

CCYP investigation into changes to the allocation of Child Safety Officers for children and young people in Tasmania's Out-of-Home Care system

Submission Guide

Investigation background

The Commissioner for Children and Young People, Leanne McLean, is undertaking an own motion investigation into the introduction of a new Out-of-Home Care case management model (the model) which has changed the allocation of Child Safety Officers for children and young people in care in Tasmania.

Under the new model, some children and young people in care are no longer allocated to an individual Child Safety Officer. Instead, these children and young people are allocated to teams (which include Child Safety Officers) within the Child Safety Service, with communication managed through a generic phone number and email address.

The Commissioner has identified this as an emergent systemic issue warranting further investigation through her independent monitoring of the Tasmanian Out-of-Home Care system.

The Commissioner's investigation is informed by the principles set out in the *Commissioner for Children and Young People Act 2016* (Tas), and relevant provisions of the *Convention on the Rights of the Child* (UNCRC) and the *Charter of Rights for Tasmanian children and young people in out of home care* (Charter).

The role of the Commissioner

The Commissioner for Children and Young People is an independent statutory office established under Tasmania's *Commissioner for Children and Young People Act 2016*. The principles that the Commissioner must observe in performing her role are set out in section 3 of the Act. The principles require that the Commissioner, in performing a function, or exercising a power, under the Act to:

- Do so according to the principle that the wellbeing and best interests of children and young people are paramount;
- Observe any relevant provisions of the United Nations Convention on the Rights of the Child; and
- Give special regard to the needs of children and young people who are disadvantaged or vulnerable.



One of the ways that the Commissioner fulfills her role is through the CCYP Out-of-Home Care Monitoring Program. Commencing in 2018, the over-arching aim of this program is to promote and protect the wellbeing and rights of children and young people in care, by engaging in independent, systemic monitoring of Tasmania's Out-of-Home care system.

Submissions

To inform her systemic investigation, the Commissioner seeks submissions **addressing some or all the following questions:**

1. What is your experience of the new Out-of-Home care case management model?
2. In your view, why was the new model introduced?
3. To what extent do you believe that children and young people in care had a say about the introduction of the new model?
4. In your view, what do you think the effect of the new model has been on the rights and wellbeing of children and young people in care?
5. What changes are required, if any, to ensure that the rights and wellbeing of children and young people in care are promoted and protected under the new model or any changed model?

Please note that all the questions do not have to be answered to make a submission.

Alternatively, submissions can address themes identified in the Terms of Reference (TOR) set out below.

Children and young people are welcome to make an anonymous or confidential submission. However, there will be further specific opportunities for children and young people to share their views with the Commissioner in early 2023.

Making a submission

Submissions can be made in the following ways:

- Via an online form <https://forms.office.com/r/PTJmg1LQhW>. The online form can also be accessed by scanning this QR code.
- By sending an email to childcomm@childcomm.tas.gov.au; or
- Posting a hard copy submission to The Commissioner for Children and Young People, GPO Box 708, Hobart, Tas., 7001.



To make a submission in a non-written format, please contact the office to discuss.

Please indicate in your response whether you would like the Commissioner to treat your submission as public or anonymous, as described below:



- **Public** – The Commissioner may publish, refer to or quote directly from my response and may name me and/or my organisation as the source of the response in relevant publications or communications with third parties.
- **Anonymous** – The Commissioner may publish, refer to or quote directly from my response in relevant publications or communications with third parties, but may not identify me or my organisation as the source.
- **Confidential** – The Commissioner may not publish, refer to or quote directly from my response in relevant publications or communications with third parties, and may not identify me or my organisation as the source.

Please note that submissions **close 24 February 2023**.

Contact Details

For further information about making a submission, please contact the Office of the Commissioner for Children and Young People on (03) 6166 1366 between 9 am and 5 pm on weekdays (excluding public holidays) or email childcomm@childcomm.tas.gov.au. Additional information about the Commissioner and the Investigation is available at www.childcomm.tas.gov.au.

Please note that the Commissioner for Children and Young People does not have a complaint-handling function in relation to decisions made about individual children and young people in Out-of-Home Care in Tasmania.

Complaints about a specific decision made by the Child Safety Service in respect of an individual case or specific circumstances should be referred to the Department *for* Education, Children and Young People and information is available at <https://www.decyp.tas.gov.au/about-us/complaints-child-safety-service/>

Concerns about the safety or wellbeing of an individual child or young person should be referred to the Strong Families, Safe Kids Advice & Referral Line on 1800 000 123, or visit <https://www.strongfamiliesafekids.tas.gov.au/>



Terms of Reference

Without limiting the scope of the Commissioner's investigation, the purpose of the investigation is to:

1. Develop a detailed understanding of the new Out-of-Home Care case management model (the model) in the context of relevant policy, practice, and legislation.
2. Examine any effect of the new model on the rights and wellbeing of children and young people in care.
3. Report and make recommendations in respect of the introduction of the new model in line with the general functions of the Commissioner as outlined in section 8 of the CCYP Act.

To achieve this purpose, the Commissioner will have regard to the views and experiences of:

- Children and young people in care with direct or indirect experience of the new model.
- Other stakeholders, including carers, providers of Out-of-Home Care services and others who support and/or work with children and young people in care.
- The Department *for* Education, Children and Young People, as system owner of the Child Safety Service and the Out-of-Home Care system.