

STATUS REPORT (NO. 2) ON WESTERN AUSTRALIAN GOVERNMENT IMPLEMENTATION OF ST ANDREW'S HOSTEL SPECIAL INQUIRY RECOMMENDATIONS

On 19 September 2012 the Premier tabled in Parliament the Inquiry report titled *St Andrew's Hostel Katanning: How the system and society failed our children*. All five of the Inquiry's recommendations and a further two initiatives were endorsed by Government.

This report represents an update to the first status report on the Government's implementation of the St Andrew's Hostel Special Inquiry recommendations, which is available online at www.publicsector.wa.gov.au

Recommendation 1

That the Country High School Hostels Authority develops a comprehensive, child focussed complaint system which provides a multiple avenue complaints model including support for the child or young person. A critical element of the model which will ensure a robust and approachable system is that it should facilitate complaints being made externally.

The Department of Education in close consultation with the Country High School Hostels Authority has developed a comprehensive child focussed complaints system that provides hostel residents with several avenues to make complaints. For the first time hostel residents will have:

- direct access to a telephone line that connects them to a team of expert child protection investigators;
- a child focussed website on which they can make complaints; and
- communication materials targeted towards children and young people to raise awareness of their ability to make complaints in several different ways.

Importantly, the new complaints system:

- is entirely separate from residential college facilities and staff;
- uses the Department of Education's Standards and Integrity Directorate as the clearing house for all Authority misconduct complaints;
- provides complainants with the expertise and experience of staff of the Standards and Integrity Directorate who are trained in protective behaviours;
- has been informed through a series of focus groups with 90 students in schools and residential hostels;
- has multiple avenues for complaints including a dedicated telephone line, a dedicated email address and a dedicated website with an online form; and
- provides information about external avenues of complaint and crisis response including WA Police, Kids Helpline and Crisis Care.

This is in addition to existing avenues of complaint through residential college managers and staff, residential college boards and the Director of the Authority.

The new complaints system will be publicised in residential colleges and the schools that students attend.

Recommendation 2

That the State Government develop a function and role within or across central and independent agencies to fulfil a robust child focussed central complaints system that is a “one stop shop” for any complaint concerning child abuse regardless of the public sector agency that the matter relates to.

A central agency taskforce should be established to consider and recommend the most appropriate agency or agencies to be responsible for fulfilling this function, and to recommend the steps necessary for ensuring that complainants/informants utilising such a system do not fear legal liability as a result of contacting the agency.

- The Government has indicated that the Commissioner for Children and Young People would be the preferred body to perform the one-stop shop complaints role recommended by the Inquiry to prioritise the welfare of children in any government facility.
- The amendments to the *Commissioner for Children and Young People Act 2006* necessary to enable the Commissioner to perform this function have been considered as part of the statutory review of that Act. The Attorney General requested the Public Sector Commission to undertake the statutory review. The review has been completed, with a final report provided to the Attorney General on 31 May 2013. Consultation with a reference group and relevant stakeholders has occurred as part of the review. The Attorney General is currently considering the review recommendations.
- On 15 November 2012 the Western Australian Parliamentary Joint Standing Committee on the Commissioner for Children and Young People tabled a report titled “A Review of the Exercise of the Functions of the Commissioner for Children and Young People”. The Committee made a number of recommendations in relation to the operation of the *Commissioner for Children and Young People Act 2006* that were taken into account by the legislative review.

Recommendation 3

That, as part of the statutory review of the Children and Community Services Act 2004 (CCS Act) and of any further consideration by Government of the provisions of the CCS Act, consideration be given to including staff of the Country High School Hostels Authority as mandatory reporters for the purposes of the CCS Act.

- Drafting instructions and a Cabinet submission to make Country High School Hostel’s Authority staff mandated reporters of child sexual abuse are being progressed as part of the legislative reform recommended by the 2012 Review of the *Children and Community Services Act 2004* (CCSA), and are currently being finalised.

- Consultation is currently occurring with the Department of Education and the Country High School Hostels Authority to determine the specific classes of Authority employees to be included as mandatory reporters.

Recommendation 4

That the Department of Education undertake a review of how their schools deliver the preventative curriculum to ensure that it meets the need as identified in the Gordon Inquiry and that it assess whether there is any need for a more prescriptive requirement (in line with the Protective Behaviours program that the Department has already developed).

The Department of Education has undertaken a review of the delivery of the preventative curriculum in schools. The review identified that there was an opportunity to ensure that the curriculum was delivered in a more comprehensive way. Further implementation of this recommendation will deliver:

- the development of curriculum resources and amendment of protective behaviours online professional learning program;
- development of train-the-trainer course; and
- the evaluation of the effectiveness of a more prescriptive approach to preventative curriculum.

Recommendation 5

That, as part of the Authority's review of the roles and responsibilities of College Boards of Management and their relevant Constitutions, the Authority consider developing a comprehensive training program for Board members covering a range of areas, particularly Accountability and Ethical Decision Making, complaint handling, duty of care and protective behaviours, to be possibly delivered in the form of an annual conference for hostel board members.

Training was presented to Authority board members, chairs of college boards and residential college managers in late 2012 in:

- accountable and ethical decision-making;
- information about the development of a child-focussed complaints system;
- implementation of protective behaviours education for residential college students; and
- future arrangements for the management of staff misconduct.

The Public Sector Commission has delivered training in accountable and ethical decision-making and the Public Interest Disclosure Act 2003 at each of the nine residential colleges. Participants included members of residential college boards of management and all residential college supervisory staff.

Residential college board members have been provided with documentation on accountable and ethical decision making and public interest disclosures in their induction files. New employees and new college board members will ultimately be able to access relevant training modules which are available to Department of Education staff.

Ultimately, the implementation of Recommendation 5 will deliver:

- regular and comprehensive training for staff, Board Members and Residential College Board members in complaints handling processes, accountable and ethical decision making and protective behaviours;
- a comprehensive induction file for Residential College Board Members; and
- a Code of Conduct for Board members

The Authority has also engaged child care and protection specialists to deliver protective behaviours education to all students boarding at its residential colleges during May and June 2013.

Further Initiatives endorsed by Government

Ex Gratia Scheme for Country High School Hostels students

- The Country High Schools Hostels Ex Gratia Scheme (the Scheme) was established to provide recompense to former students who were subject to abuse when boarding at a hostel administered under the *Country High School Hostels Authority Act 1960* between 1960 and 2006.
- The scheme covered 28 hostels in 12 regional towns: Albany, Bunbury, Carnarvon, Esperance, Geraldton, Kalgoorlie, Katanning, Merredin, Moora, Narrogin, Northam and Port Hedland.
- The scheme will provide payments of up to \$45,000 to eligible applicants.
- Applications opened for six months from 30 November 2012 and closed at 5.00pm (WST) Friday 31 May 2013.
- Former boarders have lodged 106 applications with the Department for Communities.
- The assessment process for applications has commenced. Assessors will contact applicants by telephone to allow them the opportunity to provide any further information in support of their application.
- It is anticipated that all ex gratia payment offers to eligible applicants will be made by 31 December 2013.
- The Crisis Care counselling hotline, set up during the Inquiry, continues to operate.

In principle support for the incorporation of the Country High School Hostels Authority into the Department of Education

The Department of Education, in consultation with the Public Sector Commission and the Department of the Premier and Cabinet, has been considering the future governance of the Authority. The identified governance objectives being to provide for:

- accommodation being accessible to both government and non-government students;
- the efficient provision of student accommodation services that utilises the child protection and governance infrastructure of the Department; and
- recognition of the role of a local manager and local advisory committee for each residential college.

Consideration is currently being given to a range of options regarding the most appropriate legislative provision and operating framework to best support the delivery of services to students in residential colleges.

Department of the Premier and Cabinet
30 June 2013

A further status report will be provided by 31 December 2013.