



# **Commissioner for Children and Young People**

## **2016-17 Annual Report**

GPO Box 1146, Adelaide SA 5001  
Wakefield House, Level 6, 30 Wakefield St, Adelaide, SA, 5000

[occyp.sa.gov.au](http://occyp.sa.gov.au)

Contact phone number +61 8 8226 3355

Contact email [occyp@sa.gov.au](mailto:occyp@sa.gov.au)

**ISSN**

**Date presented to Minister:** 29 September 2017

To: Minister for Education and Child Development

Minister for High Education and Skills

Member of the Executive Council

This annual report is presented to Parliament to meet the statutory reporting requirements of the *Public Sector Act 2009*; and meets the requirements of Premier and Cabinet Circular *PC013 Annual Reporting*.

This report is verified to be accurate for the purposes of annual reporting to the Parliament of South Australia.

Submitted on behalf of the Office of the Commissioner for Children and Young People by:

Helen Connolly

Commissioner for Children and Young People



25/09/17

---

Signature

---

Date

## Contents

<b>Contents</b> .....	<b>3</b>
<b>Section A: Reporting required under the <i>Public Sector Act 2009</i>, the <i>Public Sector Regulations 2010</i> and the <i>Public Finance and Audit Act 1987</i></b> .....	<b>4</b>
Purpose or role .....	4
Objectives.....	4
Key strategies and their relationship to SA Government objectives.....	5
Programs and initiatives and their effectiveness and efficiency .....	5
Legislation administered by the Commissioner for Children and Young People.....	5
Organisation of the Commissioner for Children and Young People .....	5
Other agencies related to this agency (within the Minister’s area/s of responsibility) .....	5
Employment opportunity programs .....	6
Agency performance management and development systems.....	6
Occupational health, safety and rehabilitation programs and their effectiveness.....	6
Fraud detected .....	6
Strategies implemented to control and prevent fraud.....	6
Whistle-blowers’ disclosure .....	6
Executive employment in the Commissioner for Children and Young People .....	6
Consultants .....	7
Financial performance of the Office of the Commissioner for Children and Young People	7
<b>Section B: Reporting required under any other act or regulation</b> .....	<b>8</b>
Reporting required under the <i>Carers’ Recognition Act 2005</i> .....	8
<b>Section C: Reporting of public complaints as requested by the Ombudsman</b> ...	<b>9</b>
Summary of complaints by subject.....	9
Complaint outcomes.....	9

## **Section A: Reporting required under the *Public Sector Act 2009*, the *Public Sector Regulations 2010* and the *Public Finance and Audit Act 1987***

### **Purpose or role**

The Commissioner for Children and Young People is an independent statutory office. The Commissioner promotes and advocates for the rights, development and well-being of all children and young people in South Australia. The Commissioner is committed to advocating for children and young people's involvement in decision-making that affects them, giving particular consideration to the needs of vulnerable and at-risk children and young people.

### **Objectives**

The functions of the Commissioner as stated in Division 2, Section 14 (1) (*uncommenced provisions*) of the *Children and Young People (Oversight and Advocacy Bodies) Act 2016* (OAB Act) are:

- (a) *to promote and advocate for the rights and interests of all children and young people in South Australia; and*
- (b) *to promote the participation by children and young people in the making of decisions that affect their lives; and*
- (c) *to advise, and make recommendations to, Ministers, State authorities and other bodies (including non-Government bodies) on matters related to the rights, development and wellbeing of children and young people at a systemic level; and*
- (d) *to inquire under section 15 into matters related to the rights, development and wellbeing of children and young people at a systemic level (whether a Governmental system or otherwise); and*
- (e) *to assist in ensuring that the State, as part of the Commonwealth, satisfies its international obligations in respect of children and young people; and*
- (f) *to undertake or commission research into topics related to children and young people; and*
- (g) *to prepare and publish reports on matters related to the rights, development and wellbeing of children and young people at a systemic level; and*
- (h) *such other functions as may be conferred on the Commissioner by or under this or any other Act*

## Key strategies and their relationship to SA Government objectives

Key strategy	SA Government objective
<p>Following a selection process involving children and young people, SA's first Commissioner commenced on 18 April 2017. Until 30 June 2017, the Commissioner has engaged in:</p> <ul style="list-style-type: none"> <li>• administration and infrastructure establishment</li> <li>• scoping her portfolio and priorities</li> <li>• commencing a listening tour to personally connect with a large number of children and young people</li> <li>• meeting with other key stakeholders</li> <li>• seeking suitable accommodation.</li> </ul>	<p>Implementing a Royal Commission recommendation made by the Hon Justice Margaret Nyland in August 2016 to establish a Commissioner.</p>

## Programs and initiatives and their effectiveness and efficiency

Program name	Indicators of performance/effectiveness/efficiency	Comments
Not Applicable		

## Legislation administered by the Commissioner for Children and Young People

Not applicable. The Commissioner is established under the OAB Act but does not administer any legislation.

## Organisation of the Commissioner for Children and Young People

Not applicable

## Other agencies related to this agency (within the Minister's area/s of responsibility)

The OAB Act establishes the Commissioner and a new Child Development Council (*uncommenced provisions*); the OAB Act also retains the Guardian for Children and Young People (GCYP) and the Child Death and Serious Injury Review Committee (CDSIRC).

All four of the above entities are (or will be) administratively and operationally funded and supported by the Government of South Australia through the Department for Education and Child Development (DECD).

### Employment opportunity programs

Program name	Result of the program
Not applicable	-

### Agency performance management and development systems

Performance management and development system	Assessment of effectiveness and efficiency
Not applicable	-

### Occupational health, safety and rehabilitation programs and their effectiveness

Occupational health, safety and rehabilitation programs	Effectiveness
Not applicable	-

### Fraud detected

Category/nature of fraud	Number of instances
Not applicable	-

### Strategies implemented to control and prevent fraud

Not applicable

Data for the past five years is available at: Not applicable

### Whistle-blowers' disclosure

Number of occasions on which public interest information has been disclosed to a responsible officer of the agency under the *Whistle-blowers' Protection Act 1993* Not applicable

Data for the past five years is available at: Not applicable

### Executive employment in the Commissioner for Children and Young People

Executive classification	Number of executives
SAES2	1

Data for the past five years is available at: Not applicable

## Consultants

The following is a summary of external consultants that have been engaged by the agency, the nature of work undertaken and the total cost of the work undertaken.

Consultants	Purpose	Value
All consultancies below \$10,000 each	Not applicable	-
<b>Consultancies above \$10,000 each</b>		
Yellowscope Pty Ltd	Childs' Rights Resources	\$11 550
<b>Total all consultancies</b>		<b>\$11 550</b>

Data for the past five years is available at: Not applicable

## Financial performance of the Office of the Commissioner for Children and Young People

The following is a brief summary of the overall financial position of the agency. The information is unaudited. Financial services are provided by the Department for Education and Child Development (the Department). The financial operations of the Commissioner's Office are consolidated into and audited through the Department. Accordingly, full financial reports are not provided as part of this annual report. A summary of expenditure is provided below.

<b>Financial summary of expenditure 2016-17</b>			
Item	Actual	Budget	Variation
	\$'000	\$'000	\$'000
Salaries and wages	158	422	264
Goods and services	94	421	327
<b>Total</b>	<b>252</b>	<b>843</b>	<b>591</b>

### Other financial information

The Commissioner commenced on 18 April 2017 and by 30 June 2017. The office had recruited and selected four staff.

### Other information requested by the Minister(s) or other significant issues affecting the agency or reporting pertaining to independent functions

Not applicable

## Section B: Reporting required under any other act or regulation

### ***Children and Young People (Oversight and Advocacy Bodies) Act 2016***

As there are no specific requirements to submit an annual report in the OAB Act, the provisions of the Public Sector Act 2009 apply –

*Public Sector Act 2009, section 12:*

- (1) Each public sector agency must, once in each year, present a report on the agency's operations to the agency's Minister.*
- (2) Subject to this section, the report must be related to a financial year and must be presented within 3 months after the end of the financial year to which it relates.*
- ....*
- (8) A Minister must, within 12 sitting days after receipt of a report under this section, cause copies of the report to be laid before each House of Parliament.*

### **Reporting required under the *Carers' Recognition Act 2005***

The *Carers' Recognition Act* is deemed applicable for the following: Department for Communities and Social Inclusion, Department for Education and Child Development, Department for Health and Ageing, Department of State Development, Department of Planning, Transport and Infrastructure, South Australia Police and TAFE SA.

*Section 7: Compliance or non-compliance with section 6 of the Carers Recognition Act 2005 and (b) if a person or body provides relevant services under a contract with the organisation (other than a contract of employment), that person's or body's compliance or non-compliance with section 6.*

Not applicable



## Section C: Reporting of public complaints as requested by the Ombudsman

### Summary of complaints by subject

Not applicable
----------------

Data for the past five years is available at: Not applicable

### Complaint outcomes

Not applicable	
----------------	--