

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, HOUSING, COMMUNITY SERVICES AND
INDIGENOUS AFFAIRS PORTFOLIO
2010-11 Additional Estimates Hearings

Outcome Number: 7

Question No: 224

Topic: Family Responsibilities Commission

Hansard Page: 25/2/2011-CA15-16

Senator Boyce asked:

Would you be able to report against the 22 recommendations made in the FRC Report.

Answer:

A report against all recommendations of the *Implementation Review of the Family Responsibilities Commission: Final Report* is available at **Attachment A**. Input has been provided by Queensland Government and the Family Responsibilities Commission where the recommendation falls within their jurisdiction.

Of the 22 recommendations, 20 have been agreed and either implemented or are in the process of being implemented. Partial agreement was made to Recommendation One, with the parties continuing to explore ways to simplify reporting within the current reporting framework. Recommendation 15 has been investigated by the FRC, which has formed a view that it is difficult to apply this recommendation given the legislative parameters governing the operation of the FRC.

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Attachment A

Recommendation 1

It is recommended that the Board explore ways to minimise the reporting burden on the FRC such as through restructuring reports to suit multiple purposes, and coordinating information requests between members.

The Queensland Government advises that the FRC is subject to the same quarterly and annual reporting requirements as other statutory authorities. The FRC advises that a Government Liaison Officer has been recruited, through funding provided by the Queensland Government, to comply with reporting obligations, briefings and media requests, which will assist with the reporting burden.

Recommendation 2

It is recommended that the following changes to the FRC Act should be considered in any legislative review:

- *streamlining administrative procedures or enabling flexibility to depart from processes where sensible;*
- *outlining 'Plain English' versions of FRC documents that are to be provided to clients, or allowing the FRC discretion to determine the wording of this paperwork depending on the capacity of the client;*
- *empowering Local Commissioners to convene a conference without Commissioner Glasgow present in certain circumstances;*
- *removing the requirement for the FRC to produce case plans for clients; and*
- *allowing for two members of the FRC Board to constitute a quorum and for members to send delegates.*

The Queensland Government advises it has amended legislation to streamline case plans, allow three Local Commissioners to convene a conference in certain circumstances and allow the Commissioner to dismiss frivolous and vexatious applications.

The FRC advises that under Commissioner Glasgow's guidance, conferences have commenced in 2011 with three Local Commissioners. In addition, the FRC has reviewed procedural forms to convert them to a more user-friendly format. These forms are now in use. Administrative systems are continually under review to increase efficiencies.

Recommendation 3

It is recommended that one or more Deputy Commissioners be appointed to share conference loads and enable FRC succession planning.

The Queensland Government advises that two Deputy Commissioners were sworn in by the Governor of Queensland on 22 June 2010.

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Recommendation 4

It is recommended that, together with notifying agencies, Local Coordinators and Local Commissioners make every effort to continue identifying people described in s60(1)(c) of the FRC Act (other people the Commission considers may help deal with the issues raised in the agency notice to which the conference relates, such as family members), and to encourage these people to also attend FRC conferences relevant to them.

The FRC advises that it is continually considering strategies to encourage conference attendance for community members who share responsibility for a notice. However, the legislatively established conference attendance trigger system must maintain a clear and administratively fair scope. The FRC continues to explore ways of encouraging other people to attend conferences. Where relevant, Local Commissioners and FRC staff visit family members to encourage them to voluntarily accompany other people to conference.

Recommendation 5

It is recommended that notifying agencies consult with community based staff about whether feedback from the FRC would be beneficial, and then negotiate arrangements with the FRC to facilitate this in ways which maintain the privacy of FRC clients. For example, in relation to schooling notices, Attendance Case Managers could be empowered to inform schools of upcoming conferences and outcomes; or clients could be asked to inform the school about the outcomes of their conference through a Personal Responsibility Action.

The FRC advises an Information Sharing Protocol has been established which sets out information exchange guidelines for the FRC and notifying agencies. This protocol is currently under review to ensure efficiency of processes. The FRC has entered into individual arrangements with notifying agencies based on their requirements for receiving advice of upcoming conferences and conference outcomes.

Recommendation 6

That existing mechanisms for connection between the FRC and notifying agencies:

- *be maintained;*
- *enable staff at all levels and geographic locations (including community-based and regional management) to network;*
- *ensure a focus on collaboration around client need;*
- *take a systems focus in relation to the welfare reform communities; and*
- *identify and coordinate with other relevant partners to enable the FRC system to provide a wide range of regulatory responses*

In order to strengthen and better maintain relationships with other agencies, the FRC advises it has implemented a new intensive case management approach called 'Active Family Pathways'. This is an extension of current case management, building on an additional level of intensive case management of high risk clients and clients with complex needs. The FRC commenced this new case coordination framework in November 2010. It started with a small

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number of clients and gradually expand as allowed by the Commission, service providers and agencies resourcing capabilities.

Recommendation 7

Building on the FRC's existing communication with communities, it is recommended that there should be broad, ongoing formal community education about the aims, scope and function of the FRC. This may be done by the FRC in partnership with other community-based organisations. It should include information explaining the process by which individuals are chosen to be called to conference, including the:

- *priorities for different agency notifications; and*
- *potential for time lags between a trigger event and being called to conference.*

The FRC advises it has taken action to ensure there is broad knowledge and awareness in the communities about welfare reform and the FRC. For example, in October 2010 the FRC published an article in the Coen Newsletter which explained the purpose and functions of the FRC together with the guidelines for school attendance. Similarly, the FRC has also created a flyer on school attendance, in collaboration with Cape York Partnerships, for distribution in communities. The FRC advises it will continue its liaison with Cape York Partnerships and the Department of Communities regarding the future publication and display of FRC information about conference processes, the role of Local Commissioners, and other information about the FRC.

Recommendation 8

It is recommended that as part of a broad ongoing community education, and to lift the attendance rates at first conferences, the FRC should consider:

- *maintaining a fulltime Coordinator presence in each community;*
- *ensuring a consistently active and supportive approach is taken to engaging with FRC clients before they come to conferences to counter fear and misperceptions, and encourage attendance;*
- *seeking feedback from community members on ways to tailor communication and identifying Frequently Asked Questions (which should then be addressed and widely communicated); and*
- *taking active steps such as visiting people just before or on conference day and reminding, encouraging or assisting them to attend*

The FRC advises that in each community there is a resident Local Coordinator. The Local Coordinators provide clients with verbal information about their conference, including its purpose and the principles of the FRC. They also identify any specific travel or language needs for the client to attend.

Procedures for visiting clients are aligned with legislative requirements. In addition, local Coordinators often visit clients just before conference day to remind them and assist them to attend.

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Recommendation 9

It is recommended that mechanisms for improving case management and coordination for FRC clients be adopted. The FRC should continue to monitor the effectiveness of sending the Principal Case Manager to communities on a monthly basis in helping clients to connect to community support services, and monitoring their progress against case plans. If this approach is not effective, consideration should be given to resourcing and engaging community based case managers. The nature of case management will be subject to client consent to information being shared between services, and information sharing powers in State and Federal legislation, such as: the Family Responsibilities Commission Act 2008 (Qld), Information Privacy Act 2009 (Qld), Social Security Act 1991 (Cth) and Privacy Act 1988 (Cth).

In order to improve case management and coordination, the FRC advises it has implemented the Active Family Pathways intensive case coordination model as described earlier. The FRC will report quarterly to the Family Responsibilities board on outcomes and findings of the intensive case management model.

Recommendation 10

It is recommended that the FRC continue to work with support services to facilitate monthly reporting which is meaningful, current and efficient. This should be driven by input from client interface staff including Local Coordinators and the Principal Case Manager and community based support service staff. Further to this, the FRC should collect data on clients who are unable to meet their case plans due to inability to access services, or where the FRC has been unable to make an appropriate referral due to a service gap in the community.

The FRC advises it has appointed two Active Family Pathways Support Officers who will be responsible for local level implementation of case coordination, liaising closely with all relevant agencies, collecting and collating community data, and using local knowledge to drive improvements in service delivery.

The FRC advises it has worked with service providers to align data compatibility and reporting frameworks by streamlining monthly progress reports and enabling electronic uploads for notifications. These improvements have increased efficiencies.

The FRC advises it is reviewing strategies and talking to service providers about how to capture accurate and verifiable data on clients who are unable to meet their case plan. The FRC interacts consistently with service providers and Government departments regarding service gaps when identified, and any other service issues which become apparent.

Recommendation 11

Development of partnerships, communication protocols and cross-system collaboration is crucial to the success of the FRC and to achievement of lasting social change. In recognition that time and resources are necessary to facilitate this development, it is recommended that resources be allocated to facilitate coordination between the FRC and support services where this has been recommended in this Report.

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The FRC advises that a Memorandum of Understanding defining administrative arrangements for client referrals has been entered into between the FRC, the Department of Community Safety (Queensland Corrective Services), the Royal Flying Doctor Service of Australia and Centrelink. Additionally, the FRC's Information Sharing Protocol, which enables the secure exchange of information, is under current review.

The Active Family Pathways case coordination model is expected to improve and consolidate cross-system collaboration. Cross-system collaboration is further demonstrated with the FRC regularly assisting service providers to induct new personnel.

Recommendation 12

It is recommended that the design of the Welfare Reform evaluation incorporate information gathering and analysis to understand the individual and community implications of income management.

The Cape York Welfare Reform Trial, including the FRC and income management component, will be independently evaluated, including an evaluation of outcomes for individuals, families and communities.

Recommendation 13

It is recommended that the FRC work within the existing structures and build on the successes described in subsections 4.3.2.4 and 4.3.2.5 to establish closer links with Community Justice Groups, local police, Magistrates Court staff and Probation and Parole staff to develop local collaborative strategies to address the high proportion of FRC clients who have Magistrates Court breaches, many of whom are also younger men. This is considered to be important because this group appears to be less responsive to the FRC than other groups.

The FRC advises that one aim of the Active Family Pathways case coordination model is to cement networking opportunities and trusting relationships among those responsible for a client. It is within the scope of the model for local collaborative relationships to be developed between agencies involved in justice. The FRC advises that the ability of agencies to work together was demonstrated by the recent joint initiative of the FRC and the Department of Community Safety (Queensland Corrective Services) to conduct Ending Family Violence courses in the trial communities. The FRC meets regularly with the QPS and Department of Justice and Attorney-General to discuss strategies and concerns in community.

Recommendation 14

It is recommended that the Commission collect and record data on reasons for clients returning to the FRC after previous conferences and service referrals to better understand the impact which the FRC is having on individuals, and how to target efforts to improve behaviour change.

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The FRC advises it collects and records a range of data about clients. Data recorded for every client consists of: notifications; reasons for notification; conferences scheduled; attendance at conferences; conference outcomes; agreements/orders made; follow-up information about service attendance and compliance with agreements/orders. The independent evaluation will conduct further analyses of administrative data and also interview FRC clients to obtain further information on their experience with the FRC and behavioural outcomes.

Recommendation 15

It is recommended that consideration should be given to marking the end of a client's involvement with the FRC, both in order to inform them formally as a matter of due process; and to acknowledge progress made. Learnings may be drawn from the Victorian Drug Court.

The FRC advises that they have considered this recommendation and note that the Victorian Drug Court holds public hearings. FRC conferences are held privately and there are strict confidentiality provisions under Queensland law associated with the conference process. Where relevant, the FRC uses follow-up conferences to recognise client progress. The FRC notes that it can be difficult to identify an "endpoint" of a client's involvement with the FRC, as the person remains within the jurisdiction of the FRC if they are the subject of new notifications.

Recommendation 16

It is recommended that suitably skilled Indigenous people are recruited to any future Local Coordinator roles and provided with training and support in recognition of their important potential role in contributing to re-establishing Indigenous authority and promoting positive social norms.

The FRC advises it supports the recruitment of skilled Indigenous people wherever possible, subject to the merit process being transparent and equitable, and actively supports Indigenous staff in all roles within the Commission, particularly those staff in community-based roles.

The FRC advises that currently two of the three Local Coordinators are Indigenous people. A further position is currently vacant. The one non-Indigenous FRC Local Coordinator has worked and lived in Indigenous communities for approximately 20 years and has come to the Commission highly qualified to perform her function in the communities.

Recommendation 17

It is recommended that in recruiting and selecting future additional Local Commissioners, consideration again be given to the importance of both the perceptions that people are good role models and allow for an avoidance of conflicts of interest due to family and clan associations. The selection process should be publicised and made transparent.

The Queensland Government advises that, as the Review identified, the role of Local Commissioner is a complex one, just as the communities they work in are complex with regard to clan structures and historical events. Keeping this complexity in mind, the

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Queensland Government advises it will consider conducting an open selection process for the Local Commissioner roles in the future, while noting that background checks are an important part of the process. A fact sheet on the role and legal responsibilities of being a Local Commissioner is currently being developed by the FRC to aid the Local Commissioners when sitting in conference, and to inform the communities generally.

Recommendation 18

It is recommended that the FRC continue to assess and address the individual and collective training and development needs of Local Commissioners.

The FRC advises that it has facilitated internal professional development courses for the Local Commissioners on a regular basis. Externally sourced training includes Mediation, Justice of the Peace (Qualified and Magistrates Court) and mental health first aid. The FRC is currently sourcing training opportunities for the Commissioners including computer training and National Indigenous Legal Advocacy.

Recommendation 19

It is recommended that the role of local service providers as key informants be recognised and that systematic provision of timely and current information to local service providers about the FRC be made a priority in each community.

The FRC advises that since the Review, it has continued its efforts to strengthen partnerships with local service providers. To maintain this effective communication, the FRC has, amongst other things, offered a standing invitation to service providers to attend relevant conferences, instructed Local Coordinators to meet with service provider staff, arranged meetings with service provider staff when they are in Cairns, and conducted a review of the Information Sharing Protocol.

Recommendation 20

Building on the FRC's existing communication with communities, it is recommended that Local Coordinators and Local Commissioners consider the education needs of their community and plan appropriate education strategies.

The FRC advises that Local Commissioners recognise that they have an important role in modelling positive behaviour and acting as leaders for change. For example, school attendance has been targeted by Local Commissioners. In addition to their formal role in conferences, strategies employed by the Local Commissioners to educate their community include riding on school buses and sitting in classrooms to encourage good behaviour. Cape York regional organisations, the Australian and Queensland Governments and community members all have a role to play in planning education strategies.

Recommendation 21

It is recommended that the FRC consider how to work with existing community groups to empower individuals and groups to become influencers / leaders and to enhance community

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acceptance of the FRC. This may include working with other community based organisations such as support services and regional organisations such as Cape York Partnerships. The approach should be tailored and relevant to each community.

The FRC advises that it continues to work closely with Cape York regional organisations, support services and community groups to enhance community acceptance of the FRC. Many of the Local Commissioners are also involved in their communities in diverse capacities, such as attendance case manager and members of mens' groups, womens' groups and justice groups.

Recommendation 22

It is recommended that the FRC, notifying agencies and support services conduct internal reviews to identify where there are gaps in their resources and that staffing levels be reassessed in light of current understanding of the actual workload generated by the FRC.

The FRC advises it is continually reviewing its operations to deliver the most appropriate services to its clients whilst maintaining its obligations as a statutory authority. One outcome of this ongoing review process has been the implementation of the Active Family Pathways coordinated case management model which will identify and remedy gaps in service delivery for clients. The Australian Government advises that they are working with funded support services to track their engagement with FRC clients.