

ACIL ALLEN

Independent Review of the performance of the Queensland Family and Child Commission of its functions

Final Report



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Contents

Executive summary	v
Abbreviations	vii
1 Background and Context	1
1.1 The Queensland Family and Child Commission	1
1.2 Objectives of this review	2
1.3 Review methodology	3
1.4 Structure of this report	4
2 Operation and evolution of the QFCC	5
2.1 Overview	5
2.2 Evolution of the QFCC's governance arrangements	7
2.3 Analysis	9
3 Performance of legislative functions	11
3.1 Oversight of the child protection system	11
3.2 Promoting and advocating for children and young people	15
3.3 Developing and reviewing workforce planning strategies for the child protection system	18
3.4 Informing and educating the community	20
3.5 Developing and coordinating a multidisciplinary research program	22
3.6 Assisting relevant agencies to evaluate the efficacy of their programs	23
3.7 Providing leadership and giving expert advice to relevant agencies	24
3.8 Increasing collaboration and building capacity across different sectors to improve the delivery of services to children, young people and families	24
3.9 Analysing and evaluating, at a systemic level, policies and practices relevant to the child protection system and the performance of relevant agencies	25
4 Effectiveness, efficiency, and economy	26
4.1 Effectiveness and impact of the QFCC's work	26
4.2 Efficiency of the QFCC's work	28
4.3 Achieving economy	29
5 Summary and conclusions	30
A Carmody Inquiry recommendations led by the QFCC	A-1
B Stakeholders consulted and discussion guides	B-1
B.1 Stakeholder organisations consulted	B-1
B.2 Discussion guides	B-2

Contents

Figures

Figure 2.1	Timeline of the establishment of QFCC's external governance bodies	7
Figure 2.2	Overview of the QFCC's internal and external governance groups	8
Figure 2.4	Budget and FTE for the QFCC, 2014-15 to 2019-20	9
Figure 2.5	Annual expenditure for the QFCC, 2014-15 to 2019-20	9

Tables

Table 4.1	Summary of the QFCC's effectiveness across its legislative functions	26
Table A.1	Recommendations from the Carmody Inquiry led by the QFCC	A-1

Executive summary

The Queensland Family and Child Commission (QFCC) was established in 2014 as part of the Queensland Government's response to the Queensland Child Protection Commission of Inquiry (QCPCOI). This review is a legislative requirement under the *Family and Child Commission Act 2014*, which seeks to assess, and provide advice and recommendations about, the performance of the existing functions of the QFCC.

Evidence gathered and examined within this review suggests that the QFCC has performed its legislative functions well, in accordance with the intent of the legislation and the recommendations of the QCPCOI. Several notable achievements include:

- *the development of a strong and robust governance structure*: the QFCC has taken steps to establish a strong and robust governance structure that includes both external and internal governance groups. These groups each have a clear role and responsibility in ensuring that the QFCC remains focused on its strategic objectives, and that there is a broad range of experience and expertise to enable the QFCC to deliver its intended outcomes. The QFCC also continues to evolve and proactively undertakes work to ensure it remains relevant and well-positioned to deliver these outcomes into the future.
- *delivery of its legislative functions, including acquittal of all the recommendations from the QCPCOI for which it has responsibility*: the QFCC has performed its legislative functions to a high standard and its work is well-regarded by stakeholders both within and outside government. The evidence examined by this review demonstrates that the QFCC's work has resulted in significant reforms to the child protection system in Queensland. It has also acquitted all of the QCPCOI recommendations for which it has responsibility.
- *developing and maintaining a significant influence within the child protection system*: as an independent commission that does not have significant legislative powers, the QFCC is heavily reliant on using its influence to work with key stakeholders and to motivate these stakeholders to undertake reforms where necessary. There is a delicate balance between oversight and collaboration which the QFCC has managed to achieve and maintain.

The evidence considered by this review indicates that there are some functions and roles of the QFCC that are more highly valued by stakeholders and areas where stakeholders clearly perceive the QFCC to be more effective.

The evidence also suggests that there are some issues that remain unresolved within the child protection system and should remain clear priorities for the QFCC moving forward.

The QFCC is at a crossroads. The QCPCOI recommendations, which formed the basis of the legislation establishing and enabling the QFCC, have been acquitted and the impetus of these reforms are waning. The QFCC therefore needs to consider how it can continue to deliver its functions into the future. The QFCC has taken steps to shape its next stage of organisational maturity and this review has sought to highlight areas for consideration by the QFCC in discharging its responsibilities and building on the achievements made to date.

The QFCC could:

- further explore opportunities to work strategically with other statutory agencies and peak bodies on key strategic issues
- ensure effective feedback between the OPG and the QFCC particularly where there appears to be evidence that individual issues are indicative of broader systemic issues.
- revisit the workforce development and planning function to consider if there is a role for the QFCC to hold organisations to account for workforce reforms to ensure that agreed reforms are fully implemented and benefits are fully realised
- investigate the extent to which the materials developed for parents and children to better understand and navigate the child protection system are being effectively utilised and whether they can be further improved or updated
- streamlining (where legislative change is not possible) or reallocating (where legislative change is possible) activities where the QFCC does not appear to have strong impact, such as in the research agendas (as distinct from research associated with *Growing Up in Queensland* and analysis of the Child Death Register) and developing evaluation capabilities
- provide a clear portfolio of work that is the responsibility of the Commissioner, distinct from the Principal Commissioner, and communicate this clearly to all stakeholders – alternatively consider appointing joint Principal Commissioners including one who is an Aboriginal and/or Torres Strait Islander person
- consider ways to further demonstrate achievement of organisational objectives and outcomes to external stakeholders
- engage and collaborate with the sector in meaningful ways, such as the development of joint submissions, strategy development or implementation, while limiting engagements that are purely information sharing.

The review team would like to thank all those who assisted in the conduct of this review.

Abbreviations

Abbreviation	Term
CDRB	Child Death Review Board
DJAG	Department of Justice and Attorney-General
FCC Act	Family and Child Commission Act
LACSC	Legal Affairs and Community Safety Committee
QAO	Queensland Audit Office
QCPCOI	Queensland Child Protection Commission of Inquiry
QFCC	Queensland Family and Child Commission
QGSO	Queensland Government Statistician's Office
QPS	Queensland Police Service

Background and Context

1

ACIL Allen was commissioned by the Department of Justice and Attorney-General (DJAG; the Department) to undertake an independent review of the performance by the Queensland Family and Child Commission (QFCC) of its functions. This review is a legislative requirement under Section 41 of the *Family and Child Commission Act 2014* (the FCC Act).

1.1 The Queensland Family and Child Commission

1.1.1 Formation, objectives, and legislative functions

In 2013, the Queensland Child Protection Commission of Inquiry's final report *Taking responsibility: A roadmap for Queensland child protection* (QCPCOI, the Carmody Inquiry) was released. This inquiry was a root and branch review of the child protection system in Queensland, which led to the development of a roadmap of reform over the next ten years to reform the system. The 121 recommendations from the Carmody Inquiry focus on three broad areas:

- reducing the number of children and young people in the child protection system
- revitalising child protection frontline services and family support to break the intergenerational cycle of abuse and neglect
- refocusing oversight on learning, improving and taking responsibility.

115 of these recommendations were accepted, with the remaining six accepted in-principle, by the Queensland government.

Queensland has had a Children's Commission in some form since 1996, with the former Queensland Commission for Children and Young People and the Public Guardian immediately preceding the QFCC. The QFCC was established on 1 July 2014 in response to Recommendation 12.3 of the Carmody Inquiry, through the enactment of the FCC Act. The QFCC was assigned lead responsibility for 10 specific recommendations of the Carmody Inquiry, all of which have been completed (see Appendix A). The purpose of the QFCC is to:

- promote the safety, wellbeing and best interests of children and young people
- promote and advocate the responsibility of families and communities to care for children and young people
- improve the child protection system.¹

Section 9 of the FCC Act outlines the functions of the QFCC. These functions are:

- providing oversight of the child protection system
- promoting and advocating
 - the responsibility of families and communities to care for children and young people

¹ Section 4, FCC Act 2014.

- the safety and wellbeing of children and young people, particularly children in need of protection or in the youth justice system
- developing and reviewing workforce planning strategies for the child protection system by collaborating with relevant agencies, the private sector and education providers
- informing and educating the community about
 - services available to strengthen and support families
 - how the child protection system operates
 - relevant research to the child protection system
- developing and coordinating a multidisciplinary research program to inform policies and practices in consultation with stakeholders and relevant agencies
- assisting relevant agencies to evaluate the efficacy of their programs and identify the most effective service models
- providing leadership and giving expert advice to relevant agencies about laws, policies, practices and services
- increasing collaboration and building capacity across different sectors to improve the delivery of services to children, young people and families
- analysing and evaluating, at a systemic level, policies and practices relevant to the child protection system and the performance of relevant agencies in delivering services.

The FCC Act specifies activities that are beyond the scope of the QFCC. It is not a function of the QFCC to investigate the circumstances of a particular child, young person or family or to advocate on their behalf.

Section 9(3) states that in performing its functions, the QFCC must avoid unnecessary duplication of the functions of the Child Death Review Board (CDRB) (in relation to carrying out systems reviews following child deaths connected to the child protection system).

Schedule 6 of the Standing Orders of the Legislative Assembly provides that the Legal Affairs and Community Safety Committee (LACSC)² has oversight responsibility for the QFCC, including to monitor and review the QFCC's functions and report to the Legislative Assembly on any matter that the LACSC considers should be drawn to the Legislative Assembly's attention. In addition, as with other public bodies, the QFCC is subject to audits undertaken by the Queensland Audit Office (QAO) and other government budgetary and accountability processes.

1.2 Objectives of this review

The review is required to assess, and provide advice and recommendations about, the performance of the existing functions of the QFCC under the FCC Act, including whether those functions are being performed economically, effectively and efficiently. This includes all structural and operational aspects of the QFCC, as well as its relationship with other public entities as defined in Schedule 1 of the FCC Act. These public entities are defined as a relevant agency in Schedule 1, and include:

- the Public Guardian
- the Ombudsman
- the Queensland Police Service

² The LACSC was a committee through the 54th, 55th and 56th Parliament, which was dissolved on 6 October 2020. Under the 57th Parliament, the Legal Affairs and Safety Committee (LASC) now has oversight of the QFCC.

- a public sector unit, government agency or publicly funded non-government agency that is mainly responsible for, or provides services or deals with complaints in relation to, any of the following matters:
 - Aboriginal and Torres Strait Islander policy or services
 - administration of justice or legal services to children and young people
 - care of children and young people
 - child safety
 - community services
 - corrective services
 - disability services
 - education
 - housing services
 - public health.³

1.3 Review methodology

1.3.1 Key review questions

The key review questions for this review were:

1. What are the activities that have been undertaken in respect to the Commission's functions?
2. To what extent have these activities been delivered economically?
3. To what extent have these activities been delivered efficiently? How has the Commission sought to achieve efficiency in these areas?
4. How effective has the Commission been in the delivery of its functions?

These review questions were applied to each of the Commission's nine functions as specified under Section 9 of the QFCC Act.

1.3.2 Methodology

The review utilised two forms of data collection, namely a document and data review, and stakeholder consultations. The review considered a wide range of documents that have been developed by the QFCC, including both publicly available documents and internal unpublished documents. These included:

- annual reports
- annual child death register reports
- strategic plans
- QFCC system review reports
- reports on various surveys and research
- reports on policies, programs, and initiatives
- submissions from the QFCC to inquiries, legislative reviews and reforms
- reports on or that included commentary about the QFCC from other bodies, such as the:
 - LACSC/LASC
 - the QAO
 - Service Delivery Statements from DJAG to Queensland Treasury.
- internal project plans and strategy documents

³ *Family and Children Commission Act 2014 (QLD)*, Schedule 1.

- internal project reports
- media exposure and website access data.

This review also consulted with stakeholders across government departments and statutory agencies, as well as non-government agencies such as community service organisations and peak bodies. A full list of consulted stakeholders is provided in Appendix B.

1.4 Structure of this report

Chapter 2: Operation and evolution of the QFCC outlines the major activities that have been undertaken by the QFCC in its establishment, ongoing operation and evolution over time.

Chapter 3: Performance of legislative functions provides an in-depth discussion of how the QFCC has performed its legislative functions.

Chapter 4: Effectiveness, efficiency and economy discusses the extent to which the QFCC has demonstrated effectiveness, efficiency and economy in the performance of their functions.

Chapter 5: Discussion and Conclusions provides a brief summary and discussion of the overall review findings, and any opportunities for the QFCC to further enhance its effectiveness, efficiency and economy into the future.

Operation and evolution of the QFCC

2

The QFCC has developed and matured as an organisation since its establishment in 2014. This section highlights some of the major organisational developments over that period.

2.1 Overview

2.1.1 Organisational establishment

Since its establishment in 2014, the QFCC's development may be characterised as having three broad overlapping stages: establishment, organisational consolidation including discharging lead responsibilities for 10 specific recommendations of the Carmody Inquiry and determining its strategic positioning for the future including the organisational arrangements required to support execution of the strategy.

The first stage of the QFCC's organisational development was to establish a modern commission for children and young people and their families that supported discharging of its functions as described in the FCC Act (see section 1.1.1). An Acting Principal Commissioner oversaw activities until the current Principal Commissioner was appointed in October 2015. While the QFCC did replace the Commission for Children and Young People and Public Guardian, several changes to the Commission's functions had been made in line with recommendations of the Carmody Inquiry.

Key changes to the QFCC's functions compared to those previously held by the Commission for Children and Young People and Public Guardian include:

- individual advocacy moving to the (newly established) Office of the Public Guardian, Blue Card Services, including the Working with Children Check, moving to the Department of Justice and Attorney-General, and the investigation and complaints function moving to line agencies, with oversight by the Queensland Ombudsman
- addition of system level oversight, evaluation and advocacy in relation to the child protection system inclusive of preventative and family support services
- strengthened focus on the interests of Aboriginal and Torres Strait Islander children and families, supported by the appointment of at least one Commissioner who is either an Aboriginal or Torres Strait Islander person
- specification of broad promotional, educative and advocacy roles to highlight the responsibilities of families and communities in protecting and caring for children and young people, and the safety and wellbeing of children and young people in need of protection or in the youth justice system
- new partnership responsibilities relating to building agency capacity in evaluation, developing strategies to support the child protection workforce, strategic research relating to child

protection and improving the delivery of child protection services from the perspective of the children, young people and families who receive them,⁴

Given these functions, the QFCC required different organisation capabilities and new organisational and governance arrangements to be developed. Significant effort has been devoted to establishing and refining these capabilities and arrangements over time.

2.1.2 Consolidation

Much of the QFCC's focus in the early years of operation were associated with discharging its responsibilities with respect to the Carmody Inquiry recommendations for which it had responsibility. In addition, other early priorities included the reviews into the high-profile deaths of Tiahleigh Palmer and Mason Jet Lee, which the QFCC were directed to undertake by the Queensland government.

A key change in the functions of the QFCC resulted from the establishment of the CDRB as an independent entity, consistent with a recommendation from the QFCC report *A systems review of individual agency findings following the death of a child*. The *Child Death Review Legislation Amendment Act 2020* established the CDRB as an independent entity that is administratively hosted by the QFCC but not influenced or directed by the QFCC. The CDRB's functions and powers are set out in Part 3A of the FCC Act and includes some functions that were previously exercised by the QFCC but have now been consolidated and strengthened under the amendment. Alongside this legislative amendment was the establishment of internal child death review functions in various government departments, which must be conducted if the department or agency provided a service to that child within the previous year.

Over time, as the recommendations from the Carmody Inquiry have been acquitted, there has been greater scope for the QFCC to take a more proactive approach to its oversight of the child protection system. The QFCC has strategically considered how it intends to do so through the development of the *Oversight Strategy 2020-2022*. This strategy considers the lessons learnt from their previous oversight work and other lessons obtained through their research and stakeholder feedback to refine their oversight approach into the future. The Strategy identifies key priority areas for the QFCC's oversight work and sets out three different impact areas and five indicators for each impact area. These are:

- system reliability: a trusted system built on shared connections and commitment
- system productivity: an efficient and effective system that uses its resources to achieve outcomes
- system sustainability: an outcomes focused system which achieves return on investment both now and into the future.

It also considers how a cultural lens can be applied to each impact area.

The Strategy indicates how QFCC will communicate findings from their oversight activities. These include snapshot reports, annual reports (including standalone reports and reports appended to the annual reports), and proactive systemic reviews. It also provides a timeline for planned proactive systemic reviews, allowing other government departments, agencies and stakeholders to be fully aware of these reviews. This approach allows departments who are a part of these reviews to plan ahead and ensure that sufficient resourcing is available to undertake activities to assist the review, such as compiling and providing data or contribute qualitative information.

At the same time, the QFCC has an ongoing role to undertake systemic reviews of the child protection system, which may be prompted by issues raised by the community or other government

⁴ QFCC Annual Report 2014-15, <https://www.qfcc.qld.gov.au/about-us/annual-reports/annual-report-2014-15> accessed July 2021

departments, or through analysis of trends in child deaths which the QFCC has responsibility for reporting. In addition, the Principal Commissioner continues to be heavily involved in the systemic review of child deaths and chairs the CDRB.

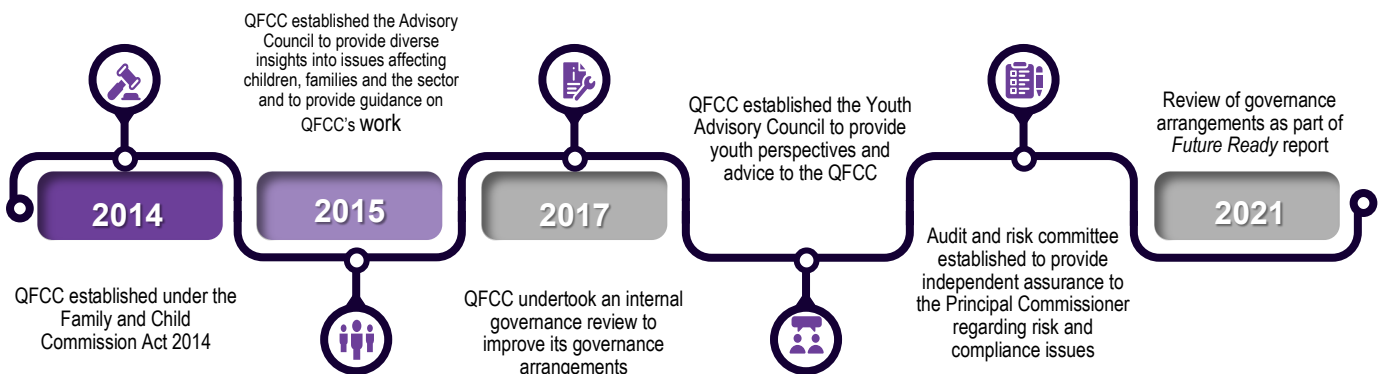
2.1.3 Future positioning

The QFCC is entering a new phase in its strategic and organisational development following completion of its lead responsibilities for 10 Carmody Inquiry recommendations. This represents a time of significant opportunity for the Commission to reconsider its focus to progress the activities that best support effective discharge of its responsibilities. The Commission has developed a Strategic Plan to guide its way forward and has put in place organisational arrangements to support implementation of the plan.

2.2 Evolution of the QFCC’s governance arrangements

The QFCC has devoted significant attention to establishing and subsequently strengthening the Commission’s governance arrangements. The following figure summarises the establishment of the QFCC’s external governance arrangements.

Figure 2.1 Timeline of the establishment of QFCC’s external governance bodies



Source: ACIL Allen 2021

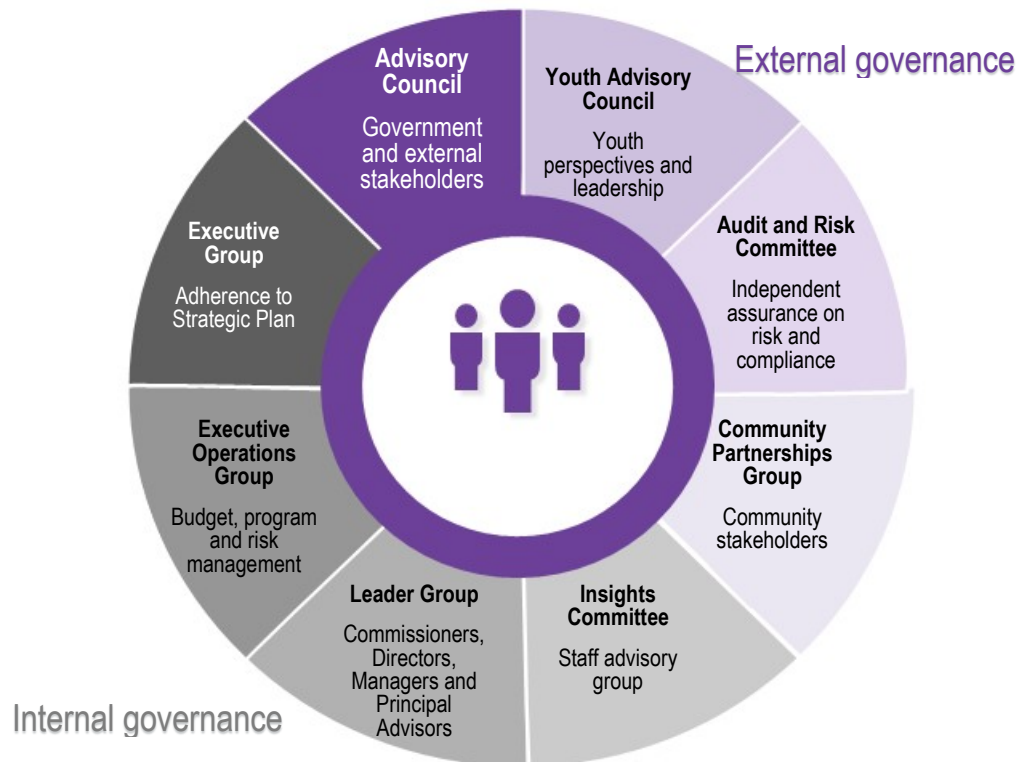
The QFCC’s internal and external governance arrangements have evolved over time as the organisation has matured. Approximately one year after its establishment, the QFCC established an Advisory Council to provide additional advice to the Principal Commissioner on the QFCC’s activities and include the broader community in ensuring the safety and wellbeing of children and families. The Advisory Council consists of senior government stakeholders and external stakeholders from academia, the community services and private sectors. It meets quarterly working to a structured agenda and is nominally remunerated.

In 2017, the Commission undertook an internal governance review and in response established the Youth Advisory Council, to provide young people with the opportunity to influence and guide the QFCC’s activities, and an independently chaired Audit and Risk Committee, which meets quarterly to provide the Principal Commissioner with independent assurance and assistance with respect to the Commission’s functioning.

Along with the external governance arrangements, the QFCC has several internal governance committees to ensure that there is strong visibility and accountability for key functions of the QFCC. These include various groups with clear accountabilities for discharging the QFCC’s strategic functions, its day-to-day operations, ensuring that leaders and staff within the organisation are able to have a voice and link to the executives, and dedicated oversight of the Commission’s Information

and Communication Technology (ICT) capabilities. The following diagram summarises the various external and internal governance groups.

Figure 2.2 Overview of the QFCC’s internal and external governance groups



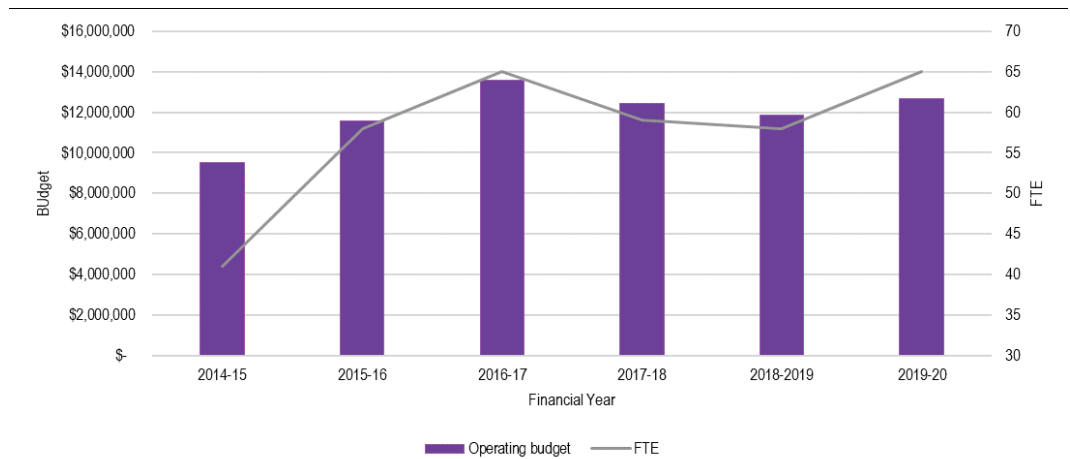
Source: ACIL Allen 2021 based on QFCC’s Future Ready Report

Most recently, the QFCC engaged an external consultant to undertake a strategic review of the organisation, which culminated in the *Future Ready* report. The *Future Ready* report included a review of the Commission’s current governance arrangements and found that its governance arrangements position it well to handle challenges into the future. The current governance arrangements have been strengthened by the development of a Governance Blueprint. This document sets out the principles and strategies of good governance, the Terms of Reference and Business Procedures for all the different internal and external governance arrangements, and how they work together in practice to ensure that the QFCC is well supported to achieve its organisational responsibilities.

Staffing and expenditure

In the first three years of the QFCC, the Commission expanded slightly in size and has remained relatively stable. **Figure 2.3** shows the number of staff and the funding received by the QFCC between 2014-15 and 2019-20.

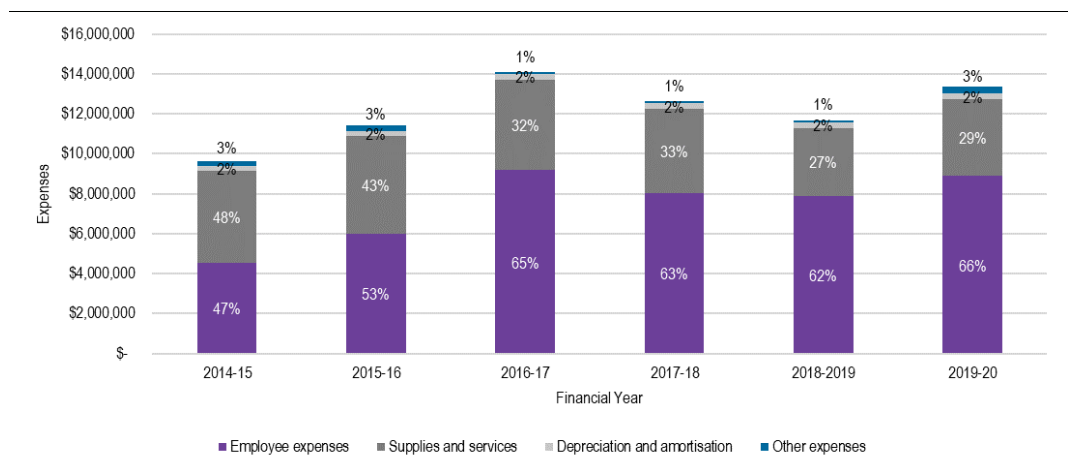
Figure 2.3 Budget and FTE for the QFCC, 2014-15 to 2019-20



Source: ACIL Allen 2021, based on QFCC's Annual Reports

The number of staff increased steadily from 41 to 65 in the first three years of operation, then decreasing slightly over the next two years, before increasing again in the most recent year of operation. The funding received by the QFCC has also mirrored this pattern. Employee related expenses account for the majority of the QFCC's annual expenditure. Over the period 2016/17 – 2019/20, employee related expenses made up approximately 65 per cent of the Commission's annual expenditure. The following diagram provides a summary of the QFCC's expenditure.

Figure 2.4 Annual expenditure for the QFCC, 2014-15 to 2019-20



Source: ACIL Allen 2021 based on QFCC Annual Reports

2.3 Analysis

Over the period covered by this review, the QFCC has undertaken significant steps to ensure that its activities maintain a strong alignment to its legislative objectives and functions. The Commission has established and continued to refine the governance arrangements that guide its work, which is consistent with a maturing organisation.

The existing governance arrangements are comprehensive. The Advisory Council brings a wealth of knowledge and experience across several sectors that is highly relevant to the QFCC's work, ensuring that the Principal Commissioner and Executive Group are provided with expert advice and guidance on their work.

The establishment of the Youth Advisory Council ensures that the Commission maintains a strong connection with young people and that their voices are influential in shaping the QFCC's work and priorities. In addition, the establishment of the Audit and Risk Committee, which is a well-established governance mechanism, provides the QFCC with assurance regarding its risk, compliance and financial obligations. Appropriate terms of reference are in place for all governance bodies, with regular meetings scheduled supported by agendas and minutes.

The organisational structure and staffing of the QFCC appears sound. Some stakeholders consulted for this review raised concerns about the proportion of QFCC expenditure on employee related expenses, considering that a high proportion of employees hold executive level positions (which increases the level of salary and employee related costs incurred). As a point of comparison, the Commission for Children and Young People (CCYP) in Victoria spends between 75 to 80 per cent of its annual budget on employee-related expenses, compared to the 63 to 65 per cent for the QFCC. This review notes that while the majority of the QFCC's expenses are employee-related, this is consistent with the Commission's role and functions. The decision to staff the organisation in the chosen manner is a matter of judgement, made with appropriate authority. The Principal Commissioner may wish to be mindful of public perceptions regarding this matter when making future decisions relating to employee expenditure including the proportion of executive level positions, which may involve clear explanation of the rationale for the approach taken and the expertise required for the QFCC to discharge its responsibilities.

The QFCC recognises that it is entering a new period in its development and has taken steps to position itself accordingly. The development of the *Oversight Strategy* and the commissioning of the *Future Ready* report demonstrate that the QFCC is forward-looking and strategically positioning itself to be effective in the context of changing priorities.

Performance of legislative functions

3

This section provides an in-depth analysis of the QFCC's performance of its legislative functions.

3.1 Oversight of the child protection system

The FCC Act stipulates that the QFCC is to provide oversight of the child protection system. There are a number of ways in which the QFCC discharges these responsibilities, including both regular and one-off activities.

3.1.1 Key activities undertaken by the QFCC

Systemic reviews of the child protection system

The QFCC regularly conducts systemic reviews into the child protection system. These reviews may be initiated by the QFCC where there is evidence of a systemic issue related to the performance of the child protection system or in response to a direct request from the Queensland Government.

While the QFCC's role is not to conduct any fact finding investigations (which is the role of the Coroner) or to deal with an individual case, an individual death of a child known to child protection is often the trigger to understand whether there are any issues with the child protection system more broadly that have led or contributed to the death of a child, or whether there are any reforms or improvements that can be made to the child protection system that may prevent similar deaths from happening.

The way in which Queensland approaches the reviews of child deaths has also changed significantly as part of recommendations and advocacy from the QFCC. The establishment of the CDRB now means that child deaths are reviewed independently and involve multiple government agencies, shifting the focus towards a systems-wide approach to making improvements in response to child deaths. As part of the establishment of the CDRB and the associated child death review functions in other government departments, QFCC also provided expert advice and technical assistance to these departments through their prior experience of conducting such reviews.

From the time of the inception of the QFCC, the Commission has published six systems review reports following deaths of children involved in the child protection system:

- When a Child is Missing from Out-of-Home Care: Remembering Tiahleigh (2016)
- Recommendation 28 Supplementary Review: A report on information sharing to enhance the safety of children in regulated home-based services (2016)
- Blue Card and Foster Care Systems Review Report: Strengthening Capacity across Queensland's Child Protection System (2017)
- Keeping Queensland's Children More than Safe (2017)

- A systems review of individual agency findings following the death of Mason Jet Lee (2017)
- When a Child is Missing: Post-implementation Review (2019).

These systems reviews critically examined the relevant areas of the child protection system, as well as the other government service systems that surrounded a child, to understand any issues that may have contributed or led to negative outcomes. Each review also provided a range of recommendations for improving the child protection system and how it can collaborate better with other services and agencies to improve the outcomes for children and young people within the child protection system. An example of changes that have arisen from these reviews include several significant reforms including overhauling the Blue Card⁵ system, as recommended by the review into Tiahleigh Palmer's death.

Regular monitoring and reporting of indicators for the child protection system

The QFCC regularly publishes statistical reports that compile various indicators and measures related to the performance of the child protection system. Part 3 (Sections 25 and 26) of the FCC Act prescribes that the Principal Commissioner must keep a register of information relating to child deaths, and to conduct research and analysis on the data within the register and make recommendations about laws, policies, practices and services. One of the key reports arising from this analysis is the Child Death Annual Report, which reports on all child deaths in Queensland. The Child Death Annual Report provides additional analysis on deaths related to non-natural or external causes, which may include transport, suicide, drowning and fatal assault/neglect. The report also provides longer-term trend analysis and year-on-year performance, as well as comparisons with other jurisdictions.

Each year since 2017-18, the QFCC has published the Aboriginal and/or Torres Strait Islander Child Death Fact Sheets, which provide a clearer focus on the issues relating to the death of Aboriginal and/or Torres Strait Islander children in Queensland.

The Performance of the Queensland Child Protection System report is another key statistical product produced by the QFCC. This report includes data and analysis relating to:

- Queensland's performance in relation to achieving state and national goals relating to the child protection system
- Queensland's performance over time compared with other jurisdictions
- Queensland's progress in reducing the number of, and improving the outcomes for, Aboriginal and/or Torres Strait Islander children in the child protection system.

The QFCC also reports on progress of reforms across the child protection system through a website that is accessed from their home page titled 'The Journey', which maps the implementation of reforms from the QCPCOI as they have occurred since 2014. It provides specific details on each of the reforms as they are implemented and provides professionals and community members with links to the relevant department or agency responsible for the reform.

Research and evaluation

The QFCC has undertaken or promoted research, reviews and evaluations within the child protection system to increase the accountability of the child protection system. Research conducted by the QFCC within the child protection system includes the over-representation of Aboriginal and/or Torres Strait Islander children within the child protection system. In 2017-18, the Commission also led the evaluation of the QCPCOI reforms. This was the culmination of several

⁵ The Blue Card System is Queensland's process to monitor and regulate people who are working or volunteering in activities essential to children including childcare, education, sport, cultural activities and foster care.

years of evaluation capacity building activities that QFCC had been working on with responsible agencies, such as the development of consistent evaluation frameworks, mapping of related evaluations across the first five years of the QCPCOI reforms and the establishment of an Evaluation Community of Practice to provide tools and resources to guide agencies responsible for reform implementation.

Identification and resolution of child protection system issues

Another way in which QFCC provides oversight of the child protection system is through the identification and resolution of issues that have been brought to their attention. This may be through their interactions with other agencies or with young people through their research and outreach activities. One prominent example that stakeholders raised during the conduct of this review was the issue of police being called to residential care facilities after-hours. This was a serious issue raised by the CREATE Foundation and QPS at the time, as police officers are not trained to deal with behavioural issues among children and young people in residential care. An unintended consequence of this was criminalising the behaviour of young people in residential care, which has the potential to increase their involvement with the youth justice system.

The QFCC initiated a process to bring agencies together, utilising information and research they had conducted with young people with experiences of residential care, to consider how best to respond to such issues. This led to the development of the *Joint Agency Protocol to Reduce Preventable Police Call-Outs to Residential Care Services*. This protocol sets out the roles and responsibilities of different agencies to respond more appropriately to behavioural issues among children and young people in residential care facilities and divert them from unnecessary contact with the criminal justice system.

Other proactive oversight work

Documents obtained for this review demonstrated that there were several other areas where the QFCC provides lower profile, but nevertheless important, oversight of the child protection system that has resulted in significant policy change. These included:

- assessing the business processes supporting the investigation and assessment functions within the Department of Child Safety and building the evidence base for effective and timely approaches of responding to child safety notifications
- oversight of the Aboriginal and Torres Strait Islander Child Placement Principle
- undertaking a review of the Suspected Child Abuse and Neglect (SCAN) teams.

3.1.2 Analysis of the QFCC's performance

The information available to this review indicates that the QFCC has undertaken a wide range of activities to provide oversight of, and contribute towards, improving the child protection system. This includes activities that have been directed by government, the implementation and ongoing operation of the recommendations from the Carmody Inquiry, as well as activities that have been initiated by QFCC. Importantly, the Commission recognises the changing environment within which they operate and have strategically considered how best they should provide oversight of the child protection system in the future.

Systems reviews

Stakeholders consulted for this review regard systemic reviews as a key component of the Commission's work and see it as a key value proposition of the QFCC. The reviews conducted by the QFCC have been generally well received. They have been completed within the timelines that have been prescribed by government. Stakeholders consulted for this review report that the QFCC is a trusted organisation, which is evidenced by the Government's request that the QFCC conduct

six reviews following the deaths of children. Many of the recommendations made through these reviews have been accepted and implemented by government, including:

- reforms to the Blue Card process
- implementation of the My Child information sharing system
- implementation of the Joint Agency Protocol for children in residential care
- establishment of the CDRB.

These reforms have resulted in significant changes to the ways in which government agencies and departments operate and respond to children in the child protection system, which have then resulted in positive outcomes for children and young people.

Stakeholders who contributed to this review also provided consistent positive feedback about the systemic reviews that have been undertaken by the QFCC. Regardless of whether they or their organisations were directly implicated in these reviews, stakeholders indicated the reviews were well-known and were completed to a high standard. These have contributed to the positive reputation earned by the QFCC and facilitated further work in these areas.

Monitoring and reporting of Carmody Inquiry recommendations

The QFCC's monitoring and reporting of implementation of the Carmody Inquiry recommendations has enabled the Queensland Government and other stakeholders to track the progress of implementation. Several documents, including the papers from the Legal Affairs and Community Safety Committee (LACSC), note that this reporting has ensured that government has been held accountable in their commitments to implement the recommendations. Further, the QFCC's reporting within its annual reports provides government with a clear view of how the child protection system is functioning, including how it compares to the different jurisdictions across Australia. Several stakeholders within other government departments consulted for this review noted using the data on child deaths reported by QFCC to better target their policies and decision making, particularly in relation to earlier interventions in mental health and suicide prevention.

Other activities

Several other sources of information point towards the effectiveness of the QFCC in providing oversight of the child protection system. A Stakeholder Experience Survey conducted in 2019 by the QFCC, which collected the views of senior government heads and heads of community service organisations, found that:

- 73 per cent of respondents agreed or strongly agreed that the QFCC was making a positive impact through its role to advocate for the interests of Aboriginal and Torres Strait Islander children and families
- 45 per cent of respondents agreed or strongly agreed that the QFCC was making a positive impact through its role to represent the views of children and young people in decisions that affect them.

A media analytics report conducted in the QFCC's relatively early years covering the period May 2016 - May 2017, identified 1,401 media reports related to the QFCC, with almost three-quarters of these reports perceived as favourable, approximately one quarter as neutral, and less than one per cent of reports perceived as unfavourable. Most of these reports focused on the QFCC's role in reforming and ensuring a robust and accountable child protection system.

Overall, the oversight of the child protection system has been primarily driven by systemic reviews undertaken by the QFCC, which have been effective and well-received. Further activities across a wide range of areas ensure that the QFCC has a variety of mechanisms to detect and investigate

potential issues within the child protection system. This includes their engagement with community stakeholders and through analysis of trends within the child death register.

3.2 Promoting and advocating for children and young people

The QFCC promotes and advocates for the safety and wellbeing of children and young people in Queensland broadly. There are two primary avenues through which it performs these functions. The first focuses on the role of families and communities in the care of children and young people. The second focuses on children and young people whose safety and wellbeing is at greater risk, such as when they are involved in the child protection or youth justice systems, and how government can continue to promote the safety and wellbeing of children in these circumstances.

3.2.1 Promoting and advocating for the responsibility of families and communities to care for children and young people

Section 9(b) of the FCC Act prescribes that one of the functions of the QFCC is to advocate for the responsibility of families and communities to care for children and young people, and to advocate for the safety and wellbeing of children in need of protection or in the child protection system. This is distinct from the individual advocacy role of the Office of the Public Guardian, in that the QFCC advocates for the broader cohort of children and young people rather than individuals.

One of the QFCC's first initiatives in this area was linked to a recommendation in the Carmody Inquiry that the Queensland Government promote and advocate to families and communities their responsibility for protecting and caring for their own children. In 2014, the QFCC launched the *Talking Families* campaign, which includes a dedicated website and Facebook community that provides parents and carers with information and resources. The aims of *Talking Families* are to:

- help reduce the pressures on families
- encourage parents and caregivers to ask for help
- encourage others (for example friends, neighbours, colleagues) to offer help if they see a parent struggling
- provide information about where to access support services
- demystify the child and family support sector
- emphasise the shared responsibility we all have for protecting and caring for Queensland kids.

Key outputs from the *Talking Families* initiative include a survey of more than 4,000 families and carers to gather evidence about help-seeking, help-offering and help-accepting behaviours to inform their campaigns that encourage parents to seek support and community members to identify and support parents who are struggling. In addition, Central Queensland University has conducted additional research on the survey findings and the campaign was independently evaluated. The evaluation found that the campaign resulted in more than 40 per cent of parents and community members taking action to offer help as a direct result of the campaign. However, there was no increase in the proportion of parents who asked for or accepted help. The report recommended changes to the campaign to further address barriers to help-seeking and help-accepting behaviour. It was also noted that there was a decrease in the proportion of parents who indicated they needed help, which could be due to the increase in family and friends proactively offering help.

The QFCC has undertaken an initiative specific to Aboriginal and/or Torres Strait Islander families. Extensive research, consultation and stakeholder engagement was undertaken to inform the QFCC's Parents as First Protectors (PaFP) Project. The findings from this commissioned research informed the development and implementation of the *Families are First* initiative, which is currently hosted on the QFCC's website. This initiative presents various stories collected across Queensland

about the rich understanding of culture and how this is connected with effective child-rearing. By sharing these stories, the traditional medium of storytelling among Aboriginal and/or Torres Strait Islander communities is used to pass on knowledge to others, particularly knowledge in child-rearing and the experiences of positive role models in the community. The *Families are First* initiative is ongoing, inviting Aboriginal and/or Torres Strait Islander families to share their stories and wisdom through their website and other forums.

In addition, the QFCC advocates for children and young people by influencing the development of government policy and legislation. The QFCC has made submissions to various government departments and agencies across a wide range of issues, including but not limited to:

- domestic and family violence
- adoption
- disability
- youth justice and the age of criminal responsibility
- child abuse, including institutional child sexual abuse and online predatory behaviours
- various products for children, including toys, flotation devices, and baby bath aids
- mental health.

In total, the QFCC has made more than 90 written submissions. These submissions draw upon publicly available literature as well as the QFCC's own research activities and stakeholder feedback, such as through the Growing Up in Queensland surveys, data from the Child Death Register, and through the Youth Advisory Council. Some of these submissions were developed jointly with other agencies, which stakeholders indicated reflected positively on the QFCC with respect to working collaboratively.

The QFCC is represented on several networks, advisory groups and committees relevant to child deaths, mental health and youth justice. A key example is the QFCC's standing membership of Queensland's Consumer Product Injury Research Advisory Group (CPIRAG), where it has directly influenced research, consumer education and policy development on wide range of products for babies and children. The Principal Commissioner of the QFCC sits, or has sat on, several inter-agency committees such as the Child Protection Reform Leaders Group, Domestic and Family Violence Prevention Inter-Departmental Committee and Aboriginal and Torres Strait Islander Domestic Violence Committee.

These platforms allow the QFCC to advocate for the wellbeing of children and young people across several different areas.

3.2.2 Promoting and advocating for the safety and wellbeing of children and young people, particularly children in need of protection or in the youth justice system

The QFCC promotes and advocates for the safety and wellbeing of children and young people, particularly those in need of protection or in the youth justice system. Several examples have already been raised in relation to children and young people within the child protection system, including the development of the Joint Agency Protocol and various recommendations to improve the visibility of children within the child protection system and to ensure their safety and wellbeing.

In relation to children within the youth justice system, the QFCC has consistently advocated to raise the minimum age of criminal responsibility, commencing with a 2017 information paper which drew on international literature and comparative practices around the world, scientific evidence regarding the development of a child, as well as the views of young people. This information paper advocated raising the minimum age of criminal responsibility from 10 to 12 years and presented a range of other options for dealing with criminal acts committed by children and young people.

Subsequently, the QFCC has been involved in a wide range of other activities in relation to youth justice, including providing advice to government about the mental health of children and young people in youth detention facilities.

Over the last year, the QFCC conducted a systemic review of youth justice reforms, culminating in the *Changing the Sentence* report. This report recommended that the youth justice system focus on prevention and early intervention to divert children and young people from the youth justice system, and to provide specialised services for young people already within the system and responsible for the majority of criminal behaviour among children and young people. The report recommended that the youth justice system consider a rights-based approach to working with children and young people, focusing on their well-being, rather than through a criminal or punitive lens.

3.2.3 Analysis of the QFCC's performance

The QFCC has undertaken numerous initiatives to advocate for the wellbeing and safety of children and young people and promote the role of the community and families in ensuring the wellbeing and safety of children. Some of these initiatives were recommendations from the Carmody Inquiry while others have been initiated by the QFCC.

Stakeholder perspectives regarding the efficacy of the QFCC's advocacy initiatives are important. Stakeholder feedback suggested the advocacy work undertaken by the QFCC was well known and well regarded, mentioning advocacy work as one of the Commission's key roles (after its systemic oversight role). Stakeholders supported these views with reference to the strong links that the QFCC had established with children, young people and families through engagement with service providers, peak bodies and the Youth Advisory Council. Others felt the QFCC advocated effectively as they gained important insights into the perspectives held by children and young people and the issues they experienced through the data collected through the Growing Up in Queensland surveys and the Child Death Register.

However, there were a number of organisations that indicated that they would have liked to, or would like to in the future, work more closely with the QFCC on a range of issues. There are opportunities for the QFCC to contribute to, or leverage, the expertise of several other organisations, which may lead to better outcomes for children and young people. One area is in the area of mental health. The QFCC has identified youth mental health as a priority moving forward, and it is likely that working with the Queensland Mental Health Commission (QMHC) would generate greater efficiency and effectiveness in this area. In addition, the mental health of parents and carers are significant influences in the wellbeing of children and young people, which is another area that could be jointly addressed with the QMHC. Other potential areas include developing closer working relationships with organisations that work specifically with Aboriginal and/or Torres Strait Islander people to ensure that the principle of self-determination is upheld and that the Aboriginal and Torres Strait Islander communities are well-engaged.

Box 3.1 Area to consider – Working with other statutory agencies to advocate for children and young people

The QFCC could further explore opportunities to work strategically with other statutory agencies (such as the QMHC) on key strategic issues.

Source: ACIL Allen 2021

A small proportion of stakeholders also noted that, prior to the implementation of the Carmody recommendations, the previous Commission was responsible for advocacy for children and young people both at an individual and systemic level. The responsibility for individual advocacy now rests with the Public Guardian. There was some concern that trends of the issues among individual children are now no longer visible to the QFCC, when previously this was an important source of

information for the Commission's work. The Public Guardian noted that they regularly communicate issues that they have observed in their advocacy for individual children, particularly when there appear to be trends that suggest systemic issues within the child protection system. However, they were not able to confirm if this has had an impact in guiding the QFCC's work.

Box 3.2 Area to consider – Greater coordination with the Public Guardian to identify potential systemic issues

The QFCC could ensure effective feedback between the OPG and the QFCC, particularly where there appears to be evidence that individual issues are indicative of broader systemic issues.

Source: ACIL Allen 2021

3.3 Developing and reviewing workforce planning strategies for the child protection system

Several of the recommendations from the Carmody Inquiry recommended that the QFCC address workforce issues within the child protection sector, including to:

- lead the development of a capacity-building and governance strategy for non-government agencies to improve relationships between government and non-government agencies (Recommendation 6.6)
- lead the development of a workforce planning and development strategy as a collaboration between government, non-government and education sectors (Recommendation 10.7)
- lead a change process to develop a positive culture in the practice of child protection within government and the community (Recommendation 12.15).

Implementation of these recommendations were brought together in the development and release of the *Strengthening our Sector* strategy document. This strategy was developed by the QFCC in consultation with the sector and launched in 2016. As part of the development and implementation of this strategy, the QFCC partnered with several peak bodies and launched numerous initiatives, including:

- conducting place-based projects to model a community-led approach to helping communities be strong and more independent in defining their own priorities and developing their own solutions, and developing a place-based approach framework and toolkit
- organising leadership forums to guide positive cultural change
- developing a career promotion initiative for Aboriginal and Torres Strait Islander workers (including the Young, Black and Proud scholarships)
- developing and releasing a business maturity scorecard
- developing an industry excellence framework for child safe organisations
- delivering the 'Supporting the success of community-controlled organisations' report.

The implementation of the *Strengthening our Sector* strategy has been supported by the release of two action plans covering the 2016-17 and 2017-19 periods. The QFCC delivered several place-based reports that provided analysis of the child protection sector, including key local characteristics, facilitators and barriers to effective child protection practice. These enabled communities to better understand issues within the child protection sector in different locations, including any workforce issues that needed to be addressed.

In 2019, the QFCC delivered the *Workforce Futures* initiative to support organisations within the sector to harness technology, policy, social and demographic changes to better support the most

vulnerable children and families in the future. This initiative comprised four workshops which were attended by more than 90 representatives from 42 organisations.

In addition, the QFCC conducts regular workforce surveys to better understand how the workforce perceive their work and how well the sector is functioning more broadly. Some dimensions of the survey include perceptions of the culture of their organisation, the extent to which they feel supported as part of the workforce, and the extent to which staff are able to access professional development and learning opportunities to ensure they work effectively.

Following the initial focus on workforce development and planning, the QFCC has gradually and deliberately decreased its focus in this area. Currently, the QFCC provides oversight on workforce planning and development issues wherever these are relevant in the systemic reviews conducted or in evaluation activity. The QFCC's strategic decision to refocus effort away from workforce planning and development was based on the rationale that the QFCC was able to lead some strategic workforce initiatives but was unable to significantly influence their implementation and operation, with other organisations better placed to do so.

3.3.1 Analysis of the QFCC's performance

The QFCC has acquitted the recommendations from the Carmody Inquiry related to workforce development and planning well. There was a strong perception that the Commission was able to mobilise the sector, particularly peak bodies and industry organisations, to create momentum in reforming the workforce. Many of the tools and initiatives from implementing the strategy have endured to this day, such as the Young Black and Proud scholarships and the various tools developed for community organisations remain accessible and used, such as the Business Maturity tool and the Workplace Practice Self-Assessment Toolkit.

While stakeholders agreed that there were some early successes in this area, some felt that these early successes were not built upon or sustained once responsibility for their implementation was transferred to service delivery organisations, both within and outside government. These stakeholders felt that the QFCC could play a greater role ensuring that organisations within the child protection sector faithfully implement workforce strategies by continuing to report on workforce issues and holding the Department to account in relation to its workforce commitments.

Other stakeholders indicated that while the workforce development and planning undertaken by the QFCC was necessary at the time, it was perhaps too tactical and operational and did not fully utilise the unique position and abilities of the QFCC. These stakeholders felt that the QFCC's ability to undertake systemic reviews could be used to better understand systemic issues within the workforce, such as workforce culture and how that affects decision making for children within the child protection system.

Overall, despite some early success achieved by the delivery of the *Strengthening our Sector* Strategy and its associated activities, stakeholders believed that there were still significant issues affecting the child protection workforce. The QFCC has an opportunity to provide greater oversight into how well workforce development and planning initiatives are being implemented and consider systemic issues affecting the child protection workforce.

Box 3.3 Area to consider – Workforce Development and Planning

The QFCC may wish to revisit the workforce development and planning function to consider if there is a role for the QFCC to hold organisations to account for workforce reforms to ensure that agreed reforms are fully implemented and benefits are fully realised.

Source: ACIL Allen 2021

3.4 Informing and educating the community

3.4.1 Services available to strengthen and support families

Work undertaken by the QFCC to inform and educate the community about the child protection system includes the implementation of Recommendation 6.1 of the Carmody Inquiry to ‘establish and maintain an online statewide information source of community services available to families and children to enable easy access to services and to provide an overview of services for referral and planning purposes’. In November 2015, the *oneplace* community services directory, which provides a single and up-to-date database of community services available to families and children was launched. The Commission outsources the maintenance of this database, which currently holds records for more than 58,000 services across Queensland. The *oneplace* directory is searched between 8,000 and 13,000 times per month, with searches peaking at about 15,000 per month when the directory is actively promoted.

The QFCC has also developed resources for both parents and children to understand and navigate the child protection system, which are available on their website. For parents, there is a toolkit to help explain every aspect of the child protection system, including the different terms and abbreviations that are used, information on how the Department of Child Safety works, various assessment and legal processes, as well as information on how and where to obtain assistance. For children, there is a fact sheet that provides children with basic information on key facts about the child protection system, their rights, and how they can obtain assistance if they do not agree with any aspect of the child protection process.

Another key area where the QFCC has invested significant effort in informing and educating the community is online child sexual abuse. The impetus for this was the 2015 Queensland Organised Crime Commission of Inquiry (the Byrne Report), which found that the increasing proliferation of various information and communication technologies exposed children to increasing risks of harm through online child sexual abuse. The QFCC developed and released the *Out of the Dark* campaign, which aimed to educate parents, children and young people about how to recognise, prevent and respond to online child sexual grooming.

The QFCC has widely publicised other information and resources to prevent online child sexual abuse, including:

- links to a list of preferred online safety service providers
- resources (including a brochure and a poster) to provide tips and hints for adults to help children and young people to stay safe online
- hosted events with online safety experts and advocates
- an online reporting tool developed with various stakeholders to help children and adults report problematic online activity
- promoted the resources of other stakeholders, including Queensland Police Service
- consulted with children and young people to develop prevention campaign content.

3.4.2 Relevant research to inform the child protection system

One of the most significant pieces of research undertaken by the QFCC is the *Growing Up in Queensland* project. This project is a biennial survey of children across Queensland that collects information, stories and experiences of children and young people as well as their perspectives and opinions about issues that are important to them. The *Growing Up in Queensland* survey was conducted in 2018 and 2020, with the most recent iteration involving more than 8,000 children and young people across the state aged between four and 18 years.

Unlike typical large-scale surveys, the *Growing Up in Queensland* survey involves the use of multiple data collection methods that have been co-designed with children and young people, including the Youth Advisory Council. In the 2018 edition these methods included a traditional survey, focus groups, artworks and postcard activity. For the 2020 edition, face-to-face engagement was not possible due to the COVID-19 pandemic, which brought added focus to the artwork and postcard activities as alternative data collection methods.

Each edition of the survey has resulted in multiple publications, including a whole of survey report, summary reports by regions, an Aboriginal and/or Torres Strait Islander focused report (Gulu Ngayang Bulma – the views of Aboriginal and Torres Strait Islander children and young people), and various topic-focused infographics covering mental health, education, the environment and health issues.

3.4.3 Analysis of the QFCC's performance

Stakeholders overwhelmingly recognised the *Growing Up in Queensland* reports as a key achievement of the QFCC. Many stakeholders felt that this research and the products developed as a result of the report have been extremely valuable and useful in conveying the voice of children and young people. Several stakeholders indicated that they actively use the findings from the *Growing Up in Queensland* reports when developing policies or programs for children and young people. In addition, other stakeholders reported that *Growing Up in Queensland* provided the QFCC with a clear view of the views of children and young people, which then enabled the Commission to advocate for children and young people in a well-informed and robust manner.

A couple of stakeholders stressed that the scale and comprehensiveness of *Growing Up in Queensland* means that it is a highly significant undertaking that required, and will require, significant resources and work to ensure that it is a success. The design of the survey and other data collection tools, implementation and data collection and analysis of data is a large task that very few other organisations could have achieved. The outputs of the project have been viewed very favourably by most stakeholders, who also indicated that the findings from the *Growing Up in Queensland* reports could be leveraged further to inform government policy.

In contrast, there was relatively little feedback on the resources that the QFCC developed for parents and children in relation to the child protection system. It is not clear if this was because these resources were developed some time ago and are less visible to stakeholders consulted for this review, or if these resources are not being used or accessed. There may be an opportunity to refresh these materials, and work with frontline child protection staff to identify the most effective ways of providing them to parents and carers.

Box 3.4 Area to consider – Informing and educating the community

The QFCC may consider investigating the extent to which the materials developed for parents and children to better understand and navigate the child protection system are being effectively utilised and whether they can be further improved or updated.

Source: ACIL Allen 2021

3.5 Developing and coordinating a multidisciplinary research program

This legislative function stems from Recommendation 12.13 of the Carmody Inquiry which requires that the QFCC ‘develop a rolling three-year research schedule with research institutions and practitioners to build the evidence base for child protection practice’.

The QFCC has regularly engaged with the research community to coordinate research in the child protection area and communicate research findings with their stakeholders. Between 2015 and 2020, the QFCC provided monthly research scans to identify and present new research findings that informed child protection policy and practice. Research summaries were also prepared. These resources are hosted online on the QFCC’s Knowledge and Resource Hub.

The QFCC previously hosted *Research in the Round* events, which showcased the work of Australian researchers who focused on the child protection system. These included presentations from researchers, facilitated panel discussions, and opportunities for networking. A number of regional-focused research roundtables were held to explore issues specific to certain regions and the potential for place-based solutions.

The QFCC, in consultation with stakeholders from academia, government and non-government agencies, developed two research agendas covering the periods 2016-19 and 2019-22. The most recent research agenda includes six key themes for research:

- understanding the importance of the early years
- recognising the strength of Indigenous families and communities
- supporting young people vulnerable to disengaging with education
- creating opportunities for young people leaving care
- improving youth mental health
- leading in changing times.

The QFCC has undertaken research activity through the use of data collected as part of the Child Death Register. Data from the register is used to:

- produce annual reports on child deaths
- provide evidence for submissions to improve the safety of children
- support external research projects, policy or program initiatives
- raise community awareness and develop prevention initiatives.

The QFCC recently published an analysis of the 16 years of child death data held in its Child Death Register. The report provides a high-level overview of broad trends and patterns in child mortality in Queensland. By analysing all deaths occurring during the 16-year period, the QFCC was able to identify patterns and conduct complex statistical analysis to generate new insights into risk and protective factors for particular causes of death.

3.5.1 Analysis of the QFCC's performance

Evidence considered by this review indicates that the QFCC has met every aspect of the requirements of Recommendation 12.13 of the Carmody Inquiry. However, most stakeholders consulted did not mention the outputs associated with the research agendas, nor indicate how this research (as distinct from other QFCC outputs) had shaped the policies of either the QFCC or other government departments.

This may be explained in part because, despite the development of the research agenda, the QFCC is not able to dictate the research undertaken by academia, and other external influences may mean the QFCC's research themes are not prioritised. There may be opportunity to work in a more targeted manner, such as partnering more closely with a specific university or research institution. This may mean redirecting some of the resources used to develop the research agendas and require reconsideration of the discharge of responsibilities arising from Recommendation 12.13.

3.6 Assisting relevant agencies to evaluate the efficacy of their programs

This legislative function is related to Recommendation 12.14 of the Carmody Inquiry, which recommends that departments with child protection responsibilities 'develop an evaluation framework in the initial stages of program design to ensure the inputs needed for success are in place, theory of change is well understood and supported by an implementation plan, and to provide milestones for monitoring the quality of outputs, the achievement of outcomes and the assessment of impacts'.

In response to this recommendation, the QFCC convened a Family and Child Evaluation Community of Practice and conducted a series of evaluation workshops to facilitate the development of program logics, theories of change and evaluation frameworks. The QFCC has also collated and disseminated evaluation capability building resources and developed a high-level overarching Evaluation Framework for the Queensland Child Protection Reform Program.

The QFCC led the implementation and outcomes evaluations of the 10-year reform program based on recommendations from the Carmody Inquiry. In addition, the QFCC regularly conducts surveys and place-based studies that can be used as data sources for both oversight activities and evaluation.

3.6.1 Analysis of the QFCC's performance

While the QFCC's activities in this area have met the intent of Recommendation 12.14, stakeholders consulted for this review reported that evaluation is a specialist skillset that is not well aligned with the QFCC's other activities and functions. As such, they questioned whether there were other agencies, such as the Queensland Government Statistician's Office (QGSO) within Queensland Treasury, that might be better placed to provide expert advice or guidance in relation to program evaluation.

Another possible way in which the QFCC could more efficiently acquit Recommendation 12.14 might be to actively partner with the aforementioned agencies, or academic institutions with demonstrated expertise in the evaluation of government programs (particularly child protection related programs) to develop specific evaluation advice and capability-building resources for the child protection sector.

Box 3.5 Area to consider – Research and evaluation

The QFCC may wish to consider streamlining (where legislative change is not possible) or reallocating (where legislative change is possible) activities where the QFCC does not appear to have strong impact, such as in the research agendas (as distinct from research associated with *Growing Up in Queensland* and analysis of the Child Death Register) and developing evaluation capabilities.

Source: ACIL Allen 2021

3.7 Providing leadership and giving expert advice to relevant agencies

Some of the activities covered under Section 3.2 in the advocacy work conducted by the QFCC is also relevant to this legislative function, particularly in the submissions that have been developed by the QFCC and their involvement in a range of government committees across different subject areas.

In addition, the QFCC has developed several fact sheets for use by frontline workers within the child protection sector. This is another form of providing expert advice.

3.7.1 Analysis of the QFCC's performance

Evidence suggests that the QFCC is a trusted and well-regarded voice around the table that can help shape government policy that impacts upon children, young people and their families. The QFCC is typically invited to participate in more committees and forums than they have the capacity to accept, which reflects they are considered a valuable contributor to such fora. The QFCC assesses the extent to which involvement in committees or forums aligns with their core strategic objectives, and the extent to which their experience and expertise truly adds value.

3.8 Increasing collaboration and building capacity across different sectors to improve the delivery of services to children, young people and families

Some examples of collaboration and capacity building across different sectors have been covered in previous sections. Some key examples include the development of the *Joint Agency Protocol to Reduce Preventable Police Call-Outs to Residential Care Services*, and through engaging with peak bodies and industry organisations in workforce planning and development reforms.

Throughout the life of the QFCC there have been several cross-sector groups that have been established for various purposes. These groups include:

- Reviews Strategic Oversight Group
- Strategic Cross-Agency Oversight Group
- Community Partnerships Group.

Stakeholders indicated that the QFCC regularly hosts or convenes information sessions and forums that bring together leaders of different organisations to discuss strategic issues or to share information on the work being undertaken. The QFCC also regularly organises briefing sessions that bring together different sectors to discuss some of the research that the QFCC is publishing.

3.8.1 Analysis of the QFCC's performance

Stakeholders consulted for this review reported that, while they appreciate the opportunity to hear what other organisations are doing or to have information presented, they felt there was limited value in such engagements. On the other hand, when the QFCC brought organisations together for a specific purpose, including solving 'wicked' problems, there was far greater impact.

One example raised by stakeholders was when the QFCC brought together several organisations to make joint submissions on a number of different issues. The opportunity to work together more closely was viewed by stakeholders as a more meaningful form of engagement that genuinely considered the different positions that organisations may hold and how different forms of legislative reform might affect stakeholders similarly or differently. Joint submissions were also viewed by stakeholders as a more efficient process, as the development of the submission could be split among different agencies particularly when timeframes were tight. Joint submissions were also viewed as more effective as more organisations were advocating for the same outcome.

Overall, the evidence suggests that the QFCC works well with stakeholders from different sectors and is able to influence and mobilise these stakeholders for a wide variety of purposes consistent with its roles and functions. Further, numerous recommendations that the QFCC have made within its reviews and reports regarding collaboration and information sharing between sectors and organisations have resulted in significant changes and ways of working. Some examples are the development of the Our Child information sharing portal.

The QFCC should consider increasing collaboration across different sectors for specific purposes, and potentially reframe other activities such as information presentations to include a discussion of opportunities for collaboration on concrete activities or initiatives.

Box 3.6 Area to consider – Working with stakeholders

The QFCC should engage and collaborate with the sector in meaningful ways, such as the development of joint submissions, strategy development or implementation, while limiting engagements that are purely information sharing.

Source: ACIL Allen 2021

3.9 Analysing and evaluating, at a systemic level, policies and practices relevant to the child protection system and the performance of relevant agencies

Systemic reviews are a key part of the work that the QFCC undertakes as part of the oversight of the child protection system and are discussed in detail in Section 3.1.

Effectiveness, efficiency, and economy

4

This section discusses the overall view of the effectiveness, efficiency and economy of the QFCC.

4.1 Effectiveness and impact of the QFCC's work

4.1.1 Evidence of effectiveness and impact

There is strong evidence from both the document review and stakeholder consultations conducted for this review that the QFCC has been effective in its work. There is also clear evidence that the QFCC has focused on some of its legislative functions more than others, which is understandable for an organisation that is maturing beyond its initial establishment and consolidation stages. It is clear that the QFCC's allocation of organisational effort has been influenced by government requests to investigate systemic issues associated with specific deaths of children.

Table 4.1 provides an overview of the perceived impact and the strength of evidence to support the assessment of the QFCC's effectiveness across its legislative functions.

Table 4.1 Summary of the QFCC's effectiveness across its legislative functions

Function	Perceived impact	Strength of evidence
Oversight of the Child Protection System	High	Strong
Promoting and advocating for children and young people	High	Strong
Developing and reviewing workforce planning strategies for the child protection system	Medium	Moderate
Informing and educating the community	High	Strong
Developing and coordinating a multidisciplinary research program	Low	Weak
Assisting relevant agencies to evaluate the efficacy of their programs	Low	Moderate
Providing leadership and giving expert advice to relevant agencies	Medium	Strong
Increasing collaboration and building capacity across different sectors to improve the delivery of services to children, young people and families	Medium	Moderate
Analysing and evaluating, at a systemic level, policies and practices relevant to the child protection system and the performance of relevant agencies	High	Strong

Source: ACIL Allen 2021

During the conduct of this review, stakeholders often discussed the effectiveness of the QFCC within the context of its unique position as an independent commission and its current legislative remit. Stakeholders often acknowledged some of the difficult boundaries that the QFCC has to traverse in its work. This includes:

- **Oversight vs collaboration:** the QFCC is defined as an independent oversight body, but is highly reliant on influence and developing collaborative relationships with agencies to be effective. If the QFCC is overly reliant on its oversight powers, it risks alienating the sector it oversees, which could cause child protection agencies to become insular, reluctant to provide information or data in an honest and timely manner, and resistant to the implementation of recommendations. However, working more collaboratively with agencies it provides oversight risks negative perceptions of the QFCC's independence, particularly from government agencies. While almost all of the government stakeholders indicated that the QFCC exercises its independence appropriately, some community stakeholders felt that it did not exercise its independence nor challenge government decisions sufficiently. This highlights the very complex environment in which the QFCC operates.
- **Recommendation vs implementation:** several stakeholders identified that, regardless of how well the QFCC performs its functions by conducting reviews and providing reports, responsibility for implementing the resulting recommendations ultimately lies with service organisations. The QFCC is limited in its ability to influence actual reform at this level. However, some stakeholders felt that the QFCC could take a stronger position in the monitoring and reporting on implementation of its recommendations and should continue to be highly visible and vocal in holding government to account. One way the QFCC has done this is to conduct post-implementation reviews, which it has done for some reforms.

In the context of these complexities in its operating environment, stakeholders felt that the QFCC has been effective in its work, particularly in the areas where it has devoted a greater proportion of time to. Particular highlights are the oversight and systemic reviews of the child protection system (including child death reviews and reporting), their advocacy work, and research (particularly the *Growing Up in Queensland* project).

This review endorses this view.

4.1.2 Limitations of the QFCC's work

Alongside the general agreement of the QFCC's effectiveness, stakeholders identified a small number of issues where more could have been done. These issues include:

- *Aboriginal and/or Torres Strait Islander children in the child protection system:* While the QFCC has ensured that several of its reports provide a focus on Aboriginal and Torres Strait Islander children, such as the *Growing Up in Queensland* reports and the *Aboriginal and Torres Strait Islander Child Deaths*, some stakeholders highlighted that the over-representation of Aboriginal and Torres Strait Islander children in the child protection system remains high, and that relatively few of the systemic reviews and oversight activities have specifically addressed this issue. Some stakeholders also indicated that they were unsure about the specific roles and responsibilities of the Commissioner within the QFCC, and how that role is sufficiently differentiated from the role of the Principal Commissioner. Some support for joint Principal Commissioners was voiced. Stakeholders acknowledged that there has been some progress recently in this area, particularly with the monitoring and review of the Aboriginal and Torres Strait Islander Child Placement Principle and hoped that this is indicative of the QFCC's intentions to undertake further efforts to reduce the over-representation of Aboriginal and Torres Strait Islander children in the child protection system.
- *Inability to table reports directly to parliament:* Some stakeholders suggested that the inability of the QFCC to table reports directly to parliament limits the visibility of the QFCC, which then requires the QFCC to promote their work aggressively in order to demonstrate the benefits that they have brought to the child protection system. This could also result in a perceived lack of independence, as the QFCC's work can appear to be guided by government priorities rather than independent thought or judgement. A related limitation that was raised was the

lack of legislative powers to do own-motion reviews – while this is not within the scope of this review, it was noted as a potential limitation of the QFCC’s effectiveness.

- *Clarity on the measurement of outcomes:* A small number of stakeholders expressed the view that there is an opportunity for the QFCC to better articulate the outcomes it is working towards and to demonstrate the extent to which these have been achieved. The lack of visible public reporting on these outcomes has made it difficult for some stakeholders to comment on the effectiveness of the Commission. A clear demonstration of the outcomes the QFCC has achieved also provides a clear justification of the resourcing provided to the QFCC.

Box 4.1 Area to consider – Commissioner’s role

The QFCC may wish to provide a clear portfolio of work that is the responsibility of the Commissioner, distinct from the Principal Commissioner, and communicate this clearly to all stakeholders – alternatively consider appointing joint Principal Commissioners including one who is an Aboriginal and/or Torres Strait Islander person.

Source: ACIL Allen 2021

Box 4.2 Area to consider – Demonstration of outcomes

The QFCC could consider ways to further demonstrate achievement of organisational objectives and outcomes to external stakeholders.

Source: ACIL Allen 2021

4.1.3 Future opportunities

Stakeholders consulted throughout the review process highlighted a number of opportunities that could be used by the QFCC to further enhance its effectiveness. The first opportunity is to develop and reinforce a rights-based approach for children within the child protection system. Queensland has appointed a Human Rights Commissioner and has committed to upholding the rights of its citizens, including its most vulnerable citizens. The QFCC has begun some work in this area, including adopting a rights-based approach in its educational material for children in the child protection system. Other immediate and existing opportunities to reinforce the rights-based approach include reforms of the youth justice system.

Another area of work that the QFCC identifies as being of high priority is youth mental health. The QFCC has completed some work in this area; however, some stakeholders reported that the COVID-19 pandemic and the associated restrictions or rules have significantly affected youth mental health and there is an opportunity for the QFCC to make greater inroads into the issue of youth mental health, most likely through collaborating with the Queensland Mental Health Commission.

The QFCC *Future Ready* report also identifies a number of opportunities for the Commission, which are aligned to two of our areas for consideration that have been raised throughout the report. The first opportunity identified was an enhanced focus on Aboriginal and Torres Strait Islander children, given the continued over-representation within the child protection system. The second area was the reallocation of resources towards strategic priorities, which this review has also suggested.

4.2 Efficiency of the QFCC’s work

From the information available to this review, the QFCC performs its functions with appropriate regard to efficiency. As an independent oversight statutory body, the QFCC provides a unique set

of abilities and does not duplicate functions delivered by either government or non-government organisations. The QFCC's unique position enables it to undertake work that no other organisation can. Stakeholders expressed this view particularly strongly in relation to the QFCC's oversight functions of the child protection system and conduct of systemic reviews. However, there was less agreement regarding functions such as the research and evaluation capability building functions, where other organisations may be considered better placed to lead such effort.

The QFCC has demonstrated agility and the ability to progress some programs and activities at a faster pace than is possible within government departments. One example provided was the QFCC's establishment of their Youth Advisory Council, compared with the Office for Youth's progress establishing a panel of advisors made up of young people.

Many stakeholders reported not having sufficient visibility of the QFCC's financial arrangements to provide a clear view on its efficiency.

4.3 Achieving economy

Economy of an entity can be interpreted as the extent to which it provides value and, in the case of the QFCC, is positively impacting upon the lives of Queensland's children, young people and their families.

Without exception, stakeholders consulted for this review reported that the QFCC is having a significant, positive impact and that the Queensland's children, young people and their families would be served less well if the Commission ceased to operate.

Summary and conclusions

5

A common theme uncovered by this review is that the QFCC is at a significant stage in the organisational life cycle. While the QFCC was formed as part of the Queensland Government's response to recommendations from the Carmody Inquiry, and its key functions were influenced by the Inquiry's recommendations, it is apparent that the relevance of the Carmody Inquiry is diminishing as recommendations have been implemented and evaluated. There is, therefore, a need for the QFCC to look forward to the next chapter.

Through this review, the evidence indicates that there are some functions and roles of the QFCC that are more highly valued by stakeholders and areas where stakeholders clearly perceive the QFCC to be more effective.

The evidence also suggests that there are some issues that remain unresolved within the child protection system and should remain clear priorities for the QFCC moving forward.

Several areas to consider that have been raised throughout the report. The QFCC could:

- further explore opportunities to work strategically with other statutory agencies and peak bodies on key strategic issues
- ensure effective feedback between the OPG and the QFCC, particularly where there appears to be evidence that individual issues are indicative of broader systemic issues
- revisit the workforce development and planning function to consider if there is a role for the QFCC to hold organisations to account for workforce reforms to ensure that agreed reforms are fully implemented and benefits are fully realised
- investigate the extent to which the materials developed for parents and children to better understand and navigate the child protection system are being effectively utilised and whether they can be further improved or updated
- streamlining (where legislative change is not possible) or reallocating (where legislative change is possible) activities where the QFCC does not appear to have strong impact, such as in the research agendas (as distinct from research associated with *Growing Up in Queensland* and analysis of the Child Death Register) and developing evaluation capabilities
- provide a clear portfolio of work that is the responsibility of the Commissioner, distinct from the Principal Commissioner, and communicate this clearly to all stakeholders – alternatively consider appointing joint Principal Commissioners including one who is an Aboriginal and/or Torres Strait Islander person
- consider ways to further demonstrate achievement of organisational objectives and outcomes to external stakeholders
- engage and collaborate with the sector in meaningful ways, such as the development of joint submissions, strategy development or implementation, while limiting engagements that are purely information sharing.

Carmody Inquiry recommendations led by the QFCC

A

Table A.1 Recommendations from the Carmody Inquiry led by the QFCC

Recommendation	Status
1.1 The Queensland Government promote and advocate to families and communities their responsibility for protecting and caring for their own children.	Completed
6.1 The Family and Child Council (proposed in rec. 12.3) ensure the establishment and maintenance of an online statewide information source of community services available to families and children to enable easy access to services and to provide an overview of services for referral and planning purposes.	Completed
6.3 The Family and Child Council (proposed in rec. 12.3) ensure the establishment and maintenance of an online statewide information source of community services available to families and children to enable easy access to services and to provide an overview of services for referral and planning purposes.	Completed
6.6 The Family and Child Council (proposed in rec. 12.3) lead the development of a capacity building and governance strategy for non-government agencies, especially those with limited resources, that will: <ul style="list-style-type: none"> – improve relationships between government and non-government agencies – facilitate the establishment of a community services industry body, which will champion the non-government service sector in its delivery of high-quality community services. 	Completed
10.7 The Family and Child Council (proposed in rec. 12.3) lead the development of a workforce planning and development strategy as a collaboration between government, the nongovernment sectors and the vocational education and training sector and universities.	Completed
12.3 The Premier establish the Family and Child Council to: <ul style="list-style-type: none"> – monitor, review and report on the performance of the child protection system in line with the National Framework for Protecting Australia’s Children 2009–2020 – provide cross-sectoral leadership and advice for the protection and care of children and young people to drive achievement of the child protection system – provide an authoritative view and advice on current research and child protection practice to support the delivery of services and the performance of Queensland’s child protection system – build the capacity of the nongovernment sector and the child protection workforce. <p>The council should have two chairpersons, one of whom is an Aboriginal person or Torres Strait Islander.</p>	Completed
12.13 The Family and Child Council develop a rolling three-year research schedule with research institutions and practitioners to build the evidence base for child protection practice.	Completed

	Recommendation	Status
12.14	Each department with child protection responsibilities: <ul style="list-style-type: none"> – develop an evaluation framework in the initial stages of program design to ensure the inputs needed for success are in place, theory of change is well understood and supported by an implementation plan, and to provide milestones for monitoring the quality of outputs, the achievement of outcomes and the assessment of impacts – undertake and source research to inform policy and service delivery, identify service gaps and better understand the interface between children, young people and the service system. 	Completed
12.15	The Child Protection Reform Leaders Group and the Family and Child Council lead a change process to develop a positive culture in the practice of child protection in government and the community, including setting benchmarks and targets for improvement of organisational culture, staff satisfaction and stakeholder engagement, and report this in the Child Protection Partnership report.	Completed
13.26	The Family and Child Council develop key resource material and information for children and families to better assist them in understanding their rights, how the child protection system works including court and tribunal processes and complaints and review options in response to child protection interventions	Completed

Source: ACIL Allen 2021 based on Taking responsibility: A roadmap for Queensland child protection:

Stakeholders consulted and discussion guides

B

B.1 Stakeholder organisations consulted

Government departments and statutory agencies

- Queensland Family and Child Commission
 - Executive Group
 - Advisory Council
 - Audit and Risk Committee
- Department of Children, Youth Justice and Multicultural Affairs
- Department of Environment and Science
- Department of the Premier and Cabinet
- Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships
- Director, Child Protection Litigation
- Education Queensland
- Office of the Public Guardian
- Queensland Civil and Administrative Tribunal
- Queensland Health
- Queensland Mental Health Commission
- Queensland Police Service
- Queensland Treasury

Non-government organisations

- Community Services Industry Alliance
- Peak Care Queensland
- Queensland Aboriginal and Torres Strait Islander Child Protection Peak
- Queensland Council of Social Services

B.2 Discussion guides

B.2.1 Discussion guide used with stakeholders

Introduction

1. Can you please tell me about your role and organisation, and how your organisation works with or is impacted by the QFCC's work?
2. What do you understand to be the role and functions of the QFCC?
3. Which aspects of the QFCC's role or functions are most relevant to you?

Review questions

4. What impact has the QFCC's work had on your organisation and your stakeholders?
5. Do you consider the QFCC's work to be effective? Why or why not?
6. Do you consider the QFCC to be efficient in its work? Why or why not?
7. Are there any unintended or unexpected impacts (whether positive or negative) arising from the QFCC's work? Please provide specific examples.
8. Do you have any other comments regarding the QFCC's work?

B.2.2 Discussion guide used with QFCC Executive and Governance Groups

1. When considering the various legislative functions of the QFCC, how have the scope and priorities of the Commission's work changed over time? What are the reasons for this?
2. What have been the key achievements of the QFCC? What impact has that had?
3. Do you consider the QFCC's work to be effective? How do you gauge effectiveness? What enables / constrains QFCC's effectiveness?
4. Do you consider the QFCC to be efficient in its work? How do you gauge efficiency? What enables / constrains QFCC's efficiency?
5. What impact has the QFCC's work had on other relevant agencies?
6. How has the resourcing of the QFCC changed over time, if at all? Are there particular areas of work you would like to pursue should further resources be available?
7. Are there any unintended or unexpected impacts (whether positive or negative) arising from the QFCC's work? Please provide specific examples.
8. Do you have any other comments regarding the QFCC's work?

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