people to engage with the built environment.”
- “Good variety of speakers and a topic relevant to a broad range of professionals.”
- “Congratulations on a great series.”

Spotlight

Launch of the Built Environment Seminar Series and Child-Friendly Planning and Design Award

On 11 October 2011, the Commission brought together built environment professionals for a launch of the Commission's seminar series and proposed industry awards.

Professor Sue Holliday, Acting Senior Associate Dean of the Faculty of Built Environment, University of New South Wales, delivered the keynote address and highlighted the importance of child-inclusive environments.

An objective of the launch was to seek feedback regarding the seminar series and proposed award from all of the relevant sectors in this area. A workshop session facilitated by Dr Kate Bishop and Associate Professor Linda Corkery invited input and advice from participants about the detail of these two initiatives to ensure that the work of the Commission was relevant. The launch also provided an opportunity for professional networking to take place and for the Commission to promote its current work in the built environment.

As a result of the launch event, the Commission was able to further develop the seminar series and award based on the feedback received from participants. The seminar series that followed drew on the networks made at the event for content. The feedback from the launch also supported the establishment of the Planning for Children and Young People Award.



Setting the scene: children and young people in the built environment. From left: Dr Linda Corkery, UNSW, Commissioner Megan Mitchell, Dr Kurt Iveson, USyd, Dr Kate Bishop, UNSW.

Spotlight

The Planning for Children and Young People Award

The Planning for Children and Young People Award is proudly sponsored by the Commission for Children and Young People.

An advertisement for the Planning for Children and Young People Award. It features a photograph of a young girl in a purple hoodie kneeling on a paved surface, drawing with blue and yellow chalk. The text on the right side of the image reads: 'Planning for Children and Young People Award', 'Responding to the needs and desires of children and young in the built environment is essential for them to enjoy the places they live and to develop as healthy and resourceful members of the community.', 'Entries will need to demonstrate how children and young people have participated in a project aimed at encouraging their active and creative use of the built environment.', 'Projects may come from the research, policy, planning or design fields.', 'Visit planning.org.au/nsw', 'Or contact Robyn Vincin, PIA NSW State Manager, via 02 8904 1011 or nswmanager@planning.org.au'. At the bottom left is the PIA logo (Planning Institute Australia) and at the bottom right is the NSW Office of Communities Commission for Children & Young People logo.

3.1.2.2 Middle years of childhood

Following the 2009 NSW Parliamentary Inquiry into middle childhood, the Commission has worked with government and non-government organisations to better understand the middle years and develop policies that benefit these children. In 2011–2012, the Commission:

- ★ hosted, as part of its direct responsibilities for recommendations relating to the sharing of knowledge and practice about the middle years, the final two seminars in a three-part *Seminar series on the middle years of childhood*. The seminars looked at the emotional and social development of children in the middle years and

the particular risks they face. One hundred and forty five people attended two middle years seminars, with 93.8% indicating that they had gained new knowledge or new ways of working. All seminars were recorded and are available at www.kids.nsw.gov.au.

- ★ conducted a service and policy mapping exercise with members of the *Working group on the middle years of childhood*, providing a report on actions against the 59 recommendations from the Parliamentary Inquiry and capturing other government initiatives that relate to the middle years. From this mapping exercise it was agreed that

work should focus on a smaller number of priority areas, including the development of a coherent overarching agenda for the middle years.

- ★ published a discussion paper on the opportunities, aims and focus of a middle years' agenda.
- ★ convened a middle years roundtable discussion with 25 non-government organisations in 2012 at which there was strong support for the Commission to build an agenda for the middle years and coordinate joint action across government and non-government organisations.



Young seminar participants (from left) Alex, Eli, Sid, Maddy, Eleanor, Anna, with Minister Victor Dominello and Commissioner Megan Mitchell.

Some feedback on the Middle Years seminars

- “ I thought the information was very comprehensive and I will take back some practical solutions for engaging children in middle years towards better outcomes.”
- “ As an outside school hours care practitioner, I have picked up some great language for the things we already do with our 9-14s everyday. Great ideas on resilience, maintaining contact with kids, increasing a sense of belonging and how we can connect with our community.”
- “ A great insight into the needs of 9-14 year olds, particularly the importance of staying connected.”
- “ I found that the use of young people’s voices was far from tokenistic and captured the mood and information needed.”
- “ Great - the topics explored were very thought provoking.”
- “ The speakers were very knowledgeable and entertaining, the MC created an exciting and interesting atmosphere and the seminar was thorough without being too long.”



Spotlight

Young people research the middle years of childhood

The 2012 YPAG members received training to be developed as researchers. In January 2012 the YPAG commenced a research project on how children and young people aged 9-14 years spend their time after school. This is informing the Commission’s broader work on the middle years of childhood.

At their meetings, members were given an introduction to research and developed their research questions focusing on what children in the middle years of childhood do after school, what they would like to do and what stops them from doing what they want to do.

The 2012 YPAG also learned about ethics in research and developing research methods. The six schools involved chose to conduct surveys through questionnaires within their schools and communities. One school also decided to conduct interviews and another decided to conduct focus groups to gain further insight into the topic.

The YPAG research project aims to support children and young people themselves to develop approaches to hear the voices of children and young people and promote their participation in decision-making.

Between July and December 2012 the YPAG will collect and analyse the data and report on findings.

3.1.2.3 A picture of NSW children

A picture of NSW children draws together data from many existing collections to meet the growing information needs of policy and service delivery professionals regarding the 1.6 million children in NSW and their families. Making the data available in the one location helps inform legislative, policy, program and service delivery responses. *A picture of NSW children* is published as a series of chapters over time, covering the areas of demographic characteristics, health and well-being, children and crime, economic well-being, early childhood education and care, and childhood injury.

In 2011–2012, 6,565 unique visitors accessed *A picture of NSW children*. During the year the Commission also published new chapters on the following areas:

- ★ economic well-being
- ★ early childhood education and care
- ★ health behaviours
- ★ education and learning
- ★ children and crime.

Many government agencies contribute administrative and other data sets to make up *A picture of NSW children*.



Spotlight

Sexual health campaigns for young people

Data, released in February 2012 in the Commission's online databook, *A picture of NSW children*, showed that in NSW in 2008, 32% of Year 10 students (average age 15 to 16) reported having had sex, with only 63% reporting that they used a condom the last time they had sex.

This led the Commissioner, Megan Mitchell, to call for increased sexual health education for young people in response to survey data showing a lowering in the age of first sexual activity among teenagers.

"In line with international trends, there has been a fall in the age of onset of first sexual activity in Australia, exposing young people to a higher risk of unplanned pregnancy and sexually transmitted infections.

"Public health campaigns targeted at young people can be effective in reducing harmful behaviour. I encourage the NSW Government to continue to build on its excellent public health work, particularly in delivering effective messages about sexual health for young people.

"Involving young people in developing these messages will be a key to their success," Ms Mitchell said.

Also available in *A picture of NSW children*, the survey data shows that:

- ★ the birth rate among females 19 years and younger decreased substantially over the 15-year period to 2006.
- ★ there were 904 recorded births to 15 to 17 year olds in 2008, or 1.7 births per 1,000 females in this age group, of which Aboriginal females had nine times the birth rate of non-Aboriginal females.

A picture of NSW children is produced in collaboration with the UNSW Social Policy Research Centre and can be accessed at www.picture.kids.nsw.gov.au. It brings together information about the lives of more than 1.6 million children in NSW, from a range of major data sources.



3.1.2.4 Childhood injury prevention

The Commission continued its work to scope an effective whole of government approach to the prevention of serious childhood injury in NSW. This involved finalising a scoping paper, commenced in 2011, that considers a number of key questions around childhood injury and establishes the parameters for a coordinated response. The scoping paper considers an appropriate definition of childhood injury, provides data on incidence and trends in serious childhood injury in NSW, identifies

evidence-based approaches to prevention and strategies for determining priority areas and proposes an approach to support action to prevent serious childhood injury in NSW.

The Commission analysed the NSW Admitted Patient Data Collection from the NSW Ministry of Health to help build knowledge about childhood injury in NSW and identify what further research is required to assist in understanding and responding to childhood injury. Analysis of the NSW Admitted Patient Data Collection was used to produce descriptive statistics on childhood injury for

A picture of NSW children. It was also used to inform specifications for a surveillance report on serious childhood injury in NSW that the Commission has contracted the National Injury Surveillance Unit of the Australian Institute of Health and Welfare to produce.

The Commission has also worked to prepare for a child injury roundtable to bring together experts from NSW and other Australian jurisdictions and key government and non-government stakeholders to assist the Commission plan an approach to prevent serious injury to children across NSW.

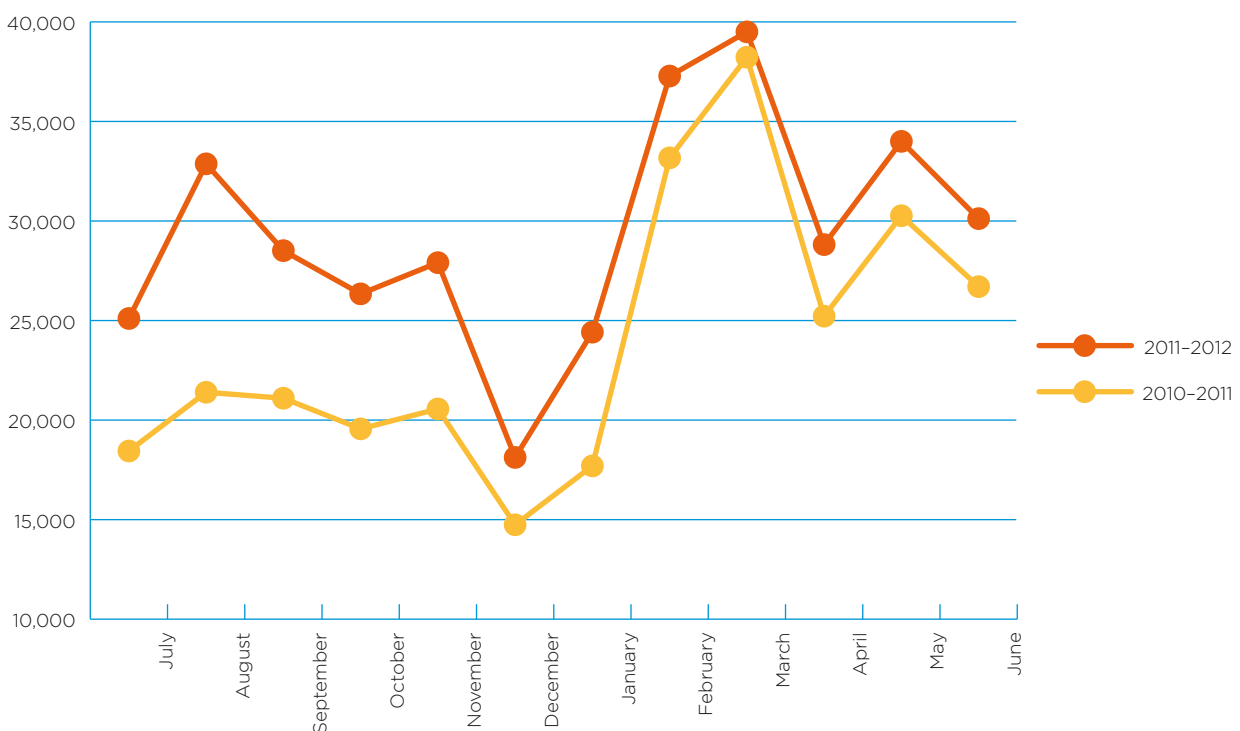
3.1.3 Community engagement

Website

In 2011-2012, there was a 24.98% increase in unique visitors to the Commission's website compared to the previous 12 months. On average, the site recorded more than 29,000 unique visitors per month. In 2011-2012, 69.82% of page views came from the www.check.kids.nsw.gov.au sub domain, to support the Check.

Figure 3 (below) shows that website usage patterns are broadly consistent in 2011-2012 compared with 2010-2011.

Figure 3: Website usage in 2011-2012, compared to 2010-2011



3

Achievements

continued

Social media

The Commission uses social media services such as Twitter and Facebook to share information about issues affecting children and young people.



twitter.com/kidsnsw

facebook.com/kidsnsw

At 30 June 2012, the Commission's Twitter profile had 538 connections, and the Facebook organisation page had 460, each more than doubling the figure of the previous year.

Electronic newsletter

What's new, the Commission's electronic compilation of news, reports and articles available on the Commission's website, was published to subscribers via a fortnightly email broadcast. In 2011–2012, this electronic bulletin recorded an increase in subscribers of 31.3% compared to the previous year. There are two versions of the electronic newsletter, one designed for subscribers 18 years and older, and one for younger subscribers.

Table 1 shows the total number of new subscribers to the newsletter over the last four years.

Table 1: Total newsletter new subscribers

Date	Total subscribers	Increase on previous year (N)	Increase on previous year %
30-Jun-2012	4,689	1,117	31.3
30-Jun-2011	3,572	916	34.5
30-Jun-2010	2,656	576	27.7
30-Jun-2009	2,080	505	32.1

The increase in the growth rate of subscriptions recorded continued to coincide with an increase in Child Safe Organisations training, where subscribing to the Commission's electronic newsletter is an option for registrants.

Children's Week

The Commission was involved in Children's Week 2011 in a variety of ways. Firstly, the Commission launched a website, which listed all child-related events and activities held during the course of the week: www.nsw.childrensweek.org.au. These activities and events focused on language and literacy, health, sport and recreation, the arts and sciences, as well as children's cultural, social and emotional needs. The Commission also conducted a state-wide poster design competition and co-sponsored the 'As Eye See It' photography exhibition by young people in out-of-home care. The poster design competition attracted over 200 entries from children and young people, artwork from which can be seen throughout this report. Congratulations to Chelsea Wick, who was the winner of the competition.

Kidspoll

In 2011–2012, the Commission ran seven online polls in the KidZone section of its website. Children and young people had the ability to include a comment or opinion along with their vote.

There was a 41% increase in average votes on Kidspoll from the previous year. The participation of children and young people remained consistent with the previous year.

The most popular polls in 2011–2012 were in relation to the issues of smacking children, children and hunting, beauty pageants for children and school bus safety.

KidsPoll topics can be chosen to coincide with government inquiries and reviews, to respond to popular topics in the media relating to children and young people, as a result of suggestions via the Commission's website, or in consultation with the Commission's YPAG.

KidsPoll is an interactive feature provided for children and young people who visit the Commission's website and subscribe to the version of the Commission's electronic newsletter. KidsPoll is not intended as social research, but does form an additional way for children and young people to interact with the Commission.

Communications Strategy

During 2011–2012 the Commission produced a Communications Strategy to guide and focus our community engagement work.

Spotlight



KidsPoll feedback from children and young people

KidsPoll is part of the KidZone section of the Commission's site, which is designed for children and young people. KidZone includes interactive games for primary school aged children and the e-zine Feedback Mag for high school aged children. KidsPoll is used by both primary school and high school children. Adults can also vote.

The three most popular polls for 2011–2012 were on smacking, children and hunting and the use of seat belts on school buses.

Should it be made illegal for parents to smack their children?

This poll received 153 votes. While older (18+) and younger age groups (0–7, 8–14, 15–17) were more likely to vote No, this preference was less marked with younger voters, with 67% of voters aged 18+ voting No, and 58% of those aged 0–17 voting No.

Comment highlights:

- ★ *No. There's obviously a difference between a little smack on the hand, and physical abuse. I don't think any measures should be taken out against the former.* 15–17 years. 19 February
- ★ *No. There should be limits though.* 15–17 years. 18 February
- ★ *Yes. This is a bad way to make your kids learn from their mistakes. The only thing parents should do is ground them.* 8–14 years. 16 February

Using a knife, bow or dogs, should unsupervised children 12 and older be allowed to hunt feral animals?

This poll received 100 votes, with 86 voting No, 12 Yes, with one Don't Care.

Comment highlights:

- ★ *No. It is totally dangerous, however, if these children have done a training course of some type, then I suppose they should be allowed to.* 15–17 years. 2 June
- ★ *No. It's dangerous and they may end up hurting themselves.* 8–14 years. 6 June
- ★ *No. Because it teaches bad habits that they could use for murdering people or owned animals.* 8–14 years. 6 June
- ★ *Yes. It isn't fair that people like me who live in the bush cannot hunt game like wild dogs, which are a pest around here. Why can't we hunt if it helps the community and ourselves?* 8–14 years. 17 June

Should seat belts be compulsory on school buses?

This poll received 95 votes, with 76 voting Yes, 14 No, and five Don't care.

Comment highlights

- ★ *Yes. We live in a rural area and have to travel at 100km per hour on roads with no seatbelts. The Princes Highway has many black spots in this area and it is very unsafe.* 8–14 years. 7 December
- ★ *No. Adding seat belts in school buses will ruin the excitement and ride in the bus.* 15–17. 2 December
- ★ *Yes. I think they should be because if the bus comes to a sudden stop or crashes the children will have something holding them back.* 8–14 years. 16 November
- ★ *No. Because it's another thing to get in trouble for and they'll need to be five teachers in the bus to make sure. And teachers will have a more angry life.* 8–14 years. 15 November

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Achievements

continued

Outreach

The Commission consults widely with children and young people across NSW. Community outreach visits are aimed at listening and learning so the Commission can find out what is important to kids in their own local communities. The Commission supports young people in their local communities and encourages them to engage with the services that have been specifically set up for them.

In 2011–2012, the Commissioner visited a number of communities and spoke to the children and young people living there. Communities visited included Charlestown, Scone, Dapto and Broken Bay.



Spotlight

About the Commissioner's visit to Newcastle and the Hunter region

In March 2012, the Commissioner visited schools and met with individuals concerned with the safety and well-being of children and young people in Newcastle and the Hunter region. Member for Charlestown, Mr Andrew Cornwell MP (and Chair of Parliamentary Joint Committee on Children and Young People), accompanied the Commissioner on the visit and welcomed the opportunity to showcase the work being done to address issues affecting youth in the Newcastle and Hunter region.

First was Windale Public School where the Commissioner met with local children and the highly dedicated staff.

Then the Commissioner was introduced to professionals at Eastlake Youth Centre and Ronald McDonald House in Newcastle, both of which provide a wide range of programs to support children, young people and their families.

The Commissioner also attended the launch of the Junior National Games of the Special Olympics. Discussion with the organisers of this event resulted in an offer from the Commission to provide specially tailored Child Safe Organisations training in late 2012 to support the Junior National Games, as well as other assistance to the Games organisers.

The following day, the Commissioner visited students from Scone High School to hear their views about what's important to them in their communities.

Scone High School student and member of the Commission's YPAG, Christopher Hodge, said that one of the biggest issues affecting children and young people in his area is that "youth aren't connecting enough with adults and aren't giving enough input into what affects them and their lives".

Community visits such as this enable the Commission to build networks between advocates for the well-being of children and young people.



Official torch bearer, Detective Sergeant Darryal Abeyasekera; Basketballer, Claudia Jackson (age 14); Special Olympics Australia's CEO, Gill Stapleton; NSW Commissioner for Children and Young People, Megan Mitchell.

3.1.3.1 Presentations and speeches

The Commissioner advocates for the rights and well-being of children and young people of NSW and promotes a shared understanding of children's lives, in presentations and speeches at conferences, community events and other forums.

In 2011-2012 highlights included presentations to:

- ★ NSW Parliamentarians and staff on the data released in *A picture of NSW children*
- ★ NSW Parents Council annual conference
- ★ Australian and New Zealand Adolescent Health Conference "Youth Health 2011: It's totally important"

★ Youthsafe forum "What's the frequency? Tuning into adolescent development to help young people stay safe"

★ Interrelate Family Centres "Speak out. Stop bullying. It's everyone's responsibility" conference to launch an anti-bullying resource produced for primary schools.

3.1.3.2 Partnerships

The Commission was involved in a number of key research partnerships during the year and the following is a highlight.

Student voice in schools

The Commission has been developing a research project with the Centre for Children and Young People, Southern Cross

University and the DEC (North Coast Region) looking at the constraints and supports for implementation of student voice initiatives in schools. The aim of this work will be to identify how schools can implement effective student voice initiatives on a wider scale. The research evidence strongly suggests that effective student voice in schools improves student engagement in education more broadly.

As at 30 June 2012 the Commission and research partners had held a series of consultations with students and staff at six primary, secondary and alternative education schools to obtain preliminary information around student voice and engagement to inform the development of the research proposal.

Excerpts from the Commissioner's presentations

“Addressing bullying is not about regulating every aspect of a child's life. It is about bringing together families, schools and communities to understand and deal with the harm that can occur and empowering children to take action.”

Speak out. Stop bullying. It's everyone's responsibility. July 2011

“What is needed is a strategic, whole-of-government approach that addresses childhood injury in NSW. The Commission has committed to establishing an advisory mechanism in the form of a child injury prevention team, to lead efforts across government to address childhood injury.”

What's the frequency? Tuning into adolescent development to help young people stay safe. December 2011

“The middle years are a time when children and young people, ideally, are developing the sense of self efficacy that will help them grasp their potential as they develop their physical, intellectual, emotional, social and cultural capabilities.

This – to ensure that young people 9-14 in NSW reach their full potential – is the overarching objective of the Commission's evolving agenda for the middle years.”

NSW Parents Council Annual Conference. June 2012

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Achievements

continued

Sexting and young people: perceptions, practices, policy and law

The Commission contributed funding to an interdisciplinary and multi-methods investigation of 'sexting' by young people which won a Criminology Research Grant in 2011. The project will contribute to an understanding of how young people perceive and practice 'sexting' and to assess the appropriateness of existing law and policy in this area.

The principal researchers on the project are Dr Murray Lee, Assoc. Prof. Thomas Crofts, Dr Alyce McGovern (UNSW), Dr Michael Salter (UWS) and Dr Sanja Milivojevic (UNSW).

Young and Well Cooperative Research Centre

The Commission contributed to the establishment of Young and Well Cooperative Research Centre (CRC), through an Australian Research Council (ARC) linkage grant led by Inspire Foundation and which also included the following research partners: Telstra, the Foundation for Young Australians, National Children's and Youth Law Foundation, the Starlight Foundation and Boystown.

Launched in late 2011, the Young and Well CRC is an Australian-based, international research centre that unites young people with researchers, practitioners, innovators and policy-makers from over 70 partner organisations.

The Young and Well CRC promotes cybersafety, mental health and well-being through three complementary research programs mapped to specific groups of young people:

Safe and Supportive: Building safe and supportive online environments and providing strategies and tools that promote cybersafety, mental health and well-being in all young people.

Connected and Creative: Engaging vulnerable groups of young people and overcoming the effects of social isolation.

User-Driven and Empowered: Developing services for young people who are experiencing mental health difficulties.

Young carers

The Commission was a research partner in an Australian Research Council Linkage Grant (LP07755940) titled *Young Carers: Social policy impacts of the caring responsibilities of children and young adults*. The chief investigators on this project were Professor Bettina Cass, Professor Deborah Brennan, Cathy Thomson, Professor Ilan Katz and Professor Deborah Mitchell of the Social Policy Research Centre (SPRC) at the University of NSW. The other research partners Carers New South Wales, Carers South Australia and a range of government agencies in South Australia and NSW.

The final report from this research project was published in October 2011 as: Cass, B, Brennan, D, Thomson, C, Hill, T, Purcal, C, Hamilton, M, and Adamson, E (2011) *Young carers: Social policy impacts of the caring responsibilities of children and young adults*, Report prepared for ARC Linkage Partners, October 2011.

UnitingCare Burnside child-led research program pilot evaluation

In collaboration with Southern Cross University's Centre for Children and Young People the Commission evaluation this pilot program aimed at enabling disadvantaged children and young people to lead their own research. The evaluation covered the young researcher's experience of undertaking research training; their experience of the support provided to conduct their own research; any changes in their skill levels (e.g. communication, research, life-skills); any changes in their well-being; and the adult stakeholder's views and experiences of embedding a program based on participatory principles within UnitingCare Burnside. The final evaluation report was published in January 2012.



3.2 Children's participation

3.2.1 Young People Advisory Group (YPAG)

In 2011–2012, the Commission commenced the YPAG model which involved engaging with six NSW schools from the government, Catholic and independent school sectors.

The six schools are:

- ★ Byron Bay High School (Northern Rivers)
- ★ Cerdon College (Western Sydney)
- ★ Holy Spirit College (Illawarra)
- ★ Rouse Hill Anglican College (Hills District)
- ★ Scone High School (Upper Hunter)
- ★ St Johns Park High School (South West Sydney).

Each school was recruited for two years and nominated two students as members of the YPAG, who meet six times in the calendar year. The YPAG advises the Commissioner on the work of the Commission and on issues important to children and young people in their communities.

The 2012 YPAG met three times in the annual reporting period and provided advice to the Commissioner on student voice in schools, preventing childhood injury and participation of children and young people in decision-making. The group also provided advice to DEC on the branding for the Proud Schools initiative.

The 2012 YPAG were also trained to carry out research on how children and young people aged 9–14 years spend their time after school, and developed their research questions and tools. The research project feeds into the Commission's broader work on the middle years of childhood.

The Commissioner visited three YPAG schools to speak with YPAG members, other students, principals and community leaders on issues important to children and young people in their area.

Some comments from YPAG members, at the six month evaluation point

“ I feel like I've really accomplished the task of giving young people a voice and making a difference.”

“ I have got what I wanted from being a member of the YPAG and more. I have learnt so much about children, young people and media skills. I have been given the opportunity to see what government initiatives have done and are planning to do, and get to have my input. I have also had the pleasure of meeting truly awesome people and it is not awkward at all, as opposed to the extreme awkwardness I thought we would experience.”

“ I have gained far more than I expected from being a part of the YPAG. I have learnt about causes and impacts of various aspects of children's lives, ranging from safety to alcohol use. I have also learnt how to act in front of media. Being a part of YPAG has enlightened me in so many aspects that I would have otherwise not known about.”

“ I think that the work that has already been done needs to be continued. All the staff are very helpful and dedicated to the project. No one is ever criticised or hated for their opinions. The project is very current. The issues we speak about are very important and very real. We can all relate to them and we all have an opinion on them.”

Spotlight 

The YPAG Model

The *Commission for Children and Young People Act 1998* empowers the Commission to promote the participation of children in decisions that affect their lives and to encourage government and non-government agencies to seek the participation of children, appropriate to their age and maturity. The Act also directs the Commission to listen to and take seriously the views of children and to develop mechanisms to facilitate consultation with children.

YPAG is a new model of young people's participation in decision-making for the Commission. The new approach was informed by a Commission evaluation of the Young People's Reference Groups the Commission supported between 2000 and 2010, including feedback from past members.

The key difference between the YPAG and past models is the Commission's close relationship with members' schools. The principal of each school agrees to a two-year term with the Commission and also nominates a support teacher to assist members with their roles on the YPAG.

Having support from the school aims to make it easier for members to engage with other students within the school and with other young people in the community, including during school time, about issues affecting them.

The model also aims to develop the skills of YPAG members. To assist them with their work, the 2012 YPAG received training in media, government processes and research.

The Commissioner visits YPAG schools around NSW to continue to build relationships and promote the participation of children and young people in decision-making that affects their lives.



2012 Young People Advisory Group. Back row from left: Oliver, Angus; middle row from left: Lauren, Sarah, Abby, Nami, Jaida Evanna; front row from left: Joel, Chris, Brandon, Lachlan with Commissioner Megan Mitchell.

3.2.2 Citizen Me!

During 2011-12 the Commission commenced the development of a new participation resource *Citizen Me!: Engaging children and young people in your organisation*.

Citizen Me! will assist organisations, including government, involve children and young people in their decision making. It will contain information about ethical considerations, including obtaining consent for participation, capacity building of children and young people and organisational staff for participation, and evaluating participatory initiatives.

Citizen Me! is being prepared as an online resource. It will be updated regularly with new information and case studies. The following is a case study featured in *Citizen Me!*, which demonstrates the valuable input from young people for out-of-home care caseworkers.



Spotlight

Young people training out-of-home care caseworkers

The Create Foundation provides training to workers involved with young people in out-of-home care. The workers are typically completing their training and about to hit the field.

As part of this training, a young person with an out-of-home care experience is invited to talk to the workers about their time in care in a strength-based way. The young person's role is to provide advice and expertise as a young person with a care experience.

The Create staff member and the young person talk about issues such as education, transitioning from care and leaving care preparation, family and sibling contact, building worker relationships and young people's participation in decision making. The workers are then invited to ask the young person questions to inform their practice.

According to Create staff, the workers benefit greatly from speaking with the young people as they have transitioned from care and are able to objectively look at the care system and suggest improvements.

The young people also benefit from their participation. In the words of one young person:

“ It feels good to know that my experience has helped community workers gain a better understanding of how young people feel about making their own choices versus others making choices for them.”

3.2.3 Online engagement with young people

This project was discontinued during the year at the NSW Government's request. The Commission will be exploring opportunities to partner with young people and other NSW Government and non-government agencies to ensure that children and young people are able to engage online with government agencies.

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Achievements

continued

3.3 Children are safe in organisations and their communities

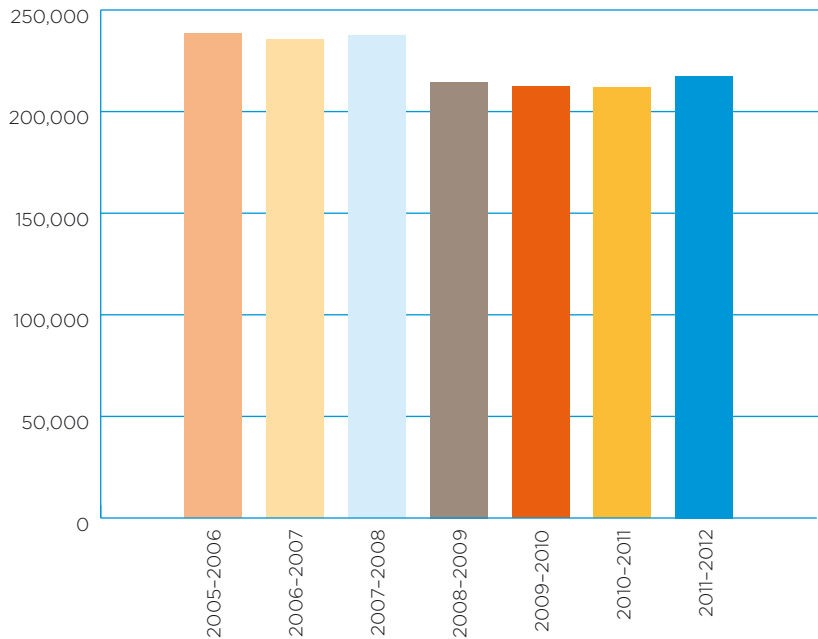
3.3.1 Working With Children Check

During 2011–2012 the Check was conducted by four Approved Screening Agencies (ASAs): the DEC, Department of Health, the Catholic Commission for Employment Relations and the Commission.

In total the four agencies conducted 217,508 background checks. Figure 4 shows the total number of checks processed during the past seven years.

The volume of Checks undertaken has remained steady over the past three years.

Figure 4: Background checking requests processed by all Approved Screening Agencies



3.3.1.1 New Check

During 2011–2012, legislation for the new Check was developed in consultation with key stakeholders. *The Child Protection (Working with Children) Act 2012* gained assent on 27 June 2012. It provides the legal framework for the implementation of a new Check that will be simpler, safer and more widely available, and in line with similar checking systems in other jurisdictions.

The development of the new Check has had valuable input from a high level Interagency Committee and a range of sub committees covering legislative change, database development, partnerships and agreements, transitions and phase in, change management, marketing and community education.

The new Check will better protect children by:

- ★ providing a portable and renewable Check clearance that lasts for five years
- ★ having the same Check for everyone whether a paid worker, a volunteer, a self-employed

person, an adult living in a carer's home or a prospective adoptive parent

- ★ barring all high risk applicants from working with children
- ★ continuously monitoring each cleared person for serious criminal activity or employer disciplinary findings
- ★ accessing full criminal histories rather than a subset of relevant records.

The new Check will be implemented from 2013 for new workers, with volunteers and existing workers phased in over a five-year period.

3.3.1.2 Working With Children Check Operations

In 2011–2012 the Commission conducted 85,479 Checks, 39% of the NSW total. This shows a slight increase from 84,659 checks in 2010–2011.

The Commission aims to provide results within two days for 80% of background checks and within 10 days for 90% of background checks. This can be achieved only when CrimTrac, the national criminal records repository, can immediately determine there is no criminal record for the applicant. Where CrimTrac suspects that a record they hold relates to an applicant, State and Territory police agencies must investigate more closely. Most suspected matches are dismissed but the investigation can take several days.

In 2011–2012 the Commission provided results for 68% within two days and 94% within 10 days. The Commission's Check team received and actioned an average of 90 phone calls and 175 emails per day.

Table 2 (following page) shows the Commission's performance for processing background checks.

Table 2: Background checking – performance

Activity/Target	Result 2008-2009	Result 2009-2010	Result 2010-2011	Result 2011-2012
Number of Working With Children Checks processed	82,012	74,742	84,659	85,479
Per cent of Working With Children Checks completed within two days	71%	66%	69%	68%
Per cent of Working With Children Checks completed within 10 days	87%	85%	88%	94%

3.3.1.3 Estimates of risk

An evidence-based tool called AWARE (A Workplace and Applicant Risk Estimate) is used to estimate the risk relating to applicants with relevant records and their workplaces. In this model, there are three possible outcomes of risk on an applicant:

- ★ no particular risk demonstrated
- ★ some risk demonstrated
- ★ significant risk demonstrated.

Of the 217,508 people background checked in 2011-2012, an estimate of risk was undertaken for 805 applicants (0.37%). The Commission conducted 368 of these (46%).

The Commission has an estimated target of a total of 200 risk estimates a year with 70% of them completed within 16 weeks. In 2011-2012 the Commission

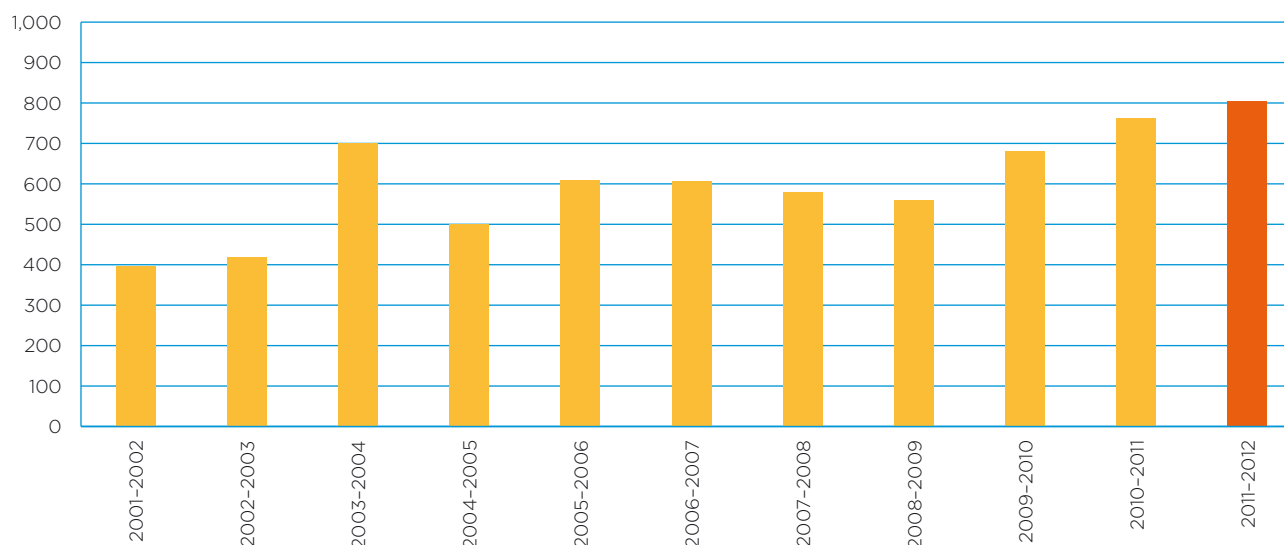
completed 368 risk estimates, with 76% completed within 16 weeks.

Table 3 (below) shows the number of risk estimates undertaken by the Commission over the last four years. Figure 5 shows the number of risk estimated undertaken by all ASAs in the last 11 years.

Table 3: Risk estimates – performance

Activity	Target	Result 2008-2009	Result 2009-2010	Result 2010-2011	Result 2011-2012	Outcome 2011-2012
Number of estimates of risk completed	200	246	283	322	368	Achieved
Estimates of risk completed within 16 weeks	70%	56%	44%	63%	76%	Achieved

Figure 5: Number of risk estimates undertaken by all ASAs



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Achievements

continued

3.3.1.4 Prohibited persons

Prohibited person reviews

Under the *Commission for Children and Young People Act 1998*, people convicted of serious sex offences, serious violence offences against a child, kidnapping or murder of a child, or who are registered under the *Child Protection (Offenders Registration) Act 2000* are prohibited from working or seeking work in child-related employment.

All people seeking child-related employment (whether as a paid worker or a volunteer) must declare whether they are a prohibited person.

Some prohibited persons can apply for a review of their prohibited status. The Commission, the Administrative Decisions Tribunal (ADT) and the Industrial Relations Commission (IRC) can make orders that overturn prohibited status, if the applicant can demonstrate he or she does not pose a risk to the safety of children.

In 2011–2012, 50 prohibited persons applied for a review of their status. This was six more than in 2010–2011. 64% of these applications were to the Commission, with the remainder to the ADT. Table 4 (below) shows the outcome of these applications as at 30 June 2012.

The Commission granted nine new orders, where it found no indication that the applicant posed a risk to children.

Table 4: Status reviews in 2011–2012

Determining authority	New applications	Applications pending from 2011–2012	Final orders granted	Final orders granted with conditions	Applications refused	Applications dismissed – s.33G Ineligible	Applications withdrawn or dismissed	Applicants not prohibited	Applications pending decision
Commission for Children and Young People	40	2	9	0	11	8	1	1	12
Administrative Decisions Tribunal	8	5	2	2	1	0	1	0	7
Supreme Court	2	0	0	0	0	0	0	0	2
Total	50	7	11	2	12	8	2	1	21

Of the four orders that the ADT granted, one was neither opposed nor unopposed by the Commission and three were opposed. One order was not granted by the ADT and was also opposed by the Commission. Table 5 (right) shows the recommendations of the Commission and the decisions by the ADT.

Table 5: Commission recommendations and ADT Decisions

The Commission's position	ADT granted	ADT not granted
The Commission opposed	3	1
The Commission not opposed	0	0
The Commission was neutral	1	0

Spotlight

Prohibited Employment Exemption Reviews Case study 1

The applicant's offence related to an 'Indecent Assault' when he was working as a driver. The victim was a 16-year-old female passenger who the applicant was driving to work.

The applicant's application for an order allowing him to work with children was previously heard at the ADT in 2008; this was refused. He submitted a further application with the ADT in 2011.

The Commission reviewed various sources of information, including the psychological assessments provided for the ADT hearing and based on this determined that the applicant did not discharge his legislative onus that he is not a risk to children and young people. The Commission opposed the granting of an order allowing him to work with children. The ADT agreed with this recommendation and the application was refused.

Case study 2

The applicant submitted an application directly to the Commission requesting an order to allow him to work in child related employment. The applicant's conviction related to a 'Carnal Knowledge' offence in the late 1960s and both the applicant and victim were teenagers at the time. By all accounts available the relationship was a boyfriend/girlfriend intimate relationship that lasted approximately 12 months; however due to the victim's age the relationship was considered to be a criminal offence.

The applicant, now in his 60s is a father and grandfather and records indicate that there are no adverse reports pertaining to his behaviour around children or young people. In fact, references received in relation to his employment were very positive.

The applicant's conviction that rendered him prohibited from child related employment was due to what would have been, but for the girl's age, a consensual intimate relationship between him and his girlfriend. It was clear that the applicant had continued to lead a pro-social, law abiding life and as such the Commission did not consider that he posed a risk to children and young people. As such the applicant's Order was granted.

3.3.1.5 Certificate for Self Employed People

On 1 May 2009 the Commission began issuing Certificates for Self Employed People which confirm that they were not prohibited from child related employment. From 1 May 2011 it became an offence for self employed people working in child-related employment not to hold a current certificate. The Commission issued 5,407 Certificates for Self Employed People in 2011-2012 with a total of 16,644 certificates being issued since its inception in May 2009.

3.3.1.6 Monitoring and compliance

The Commission's monitoring and auditing functions cover a range of activities, including:

- ★ annual compliance programs aimed at making sure that businesses and individuals who work with children understand and comply with their legal obligations under Part 7 of the Act
- ★ monitoring the 15,000 registered businesses to ensure they continue to comply with their obligations
- ★ monitoring employers of high risk individuals
- ★ conducting random audits on volunteer declarations
- ★ auditing the approved screening agencies
- ★ responding to allegations from members of the public in respect of an organisation's failure to comply with the Check.

Under the *Commission for Children and Young People Act 1998* organisations engaging people to work with children are required to:

- ★ undertake a background check on prospective employees if they are in paid employment

3.3.1.6 Monitoring and compliance (continued)

- ★ obtain a signed declaration from volunteers that they are not prohibited from working with children (paid workers also provide such a declaration)
- ★ report completed relevant disciplinary proceedings where the allegation is proven.

Where the Commission identifies non-compliance a range of options are available:

- ★ providing the employer with education and advice on the requirements of the check
- ★ providing the organisation with education and information on child safe practices
- ★ requiring the organisation to agree to a compliance plan, which outlines the steps they must take to address any non-compliance
- ★ issuing the employer with an enforcement notice
- ★ referring the matter to NSW Police.

In 2011–2012, the Commission:

- ★ followed up employers engaging applicants assessed as high risk. There were 15 persons assessed as a potential risk to children who were employed in 2011–2012. Of these, four were assessed as some risk and 11 as high risk. It was found that the applicants either resigned soon after or were employed in non child related work or that employers had implemented appropriate risk management practices.
- ★ checked whether employers who should be registered are on the Commission's register. The Commission adopted a risk based intelligence driven approach to developing compliance programs. This included targeting businesses in poorly regulated industries

Spotlight

How the Commission obtains compliance

At the Commission for Children and Young People, the safety, welfare and well-being of children is paramount; therefore the Commission aims for 100% compliance and continually follows up businesses until this target is met.

When the Commission conducts audits to identify unregistered businesses, the target is met when a business is either registered or when circumstances exclude the business from registration, e.g. if it is found that the business is not in child-related employment or is no longer operating.

An instance of this is where an audit found it difficult to contact a business operating in metropolitan Sydney but that business was found through intelligence gathering to have relocated elsewhere. After making contact, it was found the business operator had decided to move interstate and had ceased working with children. The follow up meant that the business could be eliminated from the audit. Businesses can also be found to be registered under a different trading name to the one identified for the audit.

This process occurs similarly for businesses that are registered, but the Commission's monitoring finds they have not completed a check for some time. The Commission contacts the business and reminds them of their obligations. The next step is to inquire whether all new employees have been checked.

The Commission also follows a similar process when it investigates an allegation about a business. The Commission contacts them to learn what the situation is, and if they are failing to meet their obligations, the Commission works with them until they are compliant.

and where the work involves direct face-to-face contact with children. Programs targeted in 2011–2012 included the tutoring profession, nanny agencies, children's mentoring services, swim schools, and holiday camps.

541 organisations were checked. Businesses identified were checked against the Commission's database of

employers registered for the check and against sole traders on the Certificate for Self Employed People in Child-Related Employment database. Businesses not registered were contacted and provided with information about their legal obligations in working with children. This resulted in an additional 124 businesses being registered.

- * audited declarations given by volunteers who work with children that they are not prohibited. More than 360 declarations were checked in 2011-2012 and no volunteers were found to have untruthfully signed the declaration. The declarations were drawn randomly from a cross section of the organisations providing child related employment that engage volunteers in that work.
- * investigated complaints that businesses may not be compliant with the check. Fifteen matters were followed up with 14 being resolved and one matter ongoing within the reporting period.

3.3.1.7 National agenda for protecting children

The Community Services Ministers' Advisory Council (CDSMC), now known as the Standing Council on Community and Disability Services (SCCDS), provides a forum for member governments to discuss matters of mutual interest and progress key national reforms in areas including child protection. One of the Council's priorities was to oversee the implementation of the first three year action plan (2009-2012) for the National Framework for Protecting Australia's Children (National Framework).

At its most recent meeting on 17 August 2012, Ministers agreed that all jurisdictions have achieved significant success in implementing initial actions under the National Framework and finalising national priority actions under the First Action Plan (2009-2012).

Key achievements of the First Action Plan to better protect children include:

- * the establishment of the first National Children's Commissioner
 - * the development and implementation of national Standards for out-of-home care, which seek to drive improvements in the quality of care
 - * the development of 'Transitioning from out-of-home care to Independence; A Nationally Consistent Approach to Planning' a practical resource to help improve consistency across jurisdictions and promote best practice in leaving care planning
 - * agreement to a Priorities Plan for Aboriginal and Torres Strait Islander Children, which prioritises these children in all future national priority projects under the National Framework
 - * implementation of an information sharing protocol between state and territory child protection agencies and the Commonwealth Department of Human Services
 - * the development of a national common approach to assessment referral and support (the Commissioner was a member of the sub group evaluating this work).
- A number of key projects have also been undertaken by individual jurisdictions.
- One of the actions under the National Framework is the development of a "nationally consistent approach to working with children checks" which consists of a number of strategies:
- * Nationally consistent standards to exempt short term interstate workers from the Check - NSW has been an active participant in the Working With Children Check Interagency Committee and Working Groups. All jurisdictions have now endorsed the national exemption definitions and key communication messages. The majority of the jurisdictions will implement the exemptions by the first quarter of 2013. In NSW, the exemption will be incorporated in the Child Protection (Working With Children) Regulation currently being finalised.
 - * National agreement for exchange of criminal information - it is anticipated that a further Agreement on the Exchange of Criminal History Information for People Working with Children (ECHIPWC) will be finalised by the end of 2012, following an evaluation of the Agreement in 2011.
 - * National level continuous checking and mutual recognition of interstate working with children checks - it is anticipated that both of these will be well advanced in the coming years.

SCCDS Ministers have also endorsed the Second Action Plan (2012-2015) of the National Framework. Key areas of focus for the Second Action Plan include stronger partnerships with other sectors such as domestic and family violence and mental health to support vulnerable children and families, as well as continued work to improve outcomes for Indigenous and Torres Strait Islander children and children with a disability. The Second Action Plan of the National Framework is available on the Australian Government FaHCSIA website at: www.fahcsia.gov.au/families-and-children/news/2012/second-action-plan-2012-15-of-the-national-framework-for-protecting-australia-s-children-2009-2020

3 Achievements continued

3.3.2 Child Safe Organisations

A key element of the Commission's work is to provide organisations that work with children with the information, skills and resources that will help them make their environments safe and friendly for children.

When an organisation has the requisite knowledge, capability and commitment, it is much more likely to put safeguards in place to reduce risks and protect children from unintentional or intentional harm. The Commission's child safe education and training program

provides organisations with these resources, skills and abilities. It is critical that organisations do not rely solely on background checks of staff to keep children safe.

Seminars and workshops

In 2011-2012 Child Safe Organisations ran a total of 74 seminars and workshops. Research was conducted to identify target areas within NSW that would benefit most from the sessions. This allowed the program to better identify

where sessions would be most successful, leading to an 18.8% increase in unique organisations attending from the previous financial year. This shows a strong community interest and ongoing commitment in developing skills in risk management and proactively keeping children and young people safe. Table 6 (below) shows the number of sessions, participants and organisations involved in the Commission's seminars and workshops in 2011-2012, compared with 2010-2011.

Table 6: Number of sessions, participants and organisations involved in workshops and seminars

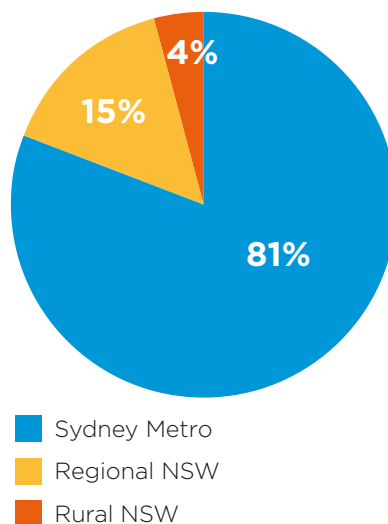
2010-2011 Financial Year		2011-2012 Financial Year	
78	Total sessions	74	
1,424	Total participants	1,440	
578	Total organisations	686	

Training was conducted in Sydney metropolitan areas, regional and rural locations. The selection of areas was based on a number of factors including:

- * large numbers of child related services in the area
- * high risk industries
- * specific requests from organisations.

Figure 6 shows the geographical breakdown of the areas in which training occurred in 2011-2012.

Figure 6: Geographical breakdown of training



Of the 686 organisations that attended the Child Safe Organisations seminars and workshops, a range of different sectors participated, including:

- * sporting and recreation clubs
- * churches and religious organisations
- * child care services
- * out of school hours services
- * youth groups
- * support and counselling services
- * child protection services.

100% of attendees indicated that the course met their expectations and they indicated that they were satisfied or very satisfied with the course content. The cross section of disciplines represented by the attendees demonstrates a strong community interest in keeping children and young people safe.

Child Safe Organisations testimonials

Some comments and feedback from child safe training sessions:

“The Child Safe Organisations seminar opened my eyes to the importance of understanding my organisation’s responsibility in keeping children and young people safe. I was able to take the information learnt in the session and mould it to my specific needs to create a strong framework for developing and implementing child safe policies and practices.”

“As a new organisation it was great to know I can refer back to the NSW Commission for Children and Young People website to download templates, checklists and resources to assist with writing policies and procedures of our own.”

“The delivery of the session was clear, concise, and in an informal style where I felt comfortable asking questions and learning from other people’s experiences. I felt that the trainer did an excellent job of delivering difficult subject matter and feel the information provided was on point and relevant, and flexible enough for me to make it relevant within my workplace.”

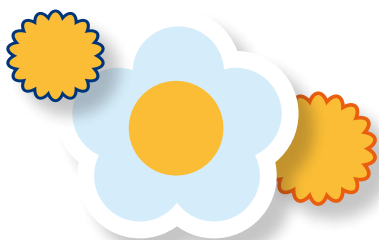
“The session covered a range of topics, and will assist me in improving our child safe policies and procedures. It has made me aware of the importance of having children and young people, as well as parents involved in writing codes of conducts and policies so everyone feels heard and we can all work together to make risk management our number one priority.”

A review of the education and training program is currently underway. As part of the review, the Commission will be introducing webinar and other online options, which will also help to inform the community about the new Check.

3.3.3 Child Sex Offender Counsellor Accreditation Scheme (CSOCAS)

CSOCAS promotes the well-being of children and young people by establishing a public register of counsellors with the knowledge and skills necessary to provide counselling and therapy to people who sexually offend against children. The Commission facilitates a panel of experts to accredit such counsellors and publishes contact information for accredited counsellors on its website to help people locate counsellors.

In 2011-2012 there were 76 accredited counsellors: 44 at associate level, 17 at clinical level and 15 at supervisor level. Details of accredited members are available on the Commission’s website at www.kids.nsw.gov.au/kids/working/offendercounsellors.



3.4 The Commission is accountable, responsive and adaptive

3.4.1 Our senior management

As at 30 June 2012 our senior management team was:

Ms Megan Mitchell

BA, DipEd, MA(Psychology), MA(Social Policy)
Commissioner

Mr Gregor Macfie

BA(Hons), LLB, GDLP
Director Policy and Research

Ms Virginia Neighbour

BA(Hons), MA(Hons), M Phil
Director WWCC Strategy*

Ms Liz McGee

DipTeach(Primary), GradDip PA
Director Corporate Governance,
Strategy and Services

Mr John Lee

BE, GradDipMgt, GradDipIT
A/Director, Child-Safe Programs

*Note that this position has been temporarily created to support the work of the interagency committee steering the reforms to the Working With Children Check.

3.4.2 Committees

There are a number of Committees established to provide either oversight or advisory functions to the Commission.

Parliamentary Joint Committee for Children and Young People:

Mr Andrew Cornwell MP, Chair

Ms Melanie Gibbons MP,
Deputy Chair

Mr Andrew Gee MP

Dr Andrew Dominic McDonald MP

The Hon Jan Barham MLC

The Hon Niall Blair MLC

The Hon Greg Donnelly MLC

Interagency Committee on the new Working With Children Check:

Ms Carol Mills, Office of Communities, Department of Education and Communities, Chair

Ms Megan Mitchell, NSW Commission for Children and Young People, Convenor

Ms Virginia Neighbour, NSW Commission for Children and Young People

Ms Jane Thorpe, Department of Education and Communities

Mr Trevor Craft, Department of Health

Ms Linda Mallett/Ms Anne Campbell, Department of Family and Community Services

Mr Wayne Armstrong, NSW Police

Ms Belinda O'Shea, NSW Police

Ms Jo Grisard/Mr Ewan Tosh, Office of Communities, Department of Education and Communities

Ms Cindy Sciberras/Ms Pheona Twist, Office of Communities, Department of Education and Communities

Ms Kathrina Lo, Department of Attorney General and Juvenile Justice

Mr Kevin Hogan/Mr Paul Houston, Department of Attorney General and Juvenile Justice

Ms Fiona Landsdown/Mr Karl Eaves/Mr Ben Hewitt, Department of Premier and Cabinet

Commission for Children and Young People Expert Advisory Group:

Mr Andrew Cappie-Wood, Chair

Professor Mary Crock

Dr Ian Cameron

Ms Sally Cowling

Ms Nina Funnell

Mr Ike Ellis

Dr John Graham

Professor Peter Saunders

Professor Peter Homel
(not renewed 2012)

Ms Helen Kerr-Roubicek
(not renewed 2012)

Ms Helen L'Orange
(not renewed 2012)

Mr Jonathan Nicholas
(not renewed 2012)

Child Sex Offender Counsellor Accreditation Scheme (CSOCAS) Panel:

Ms Megan Mitchell, Commissioner, Chair

Mr Dale Tolliday, NSW Health

Ms Bronwyn Tuffy, Social Worker

Mr Jayson Ware, Department of Attorney General and Juvenile Justice

Ms Katie Seidler, Psychologist

Young People Advisory Group:

Ms Abbey Lenton

Mr Angus Brooks

Mr Brandon Lam

Mr Christopher Hodge

Ms Evanna Kamal

Ms Jaida Walker

Mr Joel Ashworth

Mr Lachlan Hennessy

Ms Lauren Eccles

Ms Naminata Burns

Mr Oliver Bogdanovski

Ms Sarah Speechley

Children, Young People and the Built Environment Advisory Group:

Ms Jennifer Dennis, Local Government & Shires Associations

Mr Peter McCue, Premier's Council for Active Living

Ms Josephine Wing/Mr Adrian Bonnani, NSW Department of Planning and Infrastructure

Ms Sarah Reilly, Planning Institute of Australia: NSW Chapter

Ms Claudine Lyons/Ms Bev Lloyd, NSW Health

Ms Deb Langridge, Healthy Cities Illawarra

Assoc Prof Geoff Woolcock, Urban Research Program, Griffith University

Ms Megan Mitchell, NSW Commission for Children and Young People, Chair

Mr Gregor Macfie, NSW Commission for Children and Young People

Dr Kate Bishop, University of New South Wales

Ms Roslyn Irons, Royal Australian Institute of Architects: NSW Chapter

Ms Karen Paterson, Division of Local Government: Department of Premier and Cabinet

Associate Professor Linda Corkery, Australian Institute of Landscape Architects and University of NSW

3.4.3 Our Code of Conduct and Ethics

In 2011, the Commission adopted the OoC Code of Conduct and Ethics. This Code establishes a common understanding of the standards of behaviour expected of all staff employed in the divisions and entities within the OoC and applies to all employees of the Commission and other persons engaged to do work for

the Commission. Specific conduct in areas central to fulfilling the Commission's unique functions and objectives are prescribed in the appendices of the Code.

All new staff as part of their induction program are provided with a copy of the Code of Conduct and Ethics and are able to access a copy of the Code on the Commission's Intranet.

A copy of the OoC Code of Conduct and Ethics is available on the Commission's website at www.kids.nsw.gov.au

3.4.4 Legislation

The Commission's governance practices derive principally from the provisions of the following legislation:

- ★ *Commission for Children and Young People Act 1998*
- ★ *Commission for Children and Young People Regulation 2009*
- ★ *Children and Young Person's (Care and Protection) Act 1998*
- ★ *Public Sector Employment and Management Act 2002*
- ★ *Public Finance and Audit Act 1983.*

3.4.5 Risk management

Risk management in the Commission extends to all areas of management accountability, including staff performance, project and budget management, fraud control and the statutory operations.

The Commission uses a number of tools to identify and manage risks consistent with the Australian Standard *AS/NZS 4360:2004 Risk Management*. Risk assessment is undertaken annually as part of our corporate planning processes and identifies key business risks. Strategies and treatments for these risks are included in our corporate business plan and inform the annual audit plan.

In 2011, the Commission, in conjunction with our internal auditors Deloitte, facilitated a high level business risk assessment of the Commission's operations in order to: identify key strategic and operational business risks and the principal management activities in place to control those risks; to define any residual risk and document further planned assurance activities to address these risks; and to develop a three year strategic internal audit plan.

The risk areas identified for the Commission were:

- ★ Government restructures resulting in potential for the Commission to be constrained in performing its statutory functions
- ★ implementing changes to the Working with Children Check
- ★ non-compliance with checking obligations within the community.

A Risk Control Plan was developed, which identified additional strategies to be implemented to minimise exposure to more risks.

There has been no report of any fraud or corrupt conduct in the Commission under the *Public Interest Disclosures Act 1994*.

3.4.6 Insurance

The NSW Treasury Managed Fund provides insurance cover for motor vehicles, public liability, property and miscellaneous items. Workers compensation coverage is provided through Allianz Pty Ltd, with GIO General Ltd providing insurance cover for the remaining categories.

The total premiums paid in 2011-2012 were \$51,845 compared with \$34,120 in 2010-2011. These figures include insurance premiums paid on behalf of the Children's Guardian.

3.4.7 Internal audit and risk management attestation for the 2011–2012 financial year for the Commission for Children and Young People

Internal Audit and Risk Management Attestation for the 2011 – 2012 Financial Year for the Commission for Children and Young People

The Commissioner is of the opinion that the Commission for Children and Young People has internal audit and risk management processes in operation that are, excluding the exceptions described below, compliant with the core requirements set out in Treasury Circular NSW TC 09/08 *Internal Audit and Risk Management Policy*.

The Commissioner is of the opinion that the internal audit and risk management processes for the Commission depart from the following core requirements as set out in Treasury Circular NSW TC 09/08 and that the Commission has implemented the practicable alternative measures outlined below that have achieved a level of assurance equivalent to the requirement:

Departure	Reasons for departure and Measure Implemented
Core Requirement 1	<ul style="list-style-type: none"> The Commission does not employ a Chief Audit Executive, The services of the Chief Audit Executive of the Department of Education and Communities have been utilised as the Commission's Chief Audit Executive.
Core Requirement 2	<ul style="list-style-type: none"> The requirement to establish an Audit & Risk Committee as required by the <i>Internal Audit and Risk Management Policy</i> was considered to have a material impact on the Commission's operating budget due to resource constraints. Communities NSW (CNSW), subsequently the Department of Education and Communities (DEC) has an Audit and Risk Committee with compliant membership. The Commission has entered into a shared Audit and Risk Committee arrangement with CNSW and subsequently DEC to oversee, monitor and report on the Commission's governance, risk and control issues affecting its operations as a practical measure that achieves a level of assurance equivalent to the requirements of the Policy.

These processes, including the practicable alternative measures implemented, provide a level of assurance that enables the senior management of the Commission for Children and Young People to understand, manage and satisfactorily control risk exposures.

The Commissioner is of the opinion that the Audit and Risk Committee of Communities NSW and subsequently the Department of Education and Communities which provided oversight of governance, risk and control arrangements for the Commission for Children and Young People was constituted and operated in accordance with the independence and governance requirements of Treasury Circular NSW TC 09/08.

The Chair and Members of the CNSW Audit and Risk Committee were:

- Gerry Brus - independent Chair (29 April 2009 to 30 November 2011)
- David Roden – independent Member (15 June 2009 to 30 November 2011)
- Janett Milligan – non-independent Member (29 April 2009 to 30 November 2011)

The Chair and Members of the DEC Audit and Risk Committee are:

- Carolyn Burlew – (1 February 2010 to 1 February 2013) Chair
- Christine Feldmanis – (1 April 2010 to 1 April 2016) Independent Member
- Garry Dinnie – (1 January 2012 to 1 January 2014) Independent Member
- David Roden – (6 December 2011 to 31 October 2012) Independent Member


Megan Mitchell
Commissioner

Statutory Body Contact Officer – Liz McGee, Director Corporate Governance, Strategy and Services

3.4.8 Audit and compliance

External reviews

External reviews provide the Commission with an independent performance assessment. The Audit Office of NSW is the Office's official external auditor and conducts comprehensive audits of our annual financial accounts and associated financial systems.

During 2009–2010 the Auditor-General conducted an external review of the Working With Children Check. The Public Accounts Committee noted in their *Report of the Examination of the Auditor-General's Performance Audits October 2009–June 2010* dated February 2012, the positive action taken by the Commission to implement the recommendations contained in the Auditor-General's review. The Public Accounts Committee recommended that:

"the Minister for Citizenship and Communities introduce legislative amendments to allow the NSW Commission for Children and Young People to fully implement the recommendations of the Auditor-General to ensure the Working With Children Check is able to reliably identify those who may pose a risk to children."

The government passed the *Child Protection (Working With Children) Act 2012* in June 2012. This Act addresses the recommendations contained in the *Report on the Legislative Review of the Commission for Children and Young People Act 1998* as well as the outstanding recommendations from the Auditor-General's external review of the Working With Children Check.

Internal reviews

Internal audits help the Commission maximise efficiency and effectiveness in specific programs and processes and to identify, analyse and assess our risk management practices. Internal audits are used to review our operations in high risk areas and to develop additional internal control mechanisms to minimise risk. The following reviews were conducted in 2011–2012 by Deloitte:

- ★ Disaster Recovery and Business Continuity Planning
- ★ Business Risk Management.

Internal Audits planned for 2012–2013 include:

- ★ Management of the implementation of the new Working With Children Check project
- ★ Contract Management
- ★ Workplace Health and Safety.

3.4.9 Human resources and organisational development

Policies and procedures

The Commission systematically reviews, updates and develops internal policies and procedures to ensure compliance with legislative requirements and NSW public sector policies and procedures. During the reporting period the following corporate policies were developed and/or updated:

- ★ Work Health and Safety Policy and Procedures
- ★ Internal Reporting Policy and procedures
- ★ Risk of Significant Harm Policy and Procedures

- ★ Government Information (Public Access) Policy and Procedures
- ★ Staff Use of Communication Devices
- ★ Code of Conduct and Ethics.

As internal policies are reviewed or developed they are made available to all staff on the Commission's intranet and promoted at all staff meetings.

Staff development

The Commission encourages all staff to participate in learning and development activities to build a knowledge base across diverse functional areas and support an environment of continuous learning. During 2011–2012 the Commission supported a range of learning and development opportunities, internal and external programs and online training.

During 2011–2012 Commission staff participated in 438 hours of learning and development activities compared with 647 in 2010–2011.

Learning and Development activities included:

- ★ NSW Legislative Council in Practice Seminar
- ★ Job Application and Interview Skills Training
- ★ Child-Safe, Child-Friendly Training.

During 2011–2012 all Commission staff participated in information sessions about the Department of Education and Communities Performance Management and Development system which has now been adopted by the Commission as the standard for the Commission's Performance Development planning and reviews.

3

Achievements

continued

3.4.9 Human resources and organisational development (continued)

Exceptional movements in wages, salaries or allowances

There were no exceptional movements in salaries during the year. Consistent with the provisions of the *Crown Employees (Public Sector Salaries) Award 2008* and Government Memorandum M2011-10 Public Sector Wages Policy 2011 staff were paid a 2.5% salary increase from July 2011.

Senior Executive Service Officers were also paid an increase in 2.5% in accordance with the determination of the Statutory and Other Officers Remuneration Tribunal.

Industrial relations policies and practices

There were no industrial disputes involving the Commission during 2011-2012.

Managing excess employees

As at 30 June 2011 there were two excess officers within the Commission for Children and Young People. Both officers accepted an offer of voluntary redundancy in 2011-2012. As at 30 June 2012 there were no excess officers within the Commission.

Work health and safety

In 2012, new work health and safety (WHS) laws replaced the occupational health and safety (OHS) laws in NSW. The Commission reviewed and updated its WHS policy and procedures to reflect the changes to legislation and to ensure compliance with the requirements of the *Work Health and Safety Act 2011*, *Work Health and Safety Regulations 2011*, *Workplace Injury Management and Workers' Compensation Act 1998*, *Workplace Injury Management and Workers Compensation Regulation 2002* and all relevant codes of practice.

The Commission is committed to ensuring the health and safety of workers engaged in carrying out the work of the Commission and of visitors to our workplaces. The Commission places a strong emphasis on the prevention of accidents, the early notification of injuries and the supportive management of claims to facilitate a speedy return to work.

There was one reported incident in 2011-2012 compared with one in 2010-2011.

The Commission continued to ensure the safety of staff by training staff in emergency evacuation exercises and first aid. Specific training was provided for Fire Wardens and First Aid Officers.

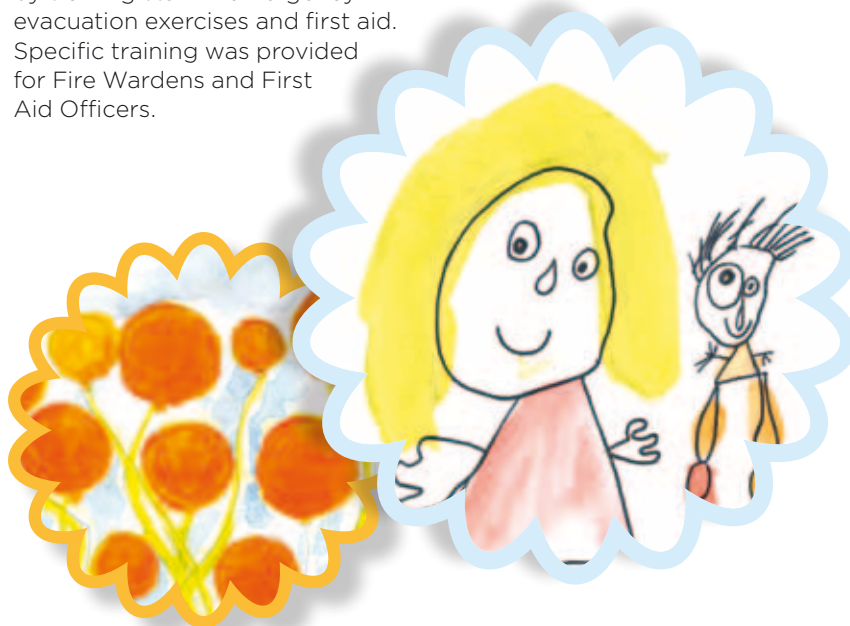
The Commission continued to provide a free counselling service to all employees, committee members and immediate family through Davidson Trehaire. The Commission also provided specialist counselling to staff working with potentially distressing material.

The Commission was not prosecuted, fined or served an improvement notice under the *Occupational Health and Safety Act 2000* or the *Work Health and Safety Act 2011* during the reporting period.

Exemptions from reporting

Under the *Annual Reports (Statutory Bodies) Act 1984* statutory bodies with an equivalent full-time staff of fewer than 200 are required to report on a number of areas on a triennial basis. The Commission will be required to report on the following in 2012-2013:

- ★ Equal Employment Opportunity
- ★ Disability Plans
- ★ Multicultural Services and Plans.



3.4.10 Representation on External Committees/Boards

In 2011-2012, the Commission was represented on the following committees and working groups:

- * ACI Intellectual Disability Network
- * Attorney General's Remand Working Group
- * Australian Children Commissioners and Guardians (ACCG) Forum
- * Board of Studies (Endorsement Panel) - Alternative Education Programs
- * Child Death Review Team
- * Child-Friendly Cities Network
- * Interagency Committee on the Working With Children Check and its working groups
- * Ministerial Advisory Committee on Suicide Prevention
- * Mental Health Senior Officers Group
- * Middle Years Interagency Group (Chair)
- * National Common Approach to Assessment Referral and Support Taskforce
- * NIFTeY (National Investment for the Early Years)
- * NSW Centre for Adolescent Health Advisory Board
- * Obesity Senior Officers Group
- * Office of Communities' Data Research and Development Committee
- * Office of Communities' Regional Engagement and Strategy Working Group
- * Office of Communities' Western Sydney Working Group
- * Office of Communities' Executive Management Group
- * Play by the Rules
- * Premier's Council on Active Living
- * Proud Schools
- * Sex Crimes and Joint Investigation Response Squad Advisory Council Meeting
- * Sudden Infant Death Advisory Committee
- * Multicultural Youth issues Network NSW - Project Reference Group
- * Young Carers Inter-agency Steering Committee
- * Online Youth Engagement Project Steering Group (Chair)
- * Domestic and Family Violence Framework Senior Executive Steering Committee
- * Keep Them Safe Senior Officers Group
- * NSW Youth Attainment and Transitions National Partnership Advisory Committee.

3.4.11 Strategic planning

The Commission's three-year strategic plan (featured on the next page) continued to be progressed throughout 2011-2012.



3

Achievements

Strategic Directions 2011-2014

Our Mission

Together, making NSW a better place for children and young people

Our Results

Children benefit from improved legislation, policies, practices and services

Children participate in decisions that affect their lives

Our Objectives

Promote the rights and well-being of children and young people

Positively influence legislation, policies and programs that impact on children and young people

Promote the views and participation of children and young people in their communities and in decisions that affect their lives

Our Strategies

- Identify, share and monitor information about current and emerging issues, trends, policy and research concerning the lives of children and young people
- Support and contribute to whole-of-government responses to issues relevant to children's lives
- Monitor and influence proposed policy and legislative changes
- Engage with strategic partners to advocate for better protection of the rights of children and young people and promote their well-being
- Develop policy options to promote the rights and well-being of children and young people

- Work collaboratively with key agencies to identify and promote engagement practices that support the participation of children and young people in policy and program development
- Promote the importance of, and children's capacity to, contribute to policy making
- Obtain the views of children and young people to inform our work including those of vulnerable children

Our Measures

- Reports identifying trends and issues affecting children and young people are available and accessible
- Stakeholders are satisfied with the quality of the Commission's work
- Improvements are made in areas highlighted in the Commission's reports and submissions

- Satisfaction levels of children and young people involved in Commission participation activities
- Increase in response rates to Kids Poll
- Range of new digital engagement strategies developed and implemented
- Proportion of activities and advice involving kids' voices



Children are safe in organisations and their communities

The Commission is accountable, responsive and adaptive

Encourage a shared understanding of children's lives

Make sure children and young people are safe in their communities

Work ethically, efficiently, effectively and be accountable

- Strengthen child protection risk management strategies within child-related employment through state-wide education and capacity building programs
- Contribute to the implementation of a nationally consistent approach to working with children checks
- Collaborate and work with relevant government and community organisations on streamlining and building understanding of the Working With Children Check
- Improve the WWCC process and system
- Develop whole-of-government advice to prevent childhood injury

- Provide timely, accurate and relevant information to stakeholders
- Promote and publicly report on the work of the Commission
- Develop the capacity of staff through learning, continuous improvement, sharing of knowledge and providing a safe and satisfying workplace
- Monitor performance to ensure work quality, organisation development, good governance and effective resource management
- Statutory requirements for operating the WWCC are met and reported on

- Proportion of background checks completed on time
- Proportion of prohibited employment exemption application decisions supported by the Administrative Decisions Tribunal (ADT)
- All employers engaging applicants assessed as high risk followed up
- Proportion of attendees at Child Safe Organisations training rate the course as satisfactory or above

- Proportion of correspondence completed within 14 days
- All staff complete performance development reviews and 90% are rated satisfactory or better
- Annual report prepared and tabled by due date
- Unqualified audit for annual financial statements
- Proportion of audit recommendation implemented within 12 and 18 months
- Website visits and pages accessed

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Plans for the year ahead

Children, young people and the built environment

The Commission will conclude its seminar series *Beyond Playgrounds and Skateparks: Advocating for Kids in the Built Environment* in August 2012 with a keynote speech by the prominent social researcher, psychologist and writer, Hugh Mackay.

The Commission has also sponsored a Planning for Children and Young People award through the NSW Chapter of the Planning Institute of Australia to recognise a built environment project that has involved children and young people in the project, is responsive to their needs, and fosters their enjoyment of the places where they live and their healthy development. Nominations will close in September 2012 and the winner announced in November 2012.

The middle years of childhood

The Commission will continue to work with government and non-government agencies to build a middle years agenda and progress agreed joint action across priority areas. This will include work to:

- ★ identify and close gaps in access to in-school and outside-school education and care for children who miss out
- ★ support successful models of engagement within schools that lead to positive outcomes for children aged 9–14 years and develop their sense of belonging
- ★ identify the specific health needs of children aged 9–14 years and any gaps in services
- ★ develop strategies to ensure appropriate accommodation and support for children under 15 years who are using homelessness services or are at risk of homelessness

- ★ review early intervention and prevention programs available to parents and carers of children aged 9–14 years with a view to improving and enhancing family support programs and resources

- ★ develop transport and urban planning strategies that allow children aged 9–14 years to move safely around their communities.

An expert advisory panel on the middle years of childhood will be established in 2012 to assist the Commission to lead and champion this work, and fact sheets will be published summarising key information about the development of children in the middle years.

A picture of NSW children

During 2012–2013 the Commission will finalise the childhood injury chapter of *A picture of NSW children*. The Commission will also update other chapters with information on children as the victims of assault, abuse and neglect, the children of prisoners, and incorporate relevant new data across the publication as data become available. The Commission will also produce a 'Little Picture', summarising the key facts about children and young people.

Participation of children and young people

The Commission will be undertaking a number of initiatives aimed at demonstrating the value of children and young people's participation in decisions that affect their lives.

The Commission will have published its new and updated guide for government and non-government organisations wanting to involve children and young people in decision making, *Citizen Me!* This will be widely promoted during 2012–2013 and feedback sought on how to improve it. *Citizen Me!* will continue

to be updated with new insights and case studies. New sections will be added on using digital technology to consult and engage children and young people and on how to engage and consult more marginalised children and young people.

The Commission will convene a showcase and roundtable discussion exploring the difference that children and young people's participation in decision-making can make. The event will highlight outstanding examples of children and young people's participation, drawn from government and private sector organisations which demonstrate how the participation of children and young people has led to positive outcomes for children and young people and the agencies involved. The Showcase will bring together high-level decision makers with children and young people and private and public sector agencies.

Young People Advisory Group (YPAG)

The 2012 YPAG will continue to advise the Commissioner on issues affecting children and young people. The Group will also collect and analyse data for their research project on how children aged 9–14 spend their time between school and home, and present their results and experiences through a number of forums.

The Commission will be working with the schools that have committed to support the YPAG in 2013 to identify students to join the YPAG in 2013.

The Commission will also be evaluating the YPAG against a number of other approaches to the participation of children and young people in decision making to assess effectiveness and identify the benefits and limitations of different models for the participation of children and young people in decision making.

Preventing serious childhood injury

The Commission will continue to build support for a whole of government and inter-sectoral approach to addressing serious childhood injury in NSW. This will include convening a round table of experts to scope this work, developing a position paper for consultation with stakeholders, and appointing an Expert Advisory Group to assist the Commission advance this agenda, with a view to establishing a NSW Childhood Injury Prevention Team.

As part of this work, the Commission has initiated the first surveillance report on serious childhood injury in NSW which will be published with the Australian Institute of Health and Welfare (AIHW) in 2012.

Other research and policy projects

The Commission will also be exploring the development of other projects in the areas of mental health and emotional well-being, injury, children's complaints, online safety, sexting, information exchange, effective consultation models and student voice/participation, particularly for vulnerable children.

New Working With Children Check

The new Working With Children Check (the Check) will be implemented in early 2013 for new workers and phased in for existing workers and volunteers over the following five years. Significant work will occur to:

- ★ communicate to the public how the new Check will work
- ★ implement the new information technology systems

- ★ amalgamate the four screening agencies into one
- ★ develop a new audit and compliance system to support the new Check
- ★ facilitate transition from the current Check to the new Check including for existing relevant employment proceedings
- ★ finalise contracts and protocols with a range of information and service providers
- ★ establish business rules and procedures, and recruit, train and support operational and compliance staff.

A new website and database will enable full online functionality for the new Check.

During 2012–2013, work will also occur to establish the evaluation program for the new Check, which will result in a report to government at the two year point from implementation. A progress report will also be provided to the Minister after the first year of operation.

Child Safe Organisations

In 2012–2013 a Quality Assurance framework for the Child Safe Organisations program is to be finalised. The framework will outline the Commission's education, compliance and audit functions, in the context of the new checking obligation. The framework will include a commitment to information exchange and protocols with other regulators in child-related fields.

In addition to broad based information campaigns about the parameters and obligations of the new Check, in 2013 the education component of the program will focus on establishing links with Aboriginal child related services.

Impact of saving requirements

To meet government targets the Commission will make savings by:

- ★ deferring the review of the Child Sex Offender Counsellor Accreditation Scheme
- ★ reducing resources for child participation activities
- ★ adjusting targets and delivery mechanisms of the Child Safe Organisations training program
- ★ further targeting compliance and audit activities for the Check
- ★ not proceeding with the youth online engagement project

The Commission will continue to explore innovative ways to fulfil its legislative functions in the context of these saving measures.

Strategic Planning 2014–2017

During 2012–2013 work will commence to develop a new three year Strategic Plan, in conjunction with major stakeholders.

Website redevelopment

The Commission's website is in the process of being redeveloped to enhance engagement with stakeholders, including children and young people, as well as employers and employees who have checking obligations under the new legislation.



Independent Auditor's Report



INDEPENDENT AUDITOR'S REPORT

New South Wales Commission for Children and Young People

To Members of the New South Wales Parliament

I have audited the accompanying financial statements of the New South Wales Commission for Children and Young People (the Commission), which comprise the statement of financial position as at 30 June 2012, the statement of comprehensive income, statement of changes in equity and statement of cash flows, for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information.

Opinion

In my opinion, the financial statements:

- give a true and fair view of the financial position of the Commission as at 30 June 2012, and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards
- are in accordance with section 41B of the *Public Finance and Audit Act 1983* (the PF&A Act) and the Public Finance and Audit Regulation 2010.

My opinion should be read in conjunction with the rest of this report.

The Commissioner's Responsibility for the Financial Statements

The Commissioner is responsible for the preparation of the financial statements that give a true and fair view in accordance with Australian Accounting Standards and the PF&A Act and for such internal control as the Commissioner determine(s) is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

My responsibility is to express an opinion on the financial statements based on my audit. I conducted my audit in accordance with Australian Auditing Standards. Those Standards require that I comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation of the financial statements that give a true and fair view in order to design audit procedures appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the Commissioner as well as evaluating the overall presentation of the financial statements.

Independent Auditor's Report (continued)

I believe the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

My opinion does *not* provide assurance:

- about the future viability of the Commission
- that it has carried out its activities effectively, efficiently and economically
- about the effectiveness of its internal control
- about the security and controls over the electronic publication of the audited financial statements on any website where they may be presented
- about other information which may have been hyperlinked to/from the financial statements.

Independence

In conducting my audit, I have complied with the independence requirements of the Australian Auditing Standards and other relevant ethical pronouncements. The PF&A Act further promotes independence by:

- providing that only Parliament, and not the executive government, can remove an Auditor-General
- mandating the Auditor-General as auditor of public sector agencies, but precluding the provision of non-audit services, thus ensuring the Auditor-General and the Audit Office of New South Wales are not compromised in their roles by the possibility of losing clients or income.



Aaron Green
Director, Financial Audit Services

2 October 2012
SYDNEY

Statement by the Commissioner of the Commission for Children and Young People

COMMISSION FOR CHILDREN AND YOUNG PEOPLE

Statement by the Commissioner of the Commission for Children and Young People

Pursuant to Section 41C(1B) of the *Public Finance and Audit Act 1983*, I state that to the best of my knowledge and belief:

- (a) the accompanying financial statements have been prepared in accordance with applicable Australian Accounting Standards, other authoritative pronouncements of the Australian Accounting Standards Board, Urgent Issues Group Consensus Views, the requirements of the *Public Finance and Audit Act 1983* and the *Public Finance and Audit Regulation 2010*, the Financial Reporting Code for Budget Dependant General Government Sector Agencies and Treasurer's Directions.
- (b) the financial statements exhibit a true and fair view of the financial position of the Commission for Children and Young People as at 30 June 2012 and the financial performance for the year then ended;
- (c) there are no circumstances which would render any particulars included in the financial statements to be misleading or inaccurate.



Megan Mitchell
Commissioner

Dated: 2/10/12

Statement of comprehensive income

NSW Commission For Children & Young People Statement of comprehensive income for the year ended 30 June 2012

	Notes	Actual 2012 \$'000	Actual 2011 \$'000
Expenses excluding losses			
Operating expenses			
Personnel services expenses	2(a)	6,037	5,410
Other operating expenses	2(b)	3,914	3,967
Grants and subsidies	2(c)	446	481
TOTAL EXPENSES EXCLUDING LOSSES		10,397	9,858
Revenue			
Sale of goods and services	3(a)	165	157
Investment income	3(b)	288	264
Grants and contributions	3(c)	9,257	9,068
Acceptance by the Crown Entity of employee benefits and other liabilities	3(d)	686	168
Other revenue	3(e)	1	201
Total Revenue		10,397	9,858
Net Cost of Services		-	-
Net Result		-	-
Other comprehensive income		-	-
Total other comprehensive income		-	-
TOTAL COMPREHENSIVE INCOME		-	-

The accompanying notes form part of these financial statements.

Statement of financial position

NSW Commission For Children & Young People Statement of financial position as at 30 June 2012

	Notes	Actual 2012 \$'000	Actual 2011 \$'000
ASSETS			
Current Assets			
Cash and cash equivalents		-	-
Receivables		-	-
Total Current Assets	1(a)	<u>-</u>	<u>-</u>
Non-Current Assets			
Property, Plant and Equipment		-	-
Total Non-Current Assets		<u>-</u>	<u>-</u>
Total Assets		<u>-</u>	<u>-</u>
LIABILITIES			
Current Liabilities			
Payables		-	-
Total Current Liabilities		<u>-</u>	<u>-</u>
Non-Current Liabilities			
Total Non-Current Liabilities		<u>-</u>	<u>-</u>
Total Liabilities		<u>-</u>	<u>-</u>
Net assets	1(a)	<u>-</u>	<u>-</u>
EQUITY			
Accumulated funds		-	-
Total Equity		<u>-</u>	<u>-</u>

The accompanying notes form part of these financial statements.

Statement of changes in equity

NSW Commission For Children & Young People Statement of changes in equity for the year ended 30 June 2012

	Accumulated Funds \$'000	Total \$'000
Balance at 1 July 2011	-	-
Net result for the year	-	-
Other comprehensive income:	-	-
Total other comprehensive income	-	-
Total comprehensive income for the year	-	-
Balance at 30 June 2012	-	-

	Accumulated Funds \$'000	Total \$'000
Balance at 1 July 2010	-	-
Net result for the year	-	-
Other comprehensive income:	-	-
Total other comprehensive income	-	-
Total comprehensive income for the year	-	-
Balance at 30 June 2011	-	-

Statement of cash flows

NSW Commission For Children & Young People
Statement of cash flows
for the year ended 30 June 2012

	Notes	2012 \$'000	2011 \$'000
CASH FLOWS FROM OPERATING ACTIVITIES			
Payments			
Total Payments	1(a)	<u>-</u>	<u>-</u>
Receipts			
Cash Flows From Government			
Net Cash Flows From Government		<u>-</u>	<u>-</u>
NET CASH FLOWS FROM OPERATING ACTIVITIES		<u>-</u>	<u>-</u>
CASH FLOWS FROM INVESTING ACTIVITIES			
NET CASH FLOWS FROM INVESTING ACTIVITIES		<u>-</u>	<u>-</u>
NET INCREASE (DECREASE) IN CASH		<u>-</u>	<u>-</u>
CLOSING CASH AND CASH EQUIVALENTS	1(a)	<u>-</u>	<u>-</u>

The accompanying notes form part of these financial statements.

Notes to the financial statements

NSW Commission For Children & Young People Notes to the financial statements for the year ended 30 June 2012

1 Summary of Significant Accounting Policies

(a) Reporting entity

The NSW Commission for Children & Young People (the Commission) is a reporting entity.

The Public Sector Employment and Management (Children and Other Matters) Order 2006 abolished the Commission as a Department of the Public Service on 2nd April 2006 and transferred its branches to Communities NSW. As a result of the Public Sector Management (Departmental Amalgamation) Order 2009, staff principally involved in youth programs and Better Futures program were transferred from Community Services to Communities NSW. These programs were administered by the Commission in 2011-12. The Public Sector Employment and Management (Departments) Amendment Order abolished Communities NSW and established the Office of Communities in the Department for Education and Communities.

However, the Commission is a statutory body established under the Commission for Children and Young People Act 1998 and it is listed in Schedule 2 of the Public Finance and Audit Act 1983. Accordingly, it must continue preparing separate financial statements.

The Commission's 2011-12 financial statements comprise the value of Personnel Services received from the Department of Education and Communities for the year ended 30 June 2012.

The Commission's assets and liabilities were previously transferred to the Office of Communities. Therefore, it has nil assets and liabilities as at 30 June 2012.

The Commission does not maintain its own bank account, and therefore there are no cash flows shown in the Commission's statements.

As the Commission is a single program entity, the financial operations disclosed in the operating statement are those of the Commission's program. Accordingly, a separate supplementary program statement has not been prepared.

The Commission is a not for profit entity (as profit is not its principal objective) and it has no cash generating units. The consolidated financial report for the year ended 30 June 2012 has been authorised for issue by the Commissioner on 2 October 2012.

(b) Basis of preparation

The Commission's financial statements are a general purpose financial report which has been prepared in accordance with:

- applicable Australian Accounting Standards (which include Australian Accounting interpretations);
- the requirements of the *Public Finance and Audit Act 1983* and Regulation; and
- the Financial Reporting Directions published in the Financial Reporting Code for NSW General Government Sector Entities issued by the Treasurer.

Financial statements items are prepared in accordance with the historical cost convention.

All amounts are rounded to the nearest one thousand dollars and are expressed in Australian currency.

(c) Income recognition

Income is measured at the fair value of the consideration or contribution received or receivable. Additional comments regarding the accounting policies for the recognition of income are discussed below.

(i) Sale of goods

Revenue from the sale of goods is recognised as revenue when the Commission transfers the significant risks and rewards of ownership of the assets.

(ii) Rendering of services

Revenue is recognised when the service is provided or by reference to the stage of completion (based on labour hours incurred to date).

Notes to the financial statements (continued)

NSW Commission For Children & Young People Notes to the financial statements for the year ended 30 June 2012

1 Summary of Significant Accounting Policies (cont'd)

(d) Comparative information

Except when an Australian Accounting Standard permits or provides otherwise, comparative information is disclosed in respect of the previous period for all amounts reported in the financial statements.

Where appropriate, comparative figures have been reclassified to conform with the basis of presentation and classification used in the current year.

In 2011/2012, the following items have been reclassified and the comparative for 2011 adjusted to be consistent with the current year:

- reclassified "acceptance by the Crown Entity of employee benefits another liabilities" to revenue from "personnel services expenses"
- investment income reclassified from "Grants and subsidies" to interest income in note 3(b).

(e) New Australian Accounting Standards issued but not effective

- AASB 9 and AASB 2010 7 regarding financial instruments
- AASB 10 Consolidated Financial Statements
- AASB 11 Joint Arrangements
- AASB 12 Disclosure of Interests in Other Entities
- AASB 13 and AASB 2011 8 regarding fair value measurement
- AASB 119, AASB 2011 10 and AASB 2011 11 regarding employee benefits
- AASB 127 Separate Financial Statements
- AASB 128 Investments in Associates and Joint Ventures
- AASB 1053 and AASB 2010 2 regarding differential reporting
- AASB 2010 10 regarding removal of fixed dates for first time adopters
- AASB 2011 2 regarding Trans-Tasman Convergence – RDR
- AASB 2011 3 regarding orderly adoption of changes to the ABS GFS Manual
- AASB 2011 4 removing individual KMP disclosure requirements
- AASB 2011 6 regarding RDR and relief from consolidation
- AASB 2011 7 regarding consolidation and joint arrangements
- AASB 2011 9 regarding presentation of items of other comprehensive income
- AASB 2011 12 regarding Interpretation 20
- AASB 2011 13 regarding AASB 1049 and GAAP/GFS harmonisation

2 Expenses Excluding Losses

	2012 \$'000	2011 \$'000
(a) Personnel services expenses		
Salaries and wages (including recreation leave)	4,673	4720
Superannuation - defined benefit plans	331	320
Superannuation - defined contribution plans	68	97
Long service leave	598	-14
Workers compensation insurance	30	23
Payroll tax and fringe benefit tax	312	264
Redundancy Payments	25	-
	6,037	5,410

Notes to the financial statements (continued)

NSW Commission For Children & Young People Notes to the financial statements for the year ended 30 June 2012

2 Expenses Excluding Losses (cont'd)

	2012 \$'000	2011 \$'000
(b) Other operating expenses include the following:		
Employment Screening	1,792	1,640
Operating lease rental expense - minimum lease payment	556	509
Corporate services	564	531
Contractors	218	331
Events Management	48	21
Stores and Stationery	48	47
Internal Audit	53	49
Consultancy Costs	49	79
Telephone	43	27
Printing	38	32
Data processing	33	53
Data Services	30	74
Travel	29	46
Auditor's remuneration - audit of the financial statements	28	35
Community education	33	83
Boards, Tribunals and Meetings	11	11
Motor vehicle	9	10
Conference and seminars	43	47
Electricity and cleaning	71	79
Other	98	155
Maintenance expenses	120	108
	<u>3,914</u>	<u>3,967</u>
	2012 \$'000	2011 \$'000
(c) Grants and subsidies		
Grants- Catholic Commission	446	461
Grants- Other	-	20
	<u>446</u>	<u>481</u>

3 Revenue

	2012 \$'000	2011 \$'000
(a) Sale of goods and services		
Fees	165	157
	<u>165</u>	<u>157</u>
	2012 \$'000	2011 \$'000
(b) Investment income		
Interest	288	264
	<u>288</u>	<u>264</u>

Notes to the financial statements (continued)

NSW Commission For Children & Young People Notes to the financial statements for the year ended 30 June 2012

3 Revenue (cont'd)

	2012 \$'000	2011 \$'000
(c) Grants and contributions		
Grants Received	-	30
Personnel Services fee	5,351	5,242
Services provided by the Department of Education and Communities	<u>3,906</u>	<u>3,796</u>
	<u>9,257</u>	<u>9,068</u>
	2012 \$'000	2011 \$'000
(d) Acceptance by the Crown Entity of employee benefits and other liabilities		
Superannuation	115	168
Long Service Leave	<u>571</u>	<u>-</u>
	<u>686</u>	<u>168</u>
	2012 \$'000	2011 \$'000
(e) Other revenue		
Recoveries	<u>1</u>	<u>201</u>
	<u>1</u>	<u>201</u>

4 Commitments for Expenditures

	2012 \$'000	2011 \$'000
Operating Lease Commitments		
Not later than one year	597	441
Later than one year and not later than five years	<u>1,954</u>	<u>-</u>
Total (including GST)	<u>2,551</u>	<u>441</u>

Operating Lease commitments include \$232k (40k in 2010/11) of GST recoverable from the Australian Tax Office.

5 Contingent Liabilities and Contingent Assets

The Commission is not aware of any contingent liabilities and / or assets associated with its operations.

6 Events after the Reporting Period

There are no events subsequent to balance date which affect the financial statements.

End of audited financial statements

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Appendices

Appendix 1: Accounts payable performance

Table 7: Aged analysis at the end of each quarter

Quarter	Current \$	Fewer than 30 days overdue \$	Between 30 and 60 days overdue \$	Between 60 and 90 days overdue \$	More than 90 days overdue \$	Total \$'000
Sept 2011	31,387	0	0	0	0	31,387
Dec 2011	5,269	0	0	0	0	5,269
March 2012	276,411	0	0	0	0	276,411
June 2012	0	0	0	0	0	0

Table 8: Percentage paid on time within each quarter

Quarter	Target %	Actual %	Amount paid on time \$	Total amount paid \$
Sept 2011	90	99	1,349,275	1,353,810
Dec 2011	90	100	1,708,944	1,708,944
March 2012	90	95	1,671,524	1,760,069
June 2012	90	100	3,295,955	3,295,955

During 2011–2012 there were no instances where late payment penalty interest was paid in accordance with section 18 of the *Public Finance and Audit (General) Regulation 1995*.

There were no significant events that affected payment performance during the reporting period.

Appendix 2: After balance date events

There were no after balance date events having a significant effect in the year 2011–2012.

Appendix 3: Annual Report 2011–2012 preparation

Production costs were \$10,741.50 and included editing, design, printing and binding. The report will also be available at www.kids.nsw.gov.au

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Appendices

Appendix 4: Consultants

In 2011–2012, there were no engagements over \$50,000. The engagements under \$50,000 are listed in the following table.

Table 9: Engagements under \$50,000

Category	Number of Engagements	Expenditure
Information Technology	2	\$16,140
Management Services	5	\$32,308
Total Engagements under \$50,000		\$44,448
Total cost of consultancies		\$44,448

Appendix 5: Consumer response

The Commission for Children and Young People (the Commission) is committed to quality customer services by providing courteous and prompt assistance. The Commission's complaint handling guidelines are available on our website.

During the reporting period the Commission received two formal complaints relating to the Working With Children Check risk estimate process compared with one complaint in 2011–2012. The complaint was reviewed and the Commission found that the risk estimate was conducted in accordance with the relevant guidelines and that there were insufficient grounds to warrant a reduced risk estimate outcome.

However, in one of these instances the applicant sought and was allowed extra time to provide further supplementary material. On the basis of the material provided it was later determined that there were sufficient grounds to reduce the risk estimate outcome.

Options available to the public to obtain or request information, or to provide feedback, include telephone enquiries, electronic mail and the internet. Contact details are:

Information about the Commission's services

Phone: 02 9286 7276
 Email: kids@kids.nsw.gov.au
 Facsimile: 02 9286 7267
 Website: www.kids.nsw.gov.au

Information for the Working With Children Check

Phone: 02 9286 7219
 Email: check@kids.nsw.gov.au
 Facsimile: 02 9286 7201
 Website: www.kids.nsw.gov.au

Address for both the Commission and the Working With Children Check

Level 2, 407 Elizabeth Street
 SURRY HILLS NSW 2010

Appendix 6: Controlled entities and subsidiaries

The Commission does not have any controlling interests in other entities and subsidiaries.

Appendix 7: Credit card certification

In accordance with Treasurer's Directions and Premier's Memoranda the Commissioner certified that corporate credit card use during 2011–2012 has been in accordance with established government requirements and practices and the Commission's *Use of Corporate Credit Card Policy and Procedures*.

Appendix 8: Economic or other factors

There were no significant economic or other factors affecting the achievement of the Commission's objectives in the reporting year.

Appendix 9: Employment statistics

Table 10: Personnel Services provided to the Commission for Children and Young People (full time equivalent), including office of Communities Approved Screening Agency Staff located within the Commission

Category	At June 2008	At June 2009	At June 2010	At June 2011	At June 2012
Clerk Grade 1/2	3.2	4	4	2.2	3.2
Clerk Grade 3/4	2	7	7	7	6
Clerk Grade 5/6	5	5	5	3	4
Clerk Grade 7/8	7.4	6	10.6	10.6	10.4
Clerk Grade 9/10	9.4	9.8	11	13.8	13.6
Clerk Grade 11/12	5.2	7.4	7	6.5	5
Legal officer Grade IV	0.6	0.6	0	0	0
Senior Officer	2	2	2	3.5	3
Senior Executive Service	1	1	1	1	1
Total	35.8	41.8	47.6	47.1	46.2

Table 11: Number of Senior Executive Service

SES positions by level	At 30 June 2008	At 30 June 2009	At 30 June 2010	At 30 June 2011	At 30 June 2012
8	0	0	0	0	0
7	0	0	0	0	0
6	0	0	0	0	0
5	0	0	0	0	0
4	1	1	1	1	1
3	0	0	0	0	0
2	0	0	0	0	0
1	0	0	0	0	0
Total	1	1	1	1	1
Positions filled by women	1	1	1	1	1
Unattached staff	0	0	0	0	0



Appendix 10: Right to information (formerly Freedom of Information)

The Commission holds a range of documents and information, many of which are publicly available. The production of some documents may require an application under the *Government Information (Public Access) Act 2009*, the *Privacy and Personal Information Act 1998* or the *Health Records and Information Privacy Act 2002*.

Right to information requests

To promote open, accountable, fair and effective government in NSW, members of the public have a right to access government information. This right is restricted only when there is an overriding public interest against disclosing the particular information.

Section 43 of the *Commission for Children and Young people Act 1998* extends open access

information to obtaining and correcting information on relevant employment proceedings under the *Government Information (Public Access) Act 2009*.

Any person for whom relevant employment proceedings have been undertaken is entitled to apply for access to any information about those proceedings. The right exists irrespective of whether the employer is a public or private sector employer.

There are no costs charged for any person seeking information in relation to these arrangements.

Formal requests made under the *Government Information (Public access) Act 2009* for access to documents held by the Commission should be accompanied by a \$30.00 application fee and directed to:

Right to Information officer
Office of Communities
PO Box 7060
SYDNEY NSW 2001

Telephone enquiries:
02 9995 0646
Email: enquiries:gipainfo@communities.nsw.gov.au

Further information can be found on the Commission's website at <http://www.kids.nsw.gov.au/kids/about/howwework/openaccessinformation.cfm>

Children and young people aged under 18 years are granted open access information free of charge.

Table 12: Government information (Public Access) Statistics

GIPA Requests	2010-2011			2011-2012		
	Personal	Other	Total	Personal	Other	Total
New applications	7	0	7	3	0	3
Completed	7	0	7	3	0	3
Total processed	7	0	7	3	0	3
Carried forward	0	0	0	0	0	0
Granted in full	7	0	7	1	0	1
Granted in part	0	0	0	2	0	2
Refused	0	0	0	0	0	0
Fees received	\$30	0	\$30	0	0	0
Discounts	6	0	6	3	0	3
Days to process						
0-21 days	7	0	7	2	0	2
22-35 days	0	0	0	1	0	1
Processing time						
0-10 hours	7	0	7	2	0	2
11-20 hours	0	0	0	1	0	1
Review of appeals	0	0	0	0	0	0

Appendix 10: Right to information (formerly Freedom of Information)

(continued)

Privacy applications

The *Privacy and Personal Information Act 1998* and the *Health Records and Information Privacy Act 2002* regulate the way the Commission deals with personal and health information, and gives people a legally enforceable right of access to their information. Applications can be made for personal information that may be held by the Commission. Applications may also be made to amend personal information that may be incomplete, incorrect, misleading or out of date. People who believe that the Commission has breached their privacy can ask for the Commission to investigate what occurred.

During 2011–2012 there were no internal reviews conducted by or on behalf of the Commission under Part 5 of the *Privacy and Personal Information Act 1998*.

Enquiries can be made in person, in writing or by telephone. Contact:

Right to Information officer
Office of Communities
PO Box 7060
SYDNEY NSW 2001

Telephone enquiries:
02 9995 0646

Email: enquiries:gipainfo@communities.nsw.gov.au

Policy documents and publications

A list of policy documents is published on the Commission's website. The Commission will continually update this list as policy documents are reviewed. Publications issued by the Commission may also be obtained either by contacting our office or are available for free download from the Commission's website at www.kids.nsw.gov.au

Appendix 11: Funds granted to non-government community organisations

The Commission did not provide any grant funds to non-government community organisations in 2011–2012.

Appendix 12: Implementation of price determination

During 2011–2012 the Commission sought no price determinations from the Independent Pricing and Regulatory Tribunal.

Appendix 13: Land disposal

The Commission did not acquire or dispose of any land during 2011–2012.

Appendix 14: Overseas travel

There were no overseas visits by Commission staff during 2011–2012.

Appendix 15: Research and development

The following research was conducted by the Commission in 2011–2012, with staffing level indicated.

- ★ Annual Report: Two staff
- ★ A picture of NSW children: Three staff
- ★ Childhood injury in NSW: Three staff
- ★ Joint evaluation of Burnside child-led research project: Two staff
- ★ Evaluation of Young People Reference Group: Two staff

Appendix 16: Senior Executive Performance

The Commission does not have any Senior Executive Service Officers Level 5 or above.

Appendix 17: Significant judicial decisions

There were no significant judicial decisions that affected the Commission and/or the users of the services of the Commission during 2011–2012.

Appendix 18: Waste reduction and purchasing policy

The Commission has continued its commitment to the NSW Government's Waste Reduction and Purchasing Policy. The waste reduction and Purchasing Plan (WRAPP) is designed to help staff reduce the generation of waste, treat waste as a potential resource and increase the use of recycled materials. Specific initiatives include:

- ★ Reducing paper use by forwarding and filing documents electronically, where appropriate
- ★ Using the commission's website as the main means of publication
- ★ Using 100 per cent recycled laser and photocopy paper
- ★ Recycling paper used for draft documents as notebooks
- ★ Printing and copying double-sided
- ★ Returning 100 per cent of empty printer toner cartridges for reuse
- ★ Using online purchasing so that 100 per cent of transactions are supported by electronic purchase orders, thus eliminating the need for paper based approvals
- ★ Using online applications for leave and records of attendance.

Appendix 19: Publications of the Commission

Available from the Commission in hardcopy or online at www.kids.nsw.gov.au, 30 June 2012.

Annual Reports

New South Wales Commission for Children and Young People Annual Report from 1999–2000 to 2010–2011

Child Death Review Team Annual Report and Summary Report 1998–1999, 1999–2000, 2001–2002, July–December 2002, then January–December 2003 to 2009

Children's issues reports

Report of an Inquiry into the best means of assisting Children & Young People with no-one to turn to

A Head Start for Australia - An Early Years Framework (full and summary reports)

Children at Work

What about the kids?: Policy Directions for Improving the experiences of infants and young children in a changing world (full and summary discussion papers)

Children at Work Recommendations

Report on paid maternity leave poll

A world fit for children - summary Child-friendly community indicators

Making the world work better for kids

Involving Children and Young people in Research

Data reports

A picture of NSW children

Information for children, young people and families

Feedback annually from 2000 to 2007

Your Voice - information brochure for primary school children

Babysitting guide

Feedback Mag online e-zine, several issues per year, 2008–2012, with issues for 2011–2012: Spetember 2011; January, April and May 2012.

Child Death Review Team

Fatal Assault of Children and Young People (full and summary reports)

Suicide and Risk-taking Deaths of Children and Young People (full and summary reports)

Fatal Assault and Neglect of Children and Young People

Sudden Unexpected Deaths in Infancy: the New South Wales Experience (full and summary reports)

Trends in the fatal assault of children in NSW: 1996–2005

Trends in Child Deaths in New South Wales 1996–2005

A preliminary investigation of neonatal SUDI in NSW 1996–2008: opportunities for prevention

TAKING PARTiCipation seriously

Sharing the Stage

Conferences and Events

Meeting together - deciding together

All aBoard!

Checking the Scoreboard

Count me in!

Sharing Our Journey

Information sheets and guidelines

Child-Safe Child-Friendly

Checklist - Getting Started

Finding Your Risks

Child-safe Child-friendly Policy

Developing Codes of Conduct

Developing Codes of Conduct for kids, with kids

Recruitment and Selection Checklist

Suitability for Working with Kids Checklist

Job Description

Application form

Interview Questions

Interview Schedule

Referee Schedule

Welcoming new members to your team

Guide to Monitoring and Supervising Staff, Volunteers and Students

Staff, Volunteers and Students: Tips for Supporting your Team

The Feedback and Reflection Process

Exit Interviews A: Kids and Parents

Exit Interview B: Staff and Volunteers

Exit Interview C: Students on Placement

Ideas for what to include in your Complaints Procedures

Receiving a complaint: Tips for the Child Safety Contact Person

Dealing with Complaints

Complaint Record Form

A Parent's Guide to Choosing Child-safe Child-friendly Programs

Child Safe Check Up translated into five language sheets - English, Arabic, Korean, Chinese and Vietnamese

Employer Guidelines - Working With Children Check

Why Children need at least 12 months paid parental leave

Appendix 19: Publications of the Commission (continued)

Ask the Children

Prescription and Over-the-counter medication

Prescription and Over-the-counter medication – General Practitioners

Prescription and Over-the-counter medication – Pharmacists

Prescription and Over-the-counter medication – Sports Coaches

Prescription and Over-the-counter medication – Teachers and School Staff

Children and young people speak about getting help

Kids speak out about immigration detention experiences

Young people talk alcohol

Children and young people speak about the issues important to them

Young people talk about driving

Children and young people speak about education

Young people talk about their experiences at work

Overview of children's understandings of well-being

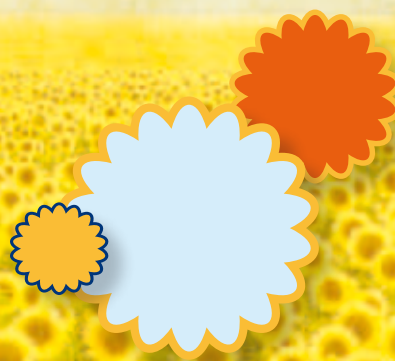
Children and young people talk about health

Children and young people speak about the built environment

Mobile Me – Kids speak out about mobile phones

Children speak about being at school

I want to work



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Compliance checklist

ARSBA *Annual Reports (Statutory Bodies) Act 1986*
 ARSBR *Annual Reports (Statutory Bodies) Regulation 2010*

Summary of Requirement	Basis for Requirement	Annual Report Reference
Letter of Submission * Provisions under which report was prepared and submitted	ARSBA s9A	1
Charter * Manner and purpose for which the agency was established * Principal legislation under which the agency operates	ARSBA s13(5)	4
Aims and Objectives * What the agency sets out to do * Range of service provided * Clientele/Community served	ARSBR Sch.1	5
Access * Address * Telephone Number * Business and service hours	ARSBR Sch.1	56, back cover
Management and Structure * Names and qualifications of senior officers * Organisation chart indicating functional responsibilities	ARSBR Sch.1	6, 34
Summary Review of operations * Narrative summary of significant operations * Financial and other quantitative information for programs or operations	ARSBR Sch.1	9, 10-39
Funds Granted to Non-Government Community Organisations * Name of recipient * Amount of grant * Program area as per Budget paper * Program as per Budget Paper * Nature and purpose of the project	ARSBR Sch.1 PM 91-34	59
Legal Change * Changes in Acts and other subordinate legislation * Significant judicial decisions affecting agency or users of its services	ARSBR Sch.1 ARSBA s9(1)(f)	35
Economic or Other Factors * Affecting achievements of operational objectives	ARSBR Sch.1	56
Management and Activities * Nature and range of activities * Qualitative and quantitative performance measures * Nature and extent of internal and external performance reviews conducted and resulting improvements in achievements * Benefits from reviews * Management improvement plans and achievements * Major problem and issues * Major works in progress, cost to date, dates of completion etc	ARSBR Sch.1	37-38

Summary of Requirement	Basis for Requirement	Annual Report Reference
Research and Development * Completed and continuing research and developmental activities including resources allocated	ARSBR Sch.1	59
Human Resources * Number of officers and employees by category and compare to previous years * Exceptional movements in wages, salaries and allowances * Personnel policies and practices * Industrial relations policies and practices	ARSBR Sch.1	37-38, 57
Consultants * Engagements costing greater than \$50,000 * Engagements costing less than \$50,000	ARSBR Sch.1 PM 2002-07	56
Equal Opportunity Employment * Major EEO outcomes during the reporting year * Planned EEO outcomes for the following year * Table of trends * Small statutory bodies need only report triennially	ARDR Sch.1 TC11/03 ARSBR c20 TC08/08	N/A
Disability Plans * Statement about the progress in implementing disability plan if required under the Disability Services Act 1993 (only for those required per PSEMA) * Small statutory bodies need only report triennially	PSEMA Sch.1 DSA s9 ARSBR Sch.1 ARSBR c20	N/A
Land Disposal * Report if value greater than \$5 million and not sold by public auction	ARSBR Sch.1	59
Promotion * Overseas visits by employees and officers with main purposes highlighted	ARSBR Sch.1	59
Consumer Response * Extent and main features of complaints * Services improved/changes in response to complaints/suggestions	ARSBR Sch.1	56
Payment of Accounts * Details of performance in paying accounts for each quarter and action to improve performance	TC06/26 ARSBR Sch.1	55
Time for Payment of Accounts * Where interest was paid due to late payments, list of instances and reasons for delay	TC06/26 ARSBR Sch.1	55
Risk Management and Insurance Activities * Report on the risk management and insurance arrangements	ARSBR Sch.1	35
Internal Audit and Risk Management Policy Attestation * Governing board must report compliance with core requirements of the policy for the financial year * Statement co-located with existing risk management and insurance activities	TPPO9-05 TC09/08	36

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Compliance checklist

continued

Summary of Requirement	Basis for Requirement	Annual Report Reference
Disclosure of Controlled Entities * For each controlled entity; name, objectives, operations, activities, performance targets and actual performance measures	ARSBR Sch.1	56
Disclosure of Subsidiaries * For each public sector subsidiary the parent must report on shares held and the number of % shares, key figures, detailed statement of objectives	PM06-02	56
Multicultural Policies and Services Program * Statement setting out key strategies proposed for the following year * Progress in implementing current plan * Small statutory bodies need only report triennially	ARSBR Sch.1 ARSBR c20 TC08/08	N/A
Agreements with the Community Relations Commission * Description of any agreement entered into with CRC and statements setting out progress in implementing any agreement	ARSBR Sch.1	N/A
Occupational Health and Safety * Statement setting out OHS performance * Details of injuries, prosecutions * Small statutory bodies need only report triennially	ARSBR Sch.1 ARSBR c20 TC08/08	38
Waste * Statement of implementation of the Waste Reduction and Purchasing Policy * Small statutory bodies need only report triennially	ARSBR Sch.1 ARSBR c20 TC08/08	59
Budgets * Detailed budget for the year reported on * Outline budget for the following year	ARSBA s7(1)(a)(iii) ARSBR c7-8	9
Financial Statements * Inclusion of financial statements, Audit opinion and response to significant issues raised by the Auditor-General	ARSBA s7(i)9a)9i) (ii)	44-54
Identification of Audited Financial Statements * At start and finish	ARSBR c5	44-54
Inclusion of Unaudited Financial Statements * Unaudited financial information to be distinguished by note or otherwise	ARSBR c6	N/A
Additional Matters for Inclusion in Annual Reports * Statement about compliance with the Privacy and Personal Information Protection Act 1998 * After balance date events * Total external costs incurred in the production of the report * Whether the report is available in non-printed formats * Internet address where the report may be accessed	ARSBR c10	58 55 55 55 55
Investment Performance * In the form of a comparison with a choice of "Hour Glass Investment Facilities" from treasury Corporation	ARSBR c12 TC09/07	N/A

Summary of Requirement	Basis for Requirement	Annual Report Reference
Liability Management Performance * Only if debt is greater than \$20 million	ARSBR c13 TC09/07	N/A
Exemptions * Exemptions from the reporting provisions including details and reasons for the exemption * Triennial report must relate not only to the reporting year but also those of the two preceding years	ARSBR c19(4) ARSBR c20	38
Performance and Number of Executive Officers * Number of positions at each level for current and prior year (equivalent to SES 1 or higher) * Number of female executive officers for current and previous year * For each officer SES 5 and above statement of performance, details of pay, name, title and remuneration package	ARSBR c11, 14	57
<i>Government Information (Public Access) Act 2009</i> * Details of reviews under s7(3) of the Act and details of information made publicly available * Total number of access applications received * Total number of access applications received that were refused, either wholly or in part * Statistical information as described in Sch 2	GIPAA s125(4), (6) GIPAAR c7, Sch 2: c12 Sch 3	58
Implementation of Price Determination * If subject to determination or recommendation of Tribunal a statement that it was implemented or reasons for not implementing	IPARTAs18(4)	59
Credit Card Certification * Included	TD 205.01	56
Requirements Arising from Employment Arrangements * Additional requirements where statutory body receives personnel services from a Department	TC 06/13 ARSBA s15(1)	57
Form of Annual Reports – Generally * Material information reported * Logical sequence * Appropriate layout * Clear readable text * Appropriate captions for charts, diagrams, photos etc * Index and table of content to assist identifying reporting requirements	ARSBR c16	N/A
Submission of Annual Report to appropriate Minister * No later than four month after year end * Submit to Treasurer at same time	ARSBR c10	N/A
Presentation of Annual Report to Parliament * Within one month after receipt by Minister * If late, statement by Minister	ARSBA s11(1)-(1A)	N/A
Annual Report Size – Presentation to Parliament * Size ISO A4	ARSBR c17(1)	68 pages plus cover

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Compliance checklist

continued

Summary of Requirement	Basis for Requirement	Annual Report Reference
Printing Requirements * Distribution of specific numbers of annual reports to various sections of government	PC 00-68 PM 00-15	55
Public Availability of Annual Report * Copy available on website as soon as possible after hard copy is presented to Parliament * Copy made available to Parliament in electronic form as soon as possible after the hard copy is presented to Parliament * Copies available for public sale or distribution as soon as possible after tabling	ARSBA s12 ARSBR c18 TC10/09	55







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ISSN 1444-7649

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