

**STANDING COMMITTEE ON ESTIMATES AND
FINANCIAL OPERATIONS**

2016–17 BUDGET ESTIMATES HEARINGS

**TRANSCRIPT OF EVIDENCE
TAKEN AT PERTH
TUESDAY, 14 JUNE 2016**

**SESSION ONE
DEPARTMENT FOR CHILD PROTECTION AND FAMILY SUPPORT**

Members

**Hon Ken Travers (Chair)
Hon Peter Katsambanis (Deputy Chair)
Hon Alanna Clohesy
Hon Rick Mazza
Hon Helen Morton**

Hearing commenced at 1.00 pm

Hon DONNA FARAGHER

Minister representing the Minister for Child Protection, examined:

Ms EMMA WHITE

Director General, examined:

Mr PETER BYRNE

Executive Director, Community and Business Services, examined:

Ms PHILIPPA BEAMISH BURTON

Chief Finance Officer, examined:

Ms KAY BENHAM

Executive Director, Strategy and Reform, examined:

The CHAIR: Good afternoon. On behalf of the Legislative Council Standing Committee on Estimates and Financial Operations, I would like to welcome you to today's hearing. Can the witnesses confirm that they have read, understood and signed a document headed "Information for Witnesses"?

The Witnesses: Yes.

The CHAIR: Thank you. It is essential that all your testimony before the committee is complete and truthful to the best of your knowledge. This hearing is being recorded by Hansard and a transcript of your evidence will be provided to you. It is also being broadcast live on Parliament's website. The hearing is being held in public, although there is discretion available to the committee to hear evidence in private. If for some reason you wish to make a confidential statement during today's proceedings, you should request that the evidence be taken in closed session before answering the question. Government agencies and departments have an important role and duty in assisting the committee to scrutinise the budget papers and the committee values your assistance with this. I should also say that when we give you the call, just wait for the light to come on, if that is possible.

Unless the minister would like to make a comment before we get underway, I will invite questions. I give the call to Hon Stephen Dawson.

Hon STEPHEN DAWSON: Minister, if I turn to page 872 of budget paper No 2, the bottom of the page refers to working with children checks, and I might start off there. I appreciate you are here today only to represent another minister, so I imagine that some questions will be answered by the director general, which is fine. Two years ago, the Auditor General did a report into the working with children check unit and found some issues at the time. Have any additional resources been given to that unit since the Auditor General's report and how much was that amount?

Hon DONNA FARAGHER: I might refer that question to the director general.

Ms White: Since the report was tabled, there have been a couple of things done with regard to the report. One is the implementation of the new data system, the SAND system, which was a significant resource increase. We have also had a temporary one FTE in place in the unit assisting with some of the development and actions arising from those recommendations, and we have

resource implications post the proclamation of the proposed amendments to the act that are working their way through now that will need to be actively considered at that time.

Hon STEPHEN DAWSON: When might we see the results of the review into the act? When might we see some legislation before us to implement those recommendations?

Hon DONNA FARAGHER: I understand that work is being undertaken by the department. In terms of an exact time line, perhaps it might be more appropriate that I defer to the director general, or I can take it on notice if the member prefers to get a more explicit response.

Hon STEPHEN DAWSON: I am happy to hear from the director general in the first instance. Then, perhaps, depending on that answer, we will work out where to go.

Ms White: As you would well know, a range of recommendations really are under active consideration. We have proposed amendments to the legislation. That is at a point where it is being considered for drafting to make its way through that process. That is as much of a time frame or an update that I can give with regard to the legislation.

Hon STEPHEN DAWSON: Why has it taken so long? The review was undertaken by Hon Robyn McSweeney when she was minister, I think, in 2012–13. It is now 2016 and we still have not seen any amendments before us. What is the reason for that? Can you pinpoint a reason as to why it has taken so long? Is it that the amendments are difficult or some other such reason?

Hon DONNA FARAGHER: In response—appreciate again that I am not the minister—I understand a range of issues have been responded to already as part of that. Some of the proposed amendments are complex and have required consultation and, as I understand it, that consultation has now been completed. If you want some further detail beyond what the director general has already provided in terms of a time line, I am happy to take that on notice.

[Supplementary Information No A1.]

Hon STEPHEN DAWSON: In relation to working with children checks, how long does it take to get a working with children check? I have been told it has been taking up to six months. I saw the minister on the television the other night saying it takes four days. What is the truth?

Hon DONNA FARAGHER: I will refer to the director general, but I understand that it can depend upon the level of complexity and whether they are waiting on information or there are jurisdictional issues and those sorts of things. I will refer to the director general for a lengthier response.

Ms White: On average, a working with children check from a new application, if there is no criminal record or no convictions that warrant further investigation, takes four days to complete. A couple of years ago it was up to 20 days and the year before that it was 10 days. So we are seeing that average length of time come down with regard to very uncomplicated applications with no further issues. Where there is a different time frame in terms of the length of time it takes, it is highly dependent on the nature of the convictions or charges that have been thrown up in the system, or it can be as benign as, to use an anecdotal name, Bob Brown—there are several spellings of Brown and that needs to be checked through the administrative process to make sure that we are checking the right people through CrimTrac. The CrimTrac part of the process is where the length of time is outside the control of the working with children unit because, as the minister flagged, we are really reliant on other jurisdictions. Depending on the nature of the offence or other information that might be relevant, it can require a deeper dive into the circumstances of that individual.

Hon STEPHEN DAWSON: Four days seems like a very short time to me and, certainly, I have never come across anyone whose application has only taken four days to process. Perhaps by way of supplementary information can I find out how many applications are processed within four days? Can I have for 2014–15, whether it is in a graph or a table, the time taken for working with children checks to be approved?

[1.10 pm]

The CHAIR: Member, whilst we are getting an answer, I think Hon Helen Morton wanted to follow on after you have finished your line of questions on this area.

Hon HELEN MORTON: Just on this area.

The CHAIR: We will wait until they answer this question and when the member has finished his questions, I will come to you on this area.

Hon DONNA FARAGHER: Can I just indicate that we are happy to take that on notice. It might be on average. We will have to go back and have a look at the figures that are available, but we are happy to find whatever information we can.

Hon STEPHEN DAWSON: Sure; whichever is the most helpful way possible. If you have to say 20 took a month and 400 took two months or whatever, that would be helpful. I have more questions on working with children but I am happy for Hon Helen Morton to ask a question here though.

[Supplementary Information No A2.]

Hon HELEN MORTON: My awareness of the portfolio led me to understand that when a person is charged with something but not convicted with the offence, that actually takes more time because it is more difficult to track that information or something like that. Is that correct or not?

Ms White: That certainly can be the case. The whole system, automated and others, is really premised on the seriousness of the offence or other information required to make a determination. For example, if the CrimTrac system flags a low-level offence and it is an offence of stealing when someone was 16, that might require a different response and deep dive than if it is a more serious or class 1 offence that is flagged and we want to really understand the circumstances of that offence. Sometimes the charges of aggravated burglary do not tell the full picture of what has actually occurred. We might be required in that circumstance, as you are flagging, to go to the sentencing comments and another jurisdiction about whether there has been any downgrading or upgrading of offences; and, if so, why and what are the implications for safety for children and so forth. It really does depend at every point on the information at hand and it is a live checking system. A great deal of that work is actually done with people who have already got working with children cards and the offences are first time in nature, so that triggers a whole other proposition, but you are quite correct.

The CHAIR: I might go through a couple of other members because of the limited time. I actually had Hon Nick Goiran next. Did Hon Rick Mazza have questions?

Hon RICK MAZZA: I have a couple of questions.

The CHAIR: I will go to Hon Rick Mazza first, as a committee member.

Hon RICK MAZZA: On page 868 of budget paper No 2 are some of the services that have been cut. Line 1 under service summary is homelessness services, which is dropping by nearly \$20 million a year over the forward estimates. Can you tell me what sorts of services are going to be cut considering that homelessness is actually on the rise?

Hon DONNA FARAGHER: My understanding is that some of the funding issues that you referred to are a result of the national partnership coming to an end. As I understand it, work is underway to finalise the next agreement but I will refer to the director general to provide more detail.

Ms White: Only to add that it is not in the forward estimates and the drop is so significant because it does not have what the dollars will be for the subsequent national partnership agreement on homelessness, as has been the case in subsequent budgets. If it is for 12 months, we have one year in the forward estimates. At the moment the agreement is in place until 17 June and therefore not beyond.

Hon RICK MAZZA: Line item 2 talks about responsible parenting services. That also seems to have had significant cuts. Is that a similar situation or is it different?

Hon DONNA FARAGHER: This relates to some royalties for regions funding but I will defer to the director general.

Ms White: That refers to the budget implication for our royalties for regions funded aspect of responsible parenting coming to an end not this year or the next but the year after. We have had a funded transition from that component of responsible parenting services, and what you are seeing in the budget is that reduction over the forward estimates.

Hon RICK MAZZA: Page 877 refers to details of controlled grants. In about the fourth or fifth line item down it talks about hardship utility grants, which as I understand is for helping people to pay their utility or power bills, and there is a significant drop there too from some \$8.5 million to \$1.5 million. I note the footnote saying that it reflects changes to demand and electricity tariffs, but I would not have thought there was that much of a cut in power costs coming up. I just wonder why there is such a big drop in that figure.

Hon DONNA FARAGHER: Before I refer to the director general, I understand an additional \$6.9 million has been allocated in 2016 for the HUGS scheme. That will be used to provide a total of \$8.493 million in grants to assist households in financial hardship to pay their utility bills and maintain connection to essential services including electricity, water and gas services and the like. I will refer to the director general who has more to add.

Ms White: I probably will not add a whole other than to say that the HUGS moneys is calculated every budget cycle and what you are seeing is in part the adjustments based on last year's spend and then the forward spends, so there has been a reduction based on that recalculation.

Hon NICK GOIRAN: I refer to page 867 of the budget papers where it says that in the 2014–15 period the department responded to more than 18 000 notifications of children at risk of abuse. Is there an age range that would be covered by those 18 000 annual notifications?

Hon DONNA FARAGHER: Obviously, there is a range but it is from zero to 18 in a general sense.

Hon NICK GOIRAN: So would there be no circumstance where the department would respond to a notification for anyone aged above 18?

Hon DONNA FARAGHER: Yes, they do on occasion, and for children who leave the care of the department they have responsibility to the age of 25.

Hon NICK GOIRAN: Is 25 the upper age limit that the department would be involved with?

Hon DONNA FARAGHER: In terms of children, yes. But, of course, the department does work with families who have children of a range of ages as well.

Hon NICK GOIRAN: Would it be rare for the department to be involved with the age at the upper limit of 18 to, say, 25?

Hon DONNA FARAGHER: I might refer to the director general.

Ms White: No, in short. We have a range of ways that we become involved with children and young people aged between 18 and 25. It ranges from some of the youth services that we fund in the community services sector right through to our responsibilities for children that have been in the care of the department. We have responsibility, as the minister mentioned, through to 25 years of age. We may become involved with a lot of the families we work with because of some of the younger children who have been identified as being at risk, and as we start to work with that family we start to know that they have older siblings and older family relatives who also live in the household. Some of that investigation assessment work really is about the whole family picture and we have a role with children and young people at that point also. Of course, a range of community services that we fund have a different age range depending on the service type. Through our responsible parenting program and some of our child-centred support work, we work very closely

with youth justice, police and education, whereby we might not be the lead case manager for a particular young person, but we are certainly part of the case management team in that instance, so there are several points of the system where we provide a service to the older age.

[1.20 pm]

Hon NICK GOIRAN: Is the same criteria applied when the department decides to be involved or involve itself, does the department use the same criteria irrespective of age?

Hon DONNA FARAGHER: I will again defer to the director general.

Ms White: Thank you. A little bit depends on why we have become involved. Age is only one indicator of vulnerability for children. Sometimes an older young person is at incredible high risk of all sorts of harm based on other features or other activity happening in and around that young person. Of course, at the other end of the scale, if a nonverbal child under four has a certain set of vulnerabilities that does need to be considered with regards to what risk that young person might be under, age does feature in our assessments, but it is one of many indicators that we need to draw on.

Hon NICK GOIRAN: Is it common that the department would be notified for any newborn children?

Ms White: It is very common. We have quite a long standing protocol at a state level with all birthing maternity hospitals, with King Edward obviously being the main one, whereby through the prenatal care process for a mother, if a mum is considered at risk for some reason and therefore her unborn child, we have a pre-birth planning and assessment process that we undertake in subsequent weeks leading up to the child's birth. Out of interest, we have done nearly 600 of those processes across the state in the last financial year just to give you some indication of the volume of that work.

Hon NICK GOIRAN: Does that notification process come from the Department of Health through to your department?

Ms White: Yes, the majority of times it does or through other medical or health practitioners, you know, through the health system, but often it is also the department. For example, if it is a second or third child for a mother and we have a pre-existing relationship and knowledge of her circumstances or in fact her children are already in care and she is not accessing any health prenatal care, we might actually trigger the assessment ourselves, but that is all detailed in the protocol.

Hon NICK GOIRAN: Is there a memorandum of understanding between the two departments about that notification process?

Ms White: Yes, there is; there is one at a statewide level and we also have a range of regional MOU protocols that sit underneath that to really capture the local conditions of some of the regional centres where children are being born.

Hon NICK GOIRAN: Would one of the memorandums of understanding be specifically around newborn children?

Ms White: Yes, it is specifically about pre-birth assessment and planning for unborn children.

Hon NICK GOIRAN: Is that publicly available?

Ms White: We are happy to make it so.

[*Supplementary Information No A3.*]

Hon NICK GOIRAN: Just to conclude on this area, pursuant to that memorandum of understanding and that notification process, in the past year has the department been advised of any instance of a child born alive after an abortion process?

Hon DONNA FARAGHER: Not to the department's knowledge, but we can take it on notice and do a crosscheck. We are not aware of the case.

[*Supplementary Information No A4.*]

Hon PETER KATSAMBANIS: I have some other questions, but just on this area of the 18 000 notifications, is a notification relating to one single child or if there is more than one child in a family, is it one notification for say two or three children or individual notifications? How do you calculate the statistics?

Ms White: It is for individual children. It is useful to add that some individual children have multiple notifications in a single annual year, but it is per child.

Hon PETER KATSAMBANIS: Do you breakdown those notifications by age cohorts? For instance, zero to three, three to six, six to 12 and 12 to 18?

Hon DONNA FARAGHER: I will refer to the director general in terms of an answer to a question being taken on notice. I understand it can be done, but it is quite a time consuming process. I will refer to the director general to see what we might be able to provide to you.

Ms White: Yes, we breakdown some of those age ranges. We also publish regularly by suspected types of harm or abuse. We are just checking what level of detail is available in our annual report and depending on what breakdown you are referring to, it may require some additional data work.

Hon PETER KATSAMBANIS: Sure. I am happy for you to take it on notice to see what you can provide back. I think obviously operationally it would be a useful tool to know whether you are getting an increase or a decrease in various age cohorts.

Hon DONNA FARAGHER: Can I just indicate that we will provide what information we can. If it looks like it is going to be quite extensive, we might come back to the committee and work through that.

[Supplementary Information No A5.]

Hon LYNN MacLAREN: I have a couple of questions. One is a follow-up from a question on notice. I refer to page 868 and go back to something that Hon Rick Mazza talked about: homelessness services. I asked why the forward estimate had gone down in 2017–18. This was question on notice 2 that I asked and in response you advised me—we talked earlier about the NAHA funding and NPAH funding—one of the services that has been reduced in the forward estimates of 2017-18 is a mobile clinical outreach team and domestic violence outreach service. You have advised me of a \$1.370 million decrease in the state-funded mobile clinical outreach team and domestic violence outreach services, but then you say it is provided under that NPAH. Can you explain to me what the funding mix is? It looks like the state is reducing funding by \$1.370 million. Is funding still provided by the commonwealth for that under NPAH or is it completely state funded? Can you explain what the service does and what the reduction in funding is?

Hon DONNA FARAGHER: I will defer to the director general.

Ms White: I will start while my team is locating some more of the detail. The way the partnership agreement works is that the state matches the commonwealth contribution to that funding. If there is a reduction of funding that the commonwealth puts forward, then the state-matched component reduces to the same degree. That is, in part, part of what has been a reduction, a more recent reduction, in some of the service provisions as a result of that matching process. The second part of the question —

Hon LYNN MacLAREN: Is that now no longer funded? Is the mobile clinical outreach team and domestic violence outreach service funded in the forward estimate of 2017-18 by the state at all or has the state withdrawn all its funding?

Hon DONNA FARAGHER: I will refer again to the director general.

Ms White: Those services are still being provided but there has been a reduction across a number of those services to meet that shortfall.

Hon LYNN MacLAREN: What is the impact? How big is that service and what is the impact of that reduction?

[1.30 pm]

Ms White: The total figure in this particular process was \$790 000. We did some work with the sector regarding how we can manage that reduction. That resulted in seven services in total having some change to their funding level. In one particular location, a service provider, for a range of different reasons, was actually looking to give back the funding, and that was reallocated to another service that had had a reduction in funding. So, it affected seven agencies.

Hon LYNN MacLAREN: Is this part of the soon-to-be negotiated NPAH package? Will you include this service in that package and does the state intend to match commonwealth funding, should it be forthcoming?

Hon DONNA FARAGHER: I understand it is being discussed, but obviously it is part of ongoing negotiations. That is as much information as I can provide at this point in time, but it, as I understand, is part of the discussions.

Hon LYNN MacLAREN: Is there anything further on that?

Ms White: No.

Hon LYNN MacLAREN: My other question relates to page 867. One of the significant issues impacting the agency, of course, is the reforms underway for the delivery of out-of-home care. The sector, as you know, is concerned about the central carer panel you are setting up. I would like to ask three questions about that. Do we have a cost for the proposed central care panel?

Hon DONNA FARAGHER: The director general can answer that.

Ms White: What we have confirmed and committed to is a process evaluation of the implementation of that panel. We have identified a resource that will be required to support the set-up, the support, the exec management and all the administration support that the department will provide as part of implementing that centralised panel. That will be one additional FTE at probably a level 6. In terms of the implications or workload–workflow resource implications for individual community service sector agencies, we are open to learning our way through that, but we do believe that it will potentially have a different impact on different agencies. Of course, a lot of these competency-based assessments panel processes already exist. It is an endorsing panel; it is not an improving panel. The timeliness and support to do that is a shared goal for all. That is where we are up to. The development of that is live as we speak.

Hon LYNN MacLAREN: Yes; we like to ask contemporary questions. Is there a detailed costing model for the central carer panel that includes sitting fees?

Ms White: That is a work in progress, and we have not necessarily even decided whether sitting fees apply, to whom and to what extent. We have communicated, through the plan and through the collaborative process, with the sector and feel very firmly that it should be an external, supported, resourced independent chair of such a panel, and we are working our way through how to best support members. We have talked a lot about representation on that panel—to have the right skills, knowledge and experience around the table that is representative—and then we are working back to how we can support those people to participate.

Hon LYNN MacLAREN: Have you looked at a return on the investment that is expected from this reform? Has the baseline been established against which to measure the return as we are shifting from one model to another? Is there a measure you are using for the baseline for how this will make our services more cost-effective?

Hon DONNA FARAGHER: The director general will also answer that question.

Ms White: There are many, many aspects of the reform, as you would be aware.

Hon LYNN MacLAREN: Yes.

Ms White: With regards to implementing more consistent standards that have a more rigorous external oversight, we have done some costings in that area if we move to the Ombudsman's office having a role in some of the safety standards. That is yet to be endorsed. That obviously is a matter through the budget process; it is quite a small amount. But in terms of standards, which include looking at competency-based assessments that all community services agencies are using—the department uses them—we do not have oversight to the degree we would like about the assessment processes, the QA of those and so on and so forth. For things like an additional competency that we have been exploring around cultural competencies of individual carers, we do not necessarily think there will be any budget implications for that; it will be an adjustment of the assessment process. We will soon be able to get, for the first time based on our outcomes framework, what are the outcomes of the children in care, and that will be a really, really significant baseline for us going forward by which we can measure and account for progress and improvement over time. A lot of the changes we are proposing are around policy amendments and changes of practice of the department and also the sector—things like shifting the financial resources available to support the care for children, and looking at how we can shift that over to the foster carers to help normalise children's experience of care. Again, we do not think there is going to be a cost implication. There will be a significant change in practice and policy, but in terms of baselining to get the efficiency or effectiveness measure that you are mentioning, we have baseline information that is not necessarily of a financial nature. We are right in the throes of doing the work around the resource model, and we have elicited the help of PricewaterhouseCoopers over the last well over 12 months now to really understand in very granular detail what is an appropriate resource model based on the individual needs of children. That work, I think, will be an important milestone benchmark to how we might move forward. Things like baselining and what have you would be considered as part of that.

Hon LYNN MacLAREN: From a time line perspective, at what point will we know the cost implication of these reforms once you have developed your model and put it forward? I am assuming it is not in this budget?

Ms White: No.

Hon LYNN MacLAREN: So there is nothing in the forward estimates to accommodate this change or any additional costs?

Ms White: I guess I will try to clarify my answer. A great portion of the reform will not have a cost implication. We are already funded, and through future demand, for the cost of our support for children in state care. How we spend that, what standards we use and what policy settings we insist on is part of the reform. With regards to contracting services to provide support for children in out-of-home care, we would be looking at nothing happening really before January 2018. Some of that is very much dependent on some of that resource modelling we are currently undertaking.

Hon LYNN MacLAREN: Thank you. I understand.

Hon STEPHEN DAWSON: I go back to page 872, "Working with Children Checks", and my line of questioning from earlier on. I mentioned the Auditor General's report of 2014. At that time, the Auditor General's report advised that at the time of the report the department was not meeting its own obligation as an employer due to foster carers not having either a valid card or an application in process. He said —

This non-compliance should be addressed as a matter of priority.

Can people now be foster carers without a working with children check; and, if so, why? Can the department give me the most recent figures they have available of the number of foster carers who do not have a current working with children check?

[1.40 pm]

Hon DONNA FARAGHER: Before I refer to the director general, as I understand it, it can occur in certain circumstances, but there are important safeguards that are put in place. I will refer to the director general, who will elaborate further.

Ms White: There are certain circumstances, mostly within an emergency context, where children can be placed with foster carers, generally relative carers, for a prescribed period of time without a check. Before we would do that or make that consideration, we would put a number of safeguards in place. That would include doing our own check on our child protection database to see whether the department has had any previous involvement with concerns for any children. We would ask the carer or potential applicant to sign a statutory declaration disclosing, and we would spend some time talking with that carer around sorts of things that they need to consider as they sign a statutory declaration to really declare any previous criminal record or any issues, behavioural or otherwise in fact, that would prevent them from or provide any additional risk for caring for children. In those circumstances we mostly know the families; they have been part of the assessment investigation process. But it is on a very limited set of circumstances and for a very short period of time.

Hon STEPHEN DAWSON: And the most recent figures you have got?

Ms White: As of end of April this year regarding the number of approved carers in households where children are placed with overdue working with children application or re-application renewal, in the general carers there are 19 children in total with departmental carers, and with relative carers—so the number of children placed—there are 57 across the state.

Hon STEPHEN DAWSON: That seems like a big number—57 and 19. I think the figures I got back last night indicated that there were 59 foster carers without working with children checks. That does not seem like a small number; that does not seem like a limited issue. How long can a foster carer have a child in their care without having a current working with children check?

Hon DONNA FARAGHER: I will refer to the director general, but I think we also need to be clear that as part of those figures it may be that they already have a working with children check and it is needing to be renewed or reviewed—whatever the exact terminology is; the director general will confirm that for me. So it is not as if they do not have a working with children check.

Hon STEPHEN DAWSON: They do not have a current card, and I think that is the issue; that is what the law says.

Hon DONNA FARAGHER: I know, but I suppose I just want to be clear on that. I will refer to the director general.

Ms White: About 0.01 per cent of children in care currently are under these circumstances. Our preference is up to five days before an application is lodged, and that is consistent with all applications for child-related work under the Working with Children Act. We have had some instances, particularly in the renewal space, where they have already had a working with children card. They are privy to all of our assessments and ongoing reviews as part of being a carer for the department, which have been happening regularly and well—there are no issues arising—but they have not been able to, for a range of different reasons that occur, start that renewal process, so that time period can extend a little further.

Hon STEPHEN DAWSON: Perhaps then by way of supplementary information, whether it is the 57 and 19 or the 59 figure that you gave me in the answers to my pre-committee questions, can you give me a length of time that each of those people have been without a current working with children check card? Are you able to identify the numbers for those people who had a card previously and are without the current card and also those who have never had a card before, how long they have not had a card for and had a child in their care?

Hon DONNA FARAGHER: I am advised that we can provide that. It might take a bit of time to get that bit of information, so if it requires a slight extension we will obviously inform the committee.

The CHAIR: We will note that if it is going to take longer than the 10 days; just let us know when you provide the answer to the others.

[Supplementary Information No A6.]

Hon STEPHEN DAWSON: What ongoing compliance is undertaken by the department to ensure that people issued with negative notices are not working with children?

Ms White: With regards to the department's own practices, we have our compliance arrangements in our integrity services area, so these are individual staff who are also subject to the working with children screening. For example, if the card is due for renewal, they get sent prompts. If they fail to take steps to make that renewal, it is registered as a disciplinary matter with integrity services.

Hon STEPHEN DAWSON: I guess I am not ask about your own staff, but does the agency go out proactively and undertake compliance with people who have had checks but who have been issued with negative notices in particular in the past to make sure that they are not still acting or still working with children?

Ms White: With regards to the working with children unit, once the negative notice is issued, it is issued not only to the individual, but their place of work, so we really rely quite strongly on that place to cease employment. The individual has been given a notice to cease employment. We get notification when that has occurred. We do not track an individual over time. If they were to re-enter another work place that has child-related work or there is a requirement to have a working with children card to perform those duties, that whole process starts again, and if they do make an application, the existing negative notice is automated, flicked up and we start the process again.

Hon STEPHEN DAWSON: I guess a hypothetical though, if someone has a card, they have been given a card and the card lasts for a couple of years, if they were issued with a negative notice, fair enough, their employer would obviously take action. Is there anything to stop the person card going to another employer and saying, "Give me a job; I have got a valid working with children check"? Could that happen?

Hon DONNA FARAGHER: Hypothetically it could, but we would also expect that the potential employer would also do their own crosschecking as well, particularly if they were dealing with children on a daily basis. I would expect that that would occur.

Ms White: If I can just add to that if that is okay; it is also an offence under the act do so.

Hon STEPHEN DAWSON: I understand that, but if somebody has a dodgy past and they persist in wanting to work with children and, I guess, trying to get access to children, they will not care about the declaration they have signed or indeed the law; they will simply go and do what they want to do.

Ms White: Very sadly, they might not rely on the workplace for those sorts of behaviours.

Hon STEPHEN DAWSON: So, just to be clear: there are no proactive audits undertaken?

Ms White: We do a good deal of proactive work with organisations right across the board. The unit does information sessions. We update those information sessions, so for example right now we are in the process of updating the modules, taking on board the Commissioner for Children and Young People's child safe organisation tools and self-assessment tools. We are out there quite regularly with different organisations providing them with that capacity building.

Hon STEPHEN DAWSON: But that is an information sharing process; it is not an audit of individuals holding working with children checks. That does not happen?

Ms White: It does, but not in the way I think you are pointing to. It does talk through processes and assessment tools that the organisation can do itself to, I guess, establish whether or not some of the other safeguards are in place. A working with children card has to be one of a suite of safeguards that an organisation puts in place to safeguard children. I think an overreliance on the card, as

critical as that is, would be very limiting for us in terms of children's safety and wellbeing; it has to be broader than that.

Hon STEPHEN DAWSON: Sure, but once you issue the card, it is up to employers or whoever else to audit. Your involvement finishes at that stage unless somebody reports.

[1.50 pm]

Ms White: Thank you. The back end of it I think is really critical to talk through at this point. If someone has a card and they have got new charges or perhaps other information through the child protection system, so they are subject to an investigation regarding child abuse, that triggers back through to the working with children unit a new piece of information and it triggers a new assessment of that person's suitability to undertake child-related work. That is managed in partnership with CrimTrac, so it could be an offence that is committed in another state or territory, so there is an automatic feed into that ongoing assessment process. They have got a card, but there is new information of relevance that needs to be considered in real time.

Hon HELEN MORTON: I just wanted to follow up on one of the issues you raised around the 57 or 59 people that do not have a current working with children card as foster carers and whether you could elaborate on some of the challenges and difficulties that are related to getting those cards renewed by some of those foster carers, particularly relative carers.

Hon DONNA FARAGHER: I defer to the director general.

Ms White: A couple of points on this. Renewals—in particular geographical distance can be a factor for some individuals. Some people need quite a bit of support with regard to filling out the form, lodging the form, but also relatives, as you can imagine, do not necessarily see themselves as foster carers for the department. They are looking after their own children, their own family children, so the thought of having to keep going through what can be seen as administrative or bureaucratic processes, as important as they are, is sometimes difficult for a relative carer to prioritise because often—not always, but often—they have been caring for the child long before they have come into care and several years afterwards. They are probably front-of-mind barriers.

Hon DONNA FARAGHER: Grandparents would be an example of that, obviously.

Hon HELEN MORTON: I am just really struck by the issues that you have raised, because the delicate balance in that is not to alienate some of those people, because you actually require them to be foster carers and at the same time wanting to provide the safety, so I am interested in that whole challenging area around renewal and especially for relative carers and extended family.

Hon PETER KATSAMBANIS: I have a couple of questions. Page 874 refers to "Care Arrangements for Children in the CEO's Care", and one of the efficiency indicators is "Average Cost per Day of an Exceptionally Complex Needs Care Arrangement", and the difference between budget and estimated actual is around about 25 per cent or so higher. One of the explanatory notes seems to suggest that the reason for that was that there was less than the anticipated number of placement days. Can you explain how that works and how we have ended up with the outcome that we have?

Hon DONNA FARAGHER: I will defer to the director general.

Ms White: Thank you. There are probably a couple of really important issues to understand. The number of young people who come into the care of the department who do require a specialised or more intensive care arrangement is really hard to predict. Sometimes we have some years when we have had a high number of children who have come into care, generally the older age group, which have a range of issues ranging from drug and alcohol misuse; they may be experiencing some level of mental health concern; they may or may not have a disability; and, of course, it all happens in the backdrop of extreme trauma. Some of their behaviours, safety to themselves and others, are at a point where we really do need a different response to them.

We have some young people who come in, for example, who require that level of intense support for a short period of time and some need it for the rest of their lives or for a long period of time. We did quite a lot of work in the last 18 months with regard to the children and placement arrangements in the exceptionally high needs area. We reviewed all our fee-for-service placements and that is the budget lines that you are referring to. We did do quite a bit of improvement around the procurement process, which we grounded much more specifically in the needs of the children and then: Are they achieving the outcomes we seek? What changes need to be happening through that contracted process? We did do quite a lot of changes to the procurement process. We really enhanced some of the assessment mechanisms for what is required for that child and the sum total of that piece of work has resulted in, in part, some of the reduction, but mostly it is about the unpredictability of what the future demand will be.

Sometimes they have siblings, so we do need to consider whether that person needs a placement on their own. We always try to keep siblings together. Sometimes we end up with siblings in those placements that perhaps do not need that level of service, but it is far better for the children to remain together, but, of course, that sibling will be counted in those numbers. It is a bit of a moving proposition.

Hon PETER KATSAMBANIS: I understand that. Effectively, it says that in that particular year you had less demand for those services but you needed to keep those places open. Is there any indication of what drove the reduction in demand? It is the guy quite a significant reduction from the 9 000s to the 6 000s.

Ms White: The level of reduction was in two parts; one, the unpredictability of demand, but also some of the review of the procurement and assessment processes at the same time. For example, just to give you a concrete example of that, a number of sibling groups actually had been in those high need placements for a period of time; they had stabilised quite well and were able to transition into another level of care. We did quite a lot of proactive reassessment work of those circumstances.

Hon PETER KATSAMBANIS: Yes, I understand that it is a pretty complex area. Also, similarly on some of the effectiveness indicators, on page 869, one of the indicators is —

Improved safety — Proportion of clients who were assessed and received a response as a result of a family and domestic violence (FDV) incident and did not require another FDV related response within 12 months.

I understand it is extremely difficult to predict these sorts of outcomes, but the budgeted figure was for 90 per cent—I assume you derive these out of previous years—and the estimated actual is only 76 per cent. Is there some sort of indication as to why you would have over time an actual figure in 2014–15 of 75 per cent; then a budgeted figure in the following year of 90 per cent; the actual figure comes in again at around 76 per cent; and then for 2016–17, you again go and budget 90 per cent? Is that aspirational or an indication of perhaps moving to a different model? How would you explain that?

Hon DONNA FARAGHER: I will defer to the director general, but I will refer to the first point under “Explanation of Significant Movements”; it was included for the first time in the 2015–16 budget.

Ms White: In part, I think the swing is because it has been the first time we have put in and we have made some changes to our outcomes framework so we can lift up and get better visibility. The really critical part of this KPI is trying to get a more accurate measure on: Are these interventions working? Is it resulting in better and sustained safety for children who are exposed or subject in some way to family and domestic violence? As we put in the note, it is the first time, so it has kind of thrown up that we need to go back and, one, check the data, but, two, I think it is appropriately bold and aspirational in the language you have used. You want to know that things are actually making a difference.

[2.00 pm]

Hon PETER KATSAMBANIS: I understand that. We will follow it over time, I guess, is probably the best course.

Hon ALANNA CLOHESY: What is the total number of women that were assisted by refugees in the last financial year? In looking that up, you may as well look for the number of children as well.

Hon DONNA FARAGHER: We will have to take that on notice, but we can take both.

Hon ALANNA CLOHESY: Maybe I can also have a comparison of the increase in the number in this financial year—a six-month comparison, for example.

Hon DONNA FARAGHER: Can I just clarify? Are you suggesting —

Hon ALANNA CLOHESY: I am suggesting that it has probably increased in this financial year.

Hon DONNA FARAGHER: I am just checking, so that we can get you the information that you need—perhaps last financial year and this current financial year as a comparison; are you happy with that?

Hon ALANNA CLOHESY: As a comparison.

Hon DONNA FARAGHER: Yes, we can provide that.

The CHAIR: So, the first nine months of last financial year, and the first nine months of this financial year—like for like figures?

Hon DONNA FARAGHER: And just so that we are clear, women and children in refugees.

Hon ALANNA CLOHESY: Yes, but separately recorded.

[Supplementary Information No A7.]

Hon ALANNA CLOHESY: How many women were unable to access a bed in a refuge last financial year?

Hon DONNA FARAGHER: We will also have to take that on notice.

Hon ALANNA CLOHESY: And children, and do a comparison for this financial year?

Hon DONNA FARAGHER: We can do that as well.

[Supplementary Information No A8.]

Hon ALANNA CLOHESY: As part of that, how many were experiencing domestic violence incidents and were unable to access refuge accommodation, and therefore were given alternative accommodation—the refuges were full, and they had to go somewhere else—how many for 2014, and a comparison for 2015–16.

Hon DONNA FARAGHER: We will take that question on notice, but I have just been advised that we may need to put some qualifications on the response, because it may well be that they access another service, or something, so there might not be a direct correlation. We will do a search and provide what we can.

[Supplementary Information No A9.]

Hon ALANNA CLOHESY: How much is allocated, and what new refuge services will be funded out of this budget, and into the forward estimates?

Hon DONNA FARAGHER: We can respond to that. I refer to the director general.

Ms White: We will locate the dollar figures, if my team can do that. We have had a refuge in the south west come online last year. We have recently —

Hon ALANNA CLOHESY: Sorry, this is a new services I am talking about, for 2015–16 through the forward estimates.

Ms White: The next service due to come online is the expansion of an existing Ruah refuge, which will double in capacity in terms of the beds available for families.

Hon ALANNA CLOHESY: So that is budgeted for in 2015–16?

Ms White: Correct.

Hon ALANNA CLOHESY: How much?

Ms White: That is something we are just trying to find.

Hon DONNA FARAGHER: We have just done a check, and we do not have the full detail, and it also involves another agency as well, so if we could take that part of the question on notice, and we will come back to you.

[Supplementary Information No A10.]

Hon ALANNA CLOHESY: New services 2015–16 through the forward estimates, and separately reporting on those services that have already commenced, either growth, or have already been commenced, and in the development, following on from my question on notice prior to this hearing.

Hon DONNA FARAGHER: The director general can provide a little information on the Kimberley initiative now. We will provide that information to you now, and then we will follow up on any other matters.

Ms White: The department and the minister launched, in May 2016, a new initiative specifically around the Kimberley, titled Kimberley Family Violence Service. It commenced in May this year. There is a total of \$3 million allocated for that program into the forward estimates, over a three-year period.

Hon ALANNA CLOHESY: That is not new money; that is reallocation of existing money that was already in the budget, is it not?

Ms White: It is a new allocation of money last year and then through the forward estimates, being spent. Just a little bit more information about those Kimberley services that is of interest: part of the Kimberley plan is establishing services for perpetrators of family violence. That has included an increase in money to the community services sector in that region to help support of new perpetrators, or men's behavioural change support programs. It has required new funding agreements—new money—into the out years. It has also required a setup of new Kimberley safe teams—team leaders, men's workers, women's workers—that operate in both the main towns and smaller towns in a network sense.

Hon ALANNA CLOHESY: Sorry, I was asking specifically about refuge places. I would get on to the other areas if there was time, but I am still specifically asking about how much money has been allocated in 2015–16 for new refuge places, and how much in each of the forward estimates for new refuge places, not those that are already under construction or are being extended, but new refuge places.

Ms White: Again, as part of the previous answer, we will take that on notice for you.

Hon DONNA FARAGHER: I think that has actually already been taken on notice. We are affirming that we will do that.

Hon ALANNA CLOHESY: I have other questions, but I will put them on notice, in view of the time.

Hon HELEN MORTON: I am interested in two areas. One is about the intensive family support homes. How many of those homes are operating, and how are they going?

Hon DONNA FARAGHER: I will refer to the director general, but I know that this has been a particular interest of Hon Helen Morton.

Ms White: The program is still very much operating. We have got four homes currently occupied. As you know, it is an intensive program that has a mix of responsibility of the family but also intensive support, up to six hours a day, in the house. The families that have gone through since the beginning of the program, there has been 11 children prevented from coming into care, and we are looking at reunifying an additional two. We have just been able to commit a further 12 months to that pilot program, and Housing have also confirmed their commitment to both the program, but to make additional houses available. Our goal is to have six families at any one time, and as those families complete the program, they will stay in the home and an additional home will come online. It is meeting its desired KPIs, and as flagged it has been quite a successful child protection and intensive family support intervention to date.

[2.10 pm]

Hon HELEN MORTON: Have the homes had an average of two children or more?

Ms White: Yes, they have.

Hon HELEN MORTON: Is it cheaper to provide that service in that manner than to bring those two children, should they require it, into care?

Ms White: Yes; undoubtedly. On average, it is about \$75 000 a year per child in care, as an average. The program, in total, is costing the department not quite \$200 000, in addition to some of the other support services that are part of that program design and wraparound; so, yes, absolutely. It is very intensive, and they are working with families that we would not ordinarily get very good engagement with and are very much families that are homeless—they have been evicted, they are currently homeless. Child Protection is involved; the criminal justice system is often involved; they have extraordinary numbers of involvement with the police, either themselves as the adults but also some of their children. They are very much families who sometimes can be considered to be almost at the end of the road before tertiary or statutory intervention is inevitable. So I think it is really engaging with a proportion of the community that we have not been able to engage with to this degree.

The CHAIR: Hon Lynn MacLaren.

Hon LYNN MacLAREN: That is a nice offer; thank you. I did have a question, but it is a bit hard to pitch it, so I will just ask it and you can tell me if you can answer it. It is about complex-needs children. Some children may qualify for programs under the Mental Health Commission, under the NDIS and also potentially DSC. I wanted to try to work out how we manage the complexities of funding services for those young people who fall into more than one category.

Hon DONNA FARAGHER: I will refer to the director general, but there are MOUs, case management and the like for those individuals.

Ms White: With regard to children who are in those exceptionally high needs categories, almost inevitably those other features exist, as you have suggested. That initial assessment of what care model needs to be brought around this young person for them to get their immediate needs met but also look at some of their broader life outcomes. We have a range of ways in which we bring other agencies together in that consideration. Sometimes it is actually getting a support service from Mental Health, as an example, to coach and mentor and support the carer rather than direct provision of service to that young person, so it has to kind of be looked at in a holistic way. When a child is in care, we have 12-month care planning processes, with eight dimensions, that are very much instructive about who else needs to be involved, what are their needs under health and mental health, education and so on and so forth. They are reviewed every three months. Part of that care planning process is bringing the right parties together, be it the biological family, the carer and other professionals who might be involved. But for young people with these really high needs, we are having daily or weekly contact with a range of professionals and carers to provide that support, so it is quite an active process. We have some specialist contract management people in our central

referral team, particularly in our specialist disability-type placements, who have really mature, sophisticated ways of coming together with the correct people in those other agencies about what dollars and services they will provide and how do we bring all those things together.

Hon LYNN MacLAREN: So it is a case-management approach. Would it appear in the budget for Child Protection if it is a child in care? If they are getting those other services, where do they appear in the budget, or would they appear as a child with high needs? For example, would it appear in your budget as high needs or would it appear in DSC's budget?

Ms White: It is a bit of both; it appears in its absence. If a child is getting a consistent service, say, from the Disability Services Commission or one of its providers, that is not a service that we then need to resource and pay for. However, there would still be a case management cost to the department, as the legal guardian for that child, that needs to be factored in and does feature in our budget. It can depend a bit.

Hon LYNN MacLAREN: Are there any particular challenges when a child who is in this category and has multiple complex needs is approaching 18 years of age and is then moving out of care? How is that managed?

Ms White: We have quite a prescribed leaving care policy and planning process. For most young people, we start forward thinking about that at 15 years of age. That is our policy position. For young people who are really in this high-needs area, again, we can have joint planning meetings for some time with various professionals to see how we can transition that young person into an adult system, particularly if they require specialised accommodation to meet their needs. We also have a thing called YPECN, which is young people with exceptionally complex needs. That is a case management process on steroids, as it were, whereby some young people really do fall outside of all those mechanisms because their situations are really, really quite extreme so that we all need to step well outside our usual mandate to think about how we can meet their immediate needs but, more importantly, how we can sustain them for a lifetime. That is, again, an MOU. It is a supported program. There is a funded coordinator who works on behalf of all the agencies, in addition to the case manager, if the child is in the department, to make those planning provisions. It is lengthy, it is time consuming and involves how we are going to resource it, how we are going to keep abreast of this individual's needs and then how we are going to meet them, and, of course, always keeping in firm view the actual people providing the care for that child. A lot of the support and intervention is around the carers as much as the individual young person. So, if it is really about the adults' skill, knowledge, support, that can actually bring in some other agencies that are not traditionally providing support to a young person.

The CHAIR: I am going to have to draw it to a close there. I want to clarify a couple of issues with some of the questions that the committee sent to you—the generic questions. The first was with respect to your full-time and contract staff. You are saying that 100 per cent of your staff are contract of services, so they are full-time employees. You do not have anyone on three, six or 12 months; you do not use employment agencies to bring people in on a temporary basis. There is not a single staff member on a short-term contract.

Ms White: Yes, we do have staff on fixed-term contracts.

The CHAIR: That is not the answer. We asked you the question and that is not the answer you have given us. You said 100 per cent.

Ms White: If I can clarify, it is a fixed-term contract of service.

The CHAIR: Right. We might need to ask some supplementary questions. What other types of contracts do you have for your staff? The people who are three or six months, what are they on? Do you not use any employment agencies to temporarily fill any positions, like reception or anything like that?

Ms White: No, we do not; it is all fixed-term contract of service.

The CHAIR: My other quick question is: other than for preparing cabinet submissions, do you do no planning in terms of your future infrastructure asset needs? The only time you ever do any planning around infrastructure needs is to inform a cabinet submission; is that correct?

[2.20 pm]

Hon DONNA FARAGHER: I might ask Mr Byrne to follow up on that.

Mr Byrne: We actually have an asset management plan, however we have been advised by Treasury that that is cabinet-in-confidence and therefore —

The CHAIR: But I am asking was it prepared as a cabinet submission or was it part of your own internal departmental planning about your infrastructure needs?

Mr Byrne: Our asset management plan was prepared for Treasury as part of that. We have other asset planning.

The CHAIR: You do do other asset planning?

Mr Byrne: Yes.

The CHAIR: So why are you not able to provide us with the details of the questions we have asked, based on your other asset planning that you have done as an agency?

Mr Byrne: We were not able to provide the asset management plan, following advice from the Treasury.

The CHAIR: I understand that, and we will continue to have that argument with the government, whether that is right or wrong. But we also asked you regarding your infrastructure requirements for the next 10 years, and you told us you could not provide us with any detail in that regard either about the type of infrastructure that needs to be replaced, upgraded or built to meet demand over the next 10 years. I am asking why you cannot provide that sort of information to the committee. If you are doing that work and it is not done directly as a cabinet submission and it is not included in a submission to either the EERC or the cabinet, why are you not able to provide it to the committee?

Hon DONNA FARAGHER: I will go back to the minister if there is any further information, but I do note in the answer that you have asked for a 10-year, and it has been noted that it is subject to a wide variety of matters, including, but not limited to, the priorities of the government of the day, changes in circumstances, changes in technologies and external events. The minister has indicated why it is difficult to provide that level of detail over 10 years.

The CHAIR: It is not that hard, minister, and it is obfuscation by the government and the department. The simple fact is: a committee that is looking at estimates has the right to know what are the future demands on the state. Part of this process is about approving the budget. We need to be aware of what are the future demands and to obstruct the committee by not providing that information, other than if it is part of a cabinet submission, in my view, is just disrespectful to Parliament. I am asking the department, and they have clearly answered my questions that they are doing their own planning outside the cabinet process, and we will follow that up with additional questions, and I would ask that they be answered on this occasion. I need to bring it to a close, I am afraid. Did you have one quick last question, Hon Stephen Dawson?

Hon STEPHEN DAWSON: Yes, thank you, chair. On page 866, under “Appropriations, Expenses and Cash Assets”—you do not need to turn to the page, I am just going to refer to that—information back from the Assembly estimates shows that there were only six more child protection workers at the department on 1 May 2016 than there were on 1 May 2013, yet the number of children in care over this period had risen from 3 948 to 4 620. There is an extra 672 kids in care, yet there were only six more staff. Can I ask, minister, why has the number of child protection workers not kept up with the demand in the number of children entering state care?

Hon DONNA FARAGHER: I am happy to take it on notice if the minister has further information to provide at a later time, but what I will say is it is understood that there continues to be growth every year. This government has provided substantial funding to the child protection portfolio for a number of years. In terms of staff, there are obviously a range of reasons and, as I understand, there may be an example in which there have been FTE savings in one area that then can offset into other areas as well. That is just one example. The director general might be able to provide some more specific examples, or I am happy to take it on notice, if you would like a bit more detail in that regard.

Hon STEPHEN DAWSON: I would like a bit more detail, but, minister, do you think it is reasonable that with an extra 670 kids in care, the agencies only have an extra six staff to deal with those?

[Supplementary Information No A11.]

Hon DONNA FARAGHER: Again, I am happy to take it on notice, but there is growing community sector spend in terms of non-government organisations. There are, obviously, also children who leave the care of the state. So, there is a range of variables every year that the department and, indeed, the government need to manage. But I just reiterate that this government has a very strong track record in terms of support, not only in this agency, but across all of the human services agencies and is something that I, as minister, am incredibly proud of.

Hon HELEN MORTON: Is it so that the ratio of caseworker to children in care in Western Australia is the lowest anywhere in Australia and in other jurisdictions outside Australia?

Ms White: WA is the only jurisdiction nationally or internationally that has workload management through an industrial order and in terms of —

Hon STEPHEN DAWSON: We just do not meet it.

The CHAIR: Members, I am going to have to call it to a close.

On behalf of the committee, I thank you for your attendance today. The committee will forward any additional questions it has to you in writing after Monday, 20 June 2016, together with the transcript of evidence, which includes the questions you have taken on notice highlighted on the transcript. Responses to these questions will be requested within 10 working days of receipt of the questions. Should you be unable to meet this due date, please advise the committee in writing as soon as possible before the due date. The advice is to include specific reasons as to why the due date cannot be met. If members have any unasked questions, I ask them to submit these to the committee clerk at the close of the hearing. Once again, I thank you for your attendance today.

Hearing concluded at 2.26 pm
