

**QUEENSLAND DEPARTMENT OF EDUCATION, TRAINING AND
EMPLOYMENT RESPONSE TO THE QUEENSLAND CHILD PROTECTION
COMMISSION OF INQUIRY - Discussion paper 3**

The Queensland Department of Education, Training and Employment (DETE) acknowledges the importance of ensuring that vulnerable families are supported to care for their children through the timely provision of early intervention and prevention services and diverting families from the statutory child protection system.

Education Queensland, a division of DETE, delivers high quality education to more than 498,000 state school students in 1,239 state schools across Queensland. This education is delivered by more than 39,600 full time equivalent (FTE) qualified teachers who teach and supervise these students on a daily basis.

Given teachers' significant involvement with Queensland children and their families, state schools continue to play a valuable protective role in monitoring student welfare and reporting suspected harm or risk of harm.

DETE supports the discussion paper and its intent to create constructive debate around significant issues and reform options. Responses to the questions in the discussion paper that have relevance to this portfolio, have been detailed below.

Chapter 3: Reducing demand on the tertiary system p35-66

Question 1: What is the best way to get agencies working together to plan for secondary child protection services?

- As one of the key government agencies working with children across the state, DETE's staff provide reports to the Department of Communities, Child Safety and Disability Services (DCCSDS) and the Queensland Police Service about suspected harm or risk of harm to students. Given that a proportion of these reports may result in a referral to a secondary child protection service, it is important that DETE be involved in planning for the secondary child protection service system.
- From DETE's perspective, strategies that could facilitate effective planning for the secondary child protection service system in Queensland include:
 - providing a legislative framework that supports a comprehensive but flexible secondary child protection service system with minimal impediments to appropriate information sharing;
 - supplying agencies with comprehensive relevant data to inform the planning process;
 - planners sourcing 'local knowledge' to ensure that the proposed secondary services are viable within identified communities;
 - ensuring that agencies involved in the planning process share a commitment to the design of a secondary service system that can meet family's needs across the state and provides one streamlined and efficient referral process which will enable children and families to access the right services early and easily while still ensuring that decisions continue to be in the best interests of the child; and
 - ensuring that agencies involved in the planning process recognise the contribution that each individual agency can make to the process and incorporating strategies to facilitate quality communication and transparent decision making.

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Question 2: What is the best way to get agencies working together to deliver secondary services in the most cost effective way?

- From DETE's perspective, strategies that could facilitate the delivery of secondary services in a cost effective way include:
 - applying a funding model that is not overly prescriptive and gives service providers the capacity to respond to each child's and family's identified and evolving needs while demonstrating achievement of client outcomes and compliance with financial requirements;
 - ensuring that agencies involved in the planning process have a clear understanding of the resources to be committed and any fiscal or other impediments to the process or the design of the system.

Question 3: Which intake and referral model is best suited to Queensland?

- Prior to taking any position on a preferred intake and referral model for Queensland, DETE would require more detailed information about how each model might work and the anticipated impacts on reporters, children and their families.
- As one of a number of government agencies that regularly provide reports in relation to suspected harm or risk of harm, DETE anticipates that any model should:
 - be supported by a legislative framework that provides clear confidentiality and information sharing provisions, sufficient legal protections for reporters, and provisions that clearly identify that a referral to a non-government intervention service would fulfil an agency's legislative or policy obligation to report suspected harm or risk of harm;
 - ensure that intake and referral services maintain policies and procedures that enact legislative responsibilities;
 - provide a streamlined process for timely reporting of all matters that is consistent across the state;
 - ensure that assessment and decision making during the intake phase are consistent across the state and undertaken by professionals with the appropriate knowledge, skills and expertise to make holistic, well-informed decisions in the best interests of the child;
 - include processes to identify families that may need to be re-assessed and a new intake decision considered. This would include families initially referred to an early intervention and prevention pathway that do not engage with the service or are unable to obtain a service in a timely way. In such cases, the intake and referral service would need to receive feedback from the early intervention and prevention service which would be incorporated into a re-assessment of all information about the child and family including risk and protective factors;
 - be supported by a secondary child protection service system that can meet the increasing level of demand as more families are diverted to an early intervention and prevention response rather than a statutory child protection response;
 - include processes to provide timely feedback to professionals about the outcome from their report to the intake and referral service so that this outcome is taken into consideration in planning future service delivery by that professional to the child and family;
 - include clear review and approval processes so that decisions are quality assured by supervisors;

- include a planned evaluation of the model following implementation across the state; and
- be funded at a level that will allow the agency/agencies implementing the model to employ appropriately qualified and experienced professionals, supervisors and managers, develop systems and procedures to operationalise the model and provide agency staff with ongoing supervision and professional development.

Question 4: What mechanisms or tools should be used to assist professionals in deciding when to report concerns about children? Should there be uniform criteria and key concepts?

- Planning for new mechanisms or tools to assist professionals in deciding when to report concerns about children would need to take into consideration that most government and non-government staff, including officers employed in state and non-state schools, are not child protection experts. These officers are only able to provide information based upon their knowledge or observations of a child and family within the limits of their professional role.
- State school staff are provided detailed information and training about indicators of harm or risk of harm and the processes for reporting when they reasonably suspect a child has been harmed or is at risk of harm. Any new or modified mechanisms or tools to support professional reporting would need to reflect that it is not the responsibility of the professional reporter to determine whether a matter will reach the threshold for a statutory child protection response. This is clearly a legislated statutory child protection responsibility and professionals, such as school staff, would not have the authority, knowledge, skills or expertise to make any determination about whether a child may be in need of protection or has a parent willing and able to offer that protection.
- DETE is currently participating in the trial of the Queensland Child Protection Guide and can see the value of a tool that assists school staff in their deliberations prior to making a formal report.
- The usefulness of the Guide is dependent on whether there is an established secondary service provider within the geographical area, whether the child and family can reasonably gain access to the service, and whether the service has the capacity to accept the referral.
- The Guide provides a step-by-step decision-making framework for staff to determine the most appropriate support pathway when they have concerns about a child, according to their observations of the child and family. This can be problematic in situations where the staff member does not have sufficient knowledge of the family to provide adequate responses to key questions in the guide that impact on the referral outcome.
- The mandatory use of any guide would require all school staff to be trained and have easy access; as well as knowledge of and access to a comprehensive state-wide secondary service system with the capacity to accept referrals when indicated by the guide. Consideration also needs to include the availability and access to the Guide by the non-state schooling sector.
- In the Discussion Paper, the Commission suggests the establishment of Child Wellbeing Units in Queensland government departments to assist with the management of mandatory reporting. It is also proposed that these units could be built around the existing Child Safety Director role.

- The New South Wales (NSW) Government allocated significant funding to NSW's Department of Education and Training to establish a Child Wellbeing Unit (CWU) in their Central Office comprising: one manager, three team leaders and 21 FTE assessment officers when the NSW Mandatory Reporter Guide was first introduced.
- As an alternative to CWUs within each agency, DETE supports the establishment of Advice and Referral officers employed by Child Safety, similar to those included as part of the Helping Out Families initiative. These officers play a similar role to the role of Child Wellbeing Units in NSW (except on a local scale) by acting as "change agents" through the provision of training and expert advice to schools, police district offices and health providers about child protection concerns. These officers are able respond to contacts from school staff (primarily guidance officers, social workers or principals), police officers (Domestic Violence Liaison Officers or Child Protection Investigation Unit officers) and health staff (Child Protection Liaison Officers), and assist with advice about the identification of harm to a child, help school staff to use the guide, and help with strategies for seeking additional or clarifying information from the child or family.
- DETE also notes that the functions undertaken by the Child Wellbeing Units may be subsumed within the roles and responsibilities of the Intake and Referral Services through the use of out-posted child safety officers proposed in Chapter 3 of the Discussion Paper.

Chapter 4: Investigating and assessing child protection reports p67-100

Question 5: What role should SCAN play in a reformed child protection system?

- Because of the vital role that it plays in planning and co-ordinating service delivery to our most vulnerable children and families, DETE supports the continuation of the Suspected Child Abuse and Neglect (SCAN) team model within the child protection system in Queensland.
- Appropriately resourced and positioned across the state, SCAN teams provide co-ordinated multi-agency responses to complex, high risk child protection cases and facilitate the timely sharing of information to enable holistic assessment and service delivery by relevant departments and service providers.
- Given their knowledge of and regular contact with children enrolled in Queensland schools, DETE officers should continue to be core member representatives in any SCAN team model.
- Information Co-ordination Meetings (ICM) were implemented following the review of the SCAN model and were designed as a forum for discussion of Child Safety responses to concerns received from core member agencies where an opportunity for multi-agency discussion was warranted.
- Discussion of matters referred to ICMs most often centres on Child Safety's decision to record a Child Concern Report and does not result in any multi-agency recommendation for possible early intervention with the child and family.
- DETE suggests this model could possibly be further enhanced by enabling the facilitation of multi-agency information sharing and planning for early intervention with families to divert them from entry into the statutory child protection system.

Chapter 5: Working with children in care p101-138

Question 14: What are the potential benefits or disadvantages of the proposed multi-disciplinary casework team approach?

- The Discussion Paper suggests that possible benefits resulting from the proposed multi-disciplinary casework team model are greater access to other professionals' skills and knowledge and the ability to more easily navigate other government and non-government systems. Further consideration would need to be given to how such professionals would:
 - continue to comply with requirements for professional registration or membership of relevant professional associations;
 - obtain relevant professional development and supervision; and
 - maintain their knowledge of and links to the system (e.g. education) when they would no longer be a member of the system.
- Another alternative might be to enhance the current SCAN System of multi-disciplinary professionals so that it could provide a comprehensive service to officers delivering direct casework services to children and families requiring ongoing child protection intervention.

Chapter 6: Young people leaving care p139-164

Question 18: To what extent should young people continue to be provided with support on leaving the care system?

- DETE supports the Queensland Government's commitment to support young people leaving care up to 21 years of age.
- The extent of such support prior to and following the young person's transition from out-of-home care should be based upon an assessment of the young person's current and future needs, their existing resources and supports, and services and resources available within their community. Services and supports could include:
 - financial assistance to the young person and their carer, when appropriate;
 - time limited case work services including building life skills for independent living;
 - referral to required government and non-government service providers;
 - education, employment, career counselling, mentoring and financial support to transition to, and participate in, further education and training;
 - assistance with resolving issues such as sourcing accommodation, health care and transport; and
 - higher levels of support when a young person has additional needs due to disabilities or behavioural, medical or mental health issues.

Question 19: In an environment of competing fiscal demands on all government agencies, how can support to young people leaving care be improved?

- As part of its case planning and case management responsibilities, DETE recognises that DCCSDS is responsible for planning and funding transition from care activities for young people in the custody or guardianship of the Chief Executive.
- DETE may be invited by Child Safety to participate in DCCSDS transition from care planning with a young person who is enrolled in a state school.

- In the 2011–12 financial year \$6.6 million was provided by DCCSDS to DETE to assist in improving the educational outcomes of 4,369 students in Years 1-12 in out-of-home care in both State and Non-state schools in Queensland.
- While this funding is not quarantined to address the needs of young people transitioning from care, it may be used to address educational needs for young people aged 15-18 years as part of their Education Support Plan (ESP) planning.
- DETE has recently commenced a project with DCCSDS aimed at improving the educational outcomes for students in out-of-home care. The project aims to focus attention on improving individual student achievement and academic success. The ability to track the progress of students in out-of-home care and to target strategies where needed will be enhanced. The project includes:
 - the development of a new application as part of DETE's OneSchool system to allow greater efficiency in data collection and provide significant reporting benefits
 - a new data matching process with DCCSDS to support schools and regions in better identifying and tracking students in out-of-home care. Each quarter, DETE will provide DCCSDS with a list of children who are recorded on DETE's OneSchool system as meeting the eligibility requirements for an ESP; Child Safety Service Centres (CSSC) will review the list and advise schools of children's updated ESP eligibility status. The CSSC will contact schools (via prepared letter templates) to ensure that OneSchool is accurate, and also record the DETE EQ identifier number in the DCCSDS Integrated Client Management System (if not already recorded)
 - regional operational plans which highlight clear performance measures for students in out-of-home care and ensure schools are taking responsibility for driving better educational outcomes
 - showcasing good practice and strategies that are shown to improve attendance and individual academic achievement.
- DETE is currently developing a five year Vocational Educational Training (VET) Action Plan which will outline strategies to assist disadvantaged learners and to implement the National VET Equity Blueprint. These strategies will include access to skills and training for disadvantaged learners at little or no cost, for foundation skills or qualifications up to certificate three level.
- The Discussion Paper notes that children in care are more at risk of long term unemployment. The paper canvasses the importance of having the skills and educational attainment to gain a positive employment outcome as part of transitioning from care. However the options offered at 6.4.5 "to support young people to improve education, employment and health outcomes" only make limited recommendations regarding building pathways to access employment. The Deloitte Access Economics *Evaluation of Skilling Queenslanders for Work 2012* identified that for disadvantaged Queenslanders the gap that needed to be filled was in the development of employability skills prior to the transition to employment and training. This gap is also identified in the Discussion Paper however the recommendations on how to fill this void are limited. Those recommendations include delivering employment services onsite at Queensland secondary schools or develop life skills training either on line or as part of the curriculum. This approach is limited and does not respond to the complex needs of many young people.
- The responsibility for developing employment programs and assisting young people into employment sits with the Federal Government. The Discussion paper should be strengthened to recommend that the Queensland Government lobby the Federal Government to ensure that Jobs Services Australia providers are required to develop

strategies in partnership with other federal and state government agencies to build 'wrap around support' plans that links unemployment benefits, employment plans, individual training and employability skills needs as part of the recommendations to improve employment outcomes.

Chapter 8: Workforce development p190-224

Question 27: Should there be an alternative Vocational Education and Training pathway for Aboriginal and Torres Strait Islander workers to progress towards a child safety officer role to increase the number of Aboriginal and Torres Strait Islander child safety officers in the workforce? Or should this pathway be available to all workers?

- The Discussion Paper is seeking feedback on a proposal to re-introduce an alternative TAFE pathway for child safety officers program, as one of two possible options to improve qualifications of child safety workers (p. 215). TAFE Queensland supports the re-introduction of the alternative TAFE pathway program. The program was a worthwhile innovation by Sunshine Coast Institute of TAFE in 2008, enabling students from lower socio-economic groups to access training as child safety officers. However, TAFE Queensland agrees with the paper's contention that the original pilot program was difficult to administer financially, which ultimately led to its non-introduction as a mainstream program.
- Accordingly, TAFE Queensland recommends that further investigation should be undertaken into determining an effective funding model to enable the alternative TAFE pathway program to be re-introduced as a mainstream program.

Question 28: Are there specific areas of practice where training could be improved?

- The Workforce Council is a peak body for health and community services workforces. In 2012, the Workforce Council released the *Child Protection Sector: Industry Skills and Workforce Development Report* which was developed following extensive consultation across the sector. This report identified many priorities which respond to the workforce issues identified in the Child Protection Commission of Enquiry. Workforce priorities recommended include:
 - developing qualifications and/or skill sets that align with best practice in delivery of early intervention and family support services
 - formulate strategic workforce plans in partnership with industry
 - identify and develop professional development and training opportunities to support management of integrated services
 - implement recruitment practices aimed to increase workforce diversity in the sector
 - guarantee funding availability for regular workforce access to professional development and training.
- The paper recommends developing an overarching workforce strategy comprising government and industry sectors. It is recommended the Health and Community Services Workforce Council be included in any discussions on workforce development in this sector.

Chapter 9: Oversight and complaints mechanisms p225-244

Question 34: Are the external oversight mechanisms – community visitors, the Commission for Children and Young People and Child Guardian, the child death review process and the Ombudsman – operating effectively? If not, what changes would be appropriate?

- More than 30,000 DETE employees and volunteers have blue cards. DETE relies on CCYPCG to advise of change of status to existing blue cards and to process new applications. CCYPCG provides a notice to the Department for a change of status. A change in notification as non-compliant includes a change or addition of a school location for an employee. For example, in August 2012 the Department received a list of 7,000 (approx) non-compliant employees/volunteers. The “non-compliance” can exist for several months before the Department is informed. A further 6,000 (approx.) employees/volunteers were identified as requiring additional information at CCYPCG before CCYPCG was able to inform the Department if there was a change in status including disqualification.
- External oversights are not fully effective due to the large amount of data and the inability of external oversight by CCYPCG to apply appropriate mechanisms to match data and identify potential risks through early identified compliance alert. DETE relies heavily on internal reporting and Risk Management Strategies at each employment site. DETE has been working with the CCYPCG to streamline and align data transfer to reduce timeframes and administrative burden.

Question 36: Do the current oversight mechanisms provide the right balance of scrutiny without unduly affecting the expertise and resources of those government and non-government service providers which offer child protection services?

- DETE supports the current range of oversight and complaints mechanisms across government established to support child safety and wellbeing.
- In addition to the current oversight mechanisms, DETE’s *Complaints Management - State Schools* procedure outlines the responsibilities of all Education Queensland staff to ensure complaints are responded to as a matter of priority and will be used as a mechanism for improving services to students and parents/carers.
- DETE is an active member of the Child Safety Directors Network and the respective cross-government sub-committees for Evolve Interagency Services and the SCAN Team system. The Director, Child Safety, Education Queensland represents the Director-General and DETE in the Child Safety Directors’ Network which provides leadership, coordination and direction by operating at the strategic whole-of-government level.
- However, it should be noted that the compliance requirements for employment screening places a substantial administrative burden on DETE due to the incompatibility between DETE and CCYPCG data systems. DETE has sought to implement arrangements similar to that existing with the Queensland College of Teachers which streamlines the data matching so that administrative burdens can be reduced and notification times significantly improved.

Aside from responses to the questions included at the end of each chapter, DETE would like to draw attention to the following comments in response to issues raised in the discussion paper

Chapter 2: The child protection system in Queensland p6-34

Page 14: The largest group of reporters to Child Safety are workers in public sector positions who are required by legislation to report suspected physical, sexual or other abuse and neglect. These include:

- ...
 - *teachers, required to report suspected child sexual abuse to their school principal, who in turn must report to police (Education (General Provisions) Act 2006 ss 365-366).*
- **Comment:** Accuracy - s 366 applies to non-State schools only, and is not relevant to 'public sector positions'. **Recommendation:** Omit reference to s 366 from this dot point.
- **Comment:** Accuracy - s 365 places an obligation on all staff of a State school to report, and not just 'teachers'. **Recommendation:** Amend.
- **Comment:** Accuracy - s 365 places an obligation to report on the State school staff member on becoming aware, or reasonably suspecting, and not just forming a view about "suspected child sexual abuse". **Recommendation:** Amend.
- **Comment:** Completeness - s 365A (commenced on 29 January 2013) requires each staff member of a State school to report likely sexual abuse to their school principal, who in turn must report to police (*Education (General Provisions) Act 2006 s 365A*). **Recommendation:** Amend.
- **Note:** if the principal is the person who becomes aware or reasonably suspects a student has been sexually abused, or reasonably suspects a child is likely to be sexually abused, the obligation is for the principal to report directly to the police.
- **Comment:** Completeness - Discussion Paper has no reference to the obligations to report in the non-state sector. The Paper mentions that 'child concern reports' from schools, along with police and health sources, amount to 60% of all intakes to child safety. All schools are referred to variously in the Paper, but not a lot on the non-state sector *per se*. **Recommendation:** Suggest the following insertion:

Staff in non-state schools are required by legislation to report suspected physical, sexual or other abuse and neglect. These include:

- each staff member of a non-state school on becoming aware of, or reasonably suspecting, child sexual abuse, must give a written report to the school's principal or a director of the school's governing body: and the principal or director must immediately give a copy of the written report received to a police officer (*Education (General Provisions) Act 2006, s 366*)
- each staff member of a non-state school who reasonably suspects that a child is likely to be sexually abused by another person, must give a written report of the suspicions to the school's principal or a director of the school's governing body: and the principal or director must immediately give a copy of the written report received to a police officer (*Education (General Provisions) Act 2006, s 366A*)
- each staff member of a non-state school is to report to the school's principal (or another nominated person) harm, or suspected harm, (including self-harm) of a significant nature to a student who, when the harm was caused or is suspected to have been caused, was under 18 years of age: and the principal, or other nominated person, is to report the harm, or suspected harm, to the chief executive officer, or another officer, of the Department of Communities; or an authorised officer under the *Child Protection Act 1999*; or to a police officer (*Education (Accreditation of Non-State*

Schools) Regulation 200, s 10)

Chapter 3: Reducing demand on the tertiary system p35-66

- In the Discussion Paper, the Commission notes the DCCSDS statement that DETE reporting contributed to the high volume of child concern reports and that, in 2011–12, school, health and police sources amounted to approximately 60% of all intakes to Child Safety.
- It is noted that Education specific data from the DCCSDS indicates that, in 2011–12, Child Safety received 13,551 reports (11.8% of total intakes) from all school personnel (**state and non-state**) in Queensland.

Given that more than 498,000 students attend state schools and more than 244,000 students attend non-state schools (approx. one third), the percentage of reports made by our state schools would be considerably lower than the total 13,551. DETE has requested data on reporting to enable the figures for State and Non-state sectors to be separated; however, DCCSDS have previously indicated that the data collection system does not have the capacity to provide for this.