



Annual Report 2023-24

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Acknowledgement of Country

We acknowledge the Traditional Custodians of the land where we live, learn and young people play. We celebrate the longest living cultures in the world, Aboriginal and Torres Strait Islander peoples.

We pay respect to Elders past and present and commit to respecting the lands we walk on, and the communities we walk with. We acknowledge their continuous connection to Country, including the land, waterways, and skies.

We reflect on the ongoing impacts of government policies and practices and recognise our responsibility to work together with and for Aboriginal and Torres Strait Islander children, families, and communities.

We extend this acknowledgment to all Aboriginal and Torres Strait Islander peoples across NSW and recognise the unique and vital contributions they provide in keeping their children safe.

Artwork on this page
and inside back cover, with
thanks to Wiradjuri woman,
Lua Pellegrini



Letter of submission

The Honourable Ben Franklin MLC
President of the Legislative Council
Parliament House
SYDNEY NSW 2000

The Honourable Greg Piper MP
Speaker of the Legislative Assembly
Parliament House
SYDNEY NSW 2000

Dear Mr President and Mr Speaker,

In accordance with sections 138 and 141 of the *Children's Guardian Act 2019*, I am pleased to present to Parliament the Office of the Children's Guardian Annual Report for the 2023–24 financial year.

The Annual Report has been prepared in accordance with the *Government Sector Finance Act 2018* and the *Children's Guardian Act 2019*.

As provided by section 141(2) of the *Children's Guardian Act 2019*, I recommend that this report be made public forthwith.

Yours sincerely,



Steve Kinmond OAM
Children's Guardian

Foreword



Our annual report outlines our safeguarding work across NSW.

A very important part of our work concerns our oversight of agencies providing out-of-home care, including statutory out-of-home care and respite care for children and young people with disability. In our report, we refer to a number of important issues relating to the out-of-home care sector which have been the subject of broad public commentary over the past year (a number of these issues are discussed on page 51, in our discussion of our report to Parliament, *Strengthening out-of-home care and the broader child protection system*).

We also report on the exercise of our legislative screening functions relating to those seeking to work with children and people with disability.

In our discussion of our reportable conduct oversight work, we canvass a range of issues, including the increase in allegations notified to my office under the Reportable Conduct Scheme, and our work with key stakeholders on important system reform initiatives.

In addition, the report outlines our child safe regulatory work, including our commitment to developing and delivering a range of resources and training, to provide organisations with the tools they need to meet their obligations under the Child Safe Scheme.

We also discuss ongoing improvements we have made to our own regulatory systems and practices. One example is the digital proof of identity for Working with Children Check (WWCC) renewals that we introduced to avoid the need for applicants to attend Service NSW centres when they are renewing their checks (see the case study on page 19).

We also discuss improvements to our productivity, against the backdrop of an increased demand on our services.

I'm grateful for the many stakeholders who have worked collaboratively with my office on delivering real system improvements in areas relating to the safety of children. Examples of this include joint work on historical allegations that arise under the Reportable Conduct Scheme, page 37; the faith-based community of practice related to the Child Safe Scheme, page 15; and ongoing work ensuring a proactive approach to sharing information focused on keeping kids safe, page 34.

Finally, we recently advertised for the new Aboriginal Assistant Guardian, who will play a very important leadership role in improving outcomes for Aboriginal children and young people. As Children's Guardian, I have been committed to being guided by senior Aboriginal leaders in relation to the establishment of this critical role.

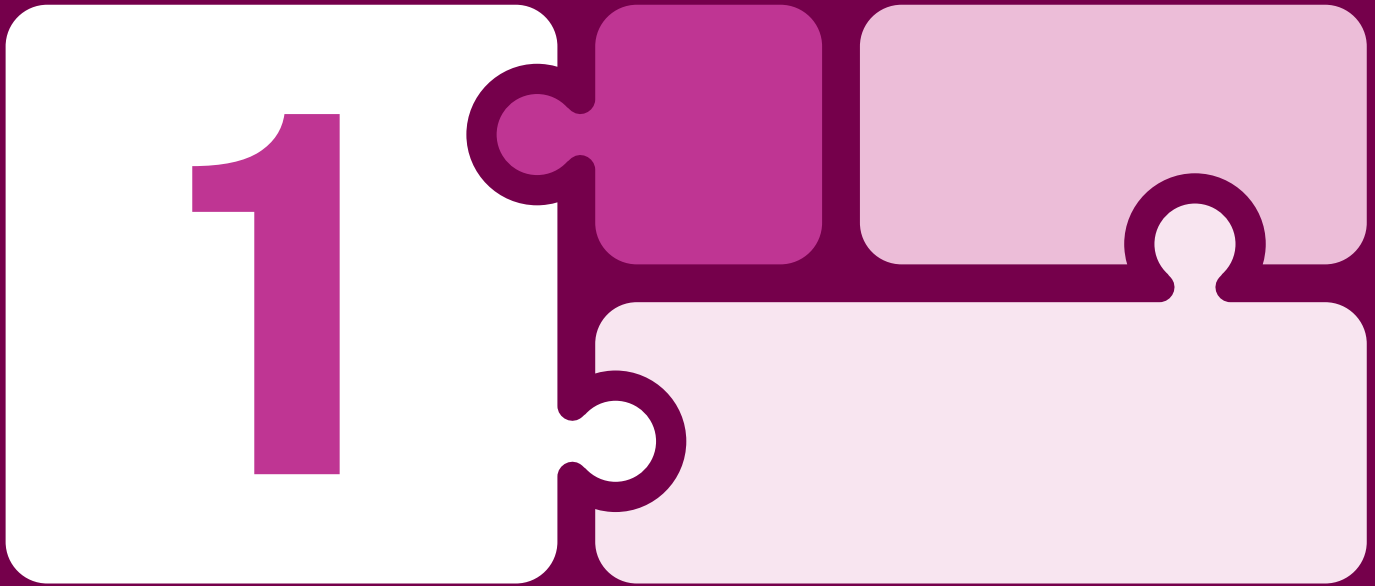
My sincere thanks go to my colleagues at the Office of the Children's Guardian and the network of communities that support, care for and protect the children and young people of NSW.

A handwritten signature in black ink, appearing to read 'S. Kinmond'. The signature is fluid and cursive, with a large initial 'S'.

Steve Kinmond OAM
Children's Guardian

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Overview

The Office of the Children's Guardian's reporting framework and management structure.



Reporting framework

The *Children's Guardian Act 2019* requires the Children's Guardian to provide an annual report to NSW Parliament on our operations.

The Children's Guardian is an independent statutory officer, appointed by the Governor and reports to Parliament. However, the Guardian reports to the Minister for Families and Communities in relation to the administration of the legislation relating to his statutory functions.

The Joint Parliamentary Committee on Children and Young People monitors the execution of the Children's Guardian's functions under the *Child Protection (Working with Children) Act 2012*, and Parts 3A, 4 and 9A of the *Children's Guardian Act 2019*, and in relation to out-of-home care.

The Office of the Children's Guardian meets its obligations under the *Government Information (Public Access) Act 2009* and other reporting frameworks listed in our **Legislative Compliance Policy**.

Management and structure

The executive team at 30 June 2024 comprised:

Mr Steve Kinmond, Children's Guardian

Bachelor of Arts, Bachelor of Laws, Diploma of Education, Diploma of Criminology, Diploma of Legal Practice

Ms Larissa Johnson, Director, Out-of-home care Regulation

Bachelor of Social Work

Ms Natasha Mewing, Director, Reportable Conduct

Bachelor of Arts, Bachelor of Laws (Hons)

Mr Ricky Hennessy, Director, Reportable Conduct

Bachelor of Policing (Investigations), Advanced Diploma of Public Safety

Mr Michael Rosmalen, Director, NDIS Worker Check

Bachelor of Commerce (Economics), Master of Applied Economics

Mr Steve Gholab, Director, Working with Children Check

Bachelor of Social Science (major in Criminology and Sociology), Advanced Diploma of Management, Diploma of Project Management

Ms Sharminie Niles, General Counsel

Master of Laws, Solicitor of the Supreme Court of NSW, Solicitor of the Supreme Court of England and Wales

Mr Peter Crimp, Interim Chief Financial Officer

Bachelor of Commerce, Master of Commerce (Hons), Chartered Accountant

Ms Milena Milojevic, Director People and Culture

Diploma of Positive Psychology and Wellbeing, Diploma Coaching, Diploma Marketing

Ms Nadine Woodward, Director Strategic Projects Child Safe Organisations

Bachelor of Science, Bachelor of Laws (Hons), Graduate Diploma in Legal Practice

Dr Helen Price, Director Strategic Projects Child Safe Organisations

Doctor of Philosophy, Master of Applied Linguistics, Diploma of Architecture, Bachelor of Science (Hons)

Ms Vanessa Ford, Director Strategic Projects Child Safe Organisations

Bachelor of Arts, Bachelor of Laws (Hons), Graduate Diploma in Legal Practice

Ms Rosemary Gerardis, Director Strategic Projects Child Safe Organisations

Bachelor of Applied Science (Occupational Therapy), Masters of Management, Masters of Business Administration

Former executive team

Ms Louise Coe, Director, Child Safe Organisations
(Departed 20 January 2024)

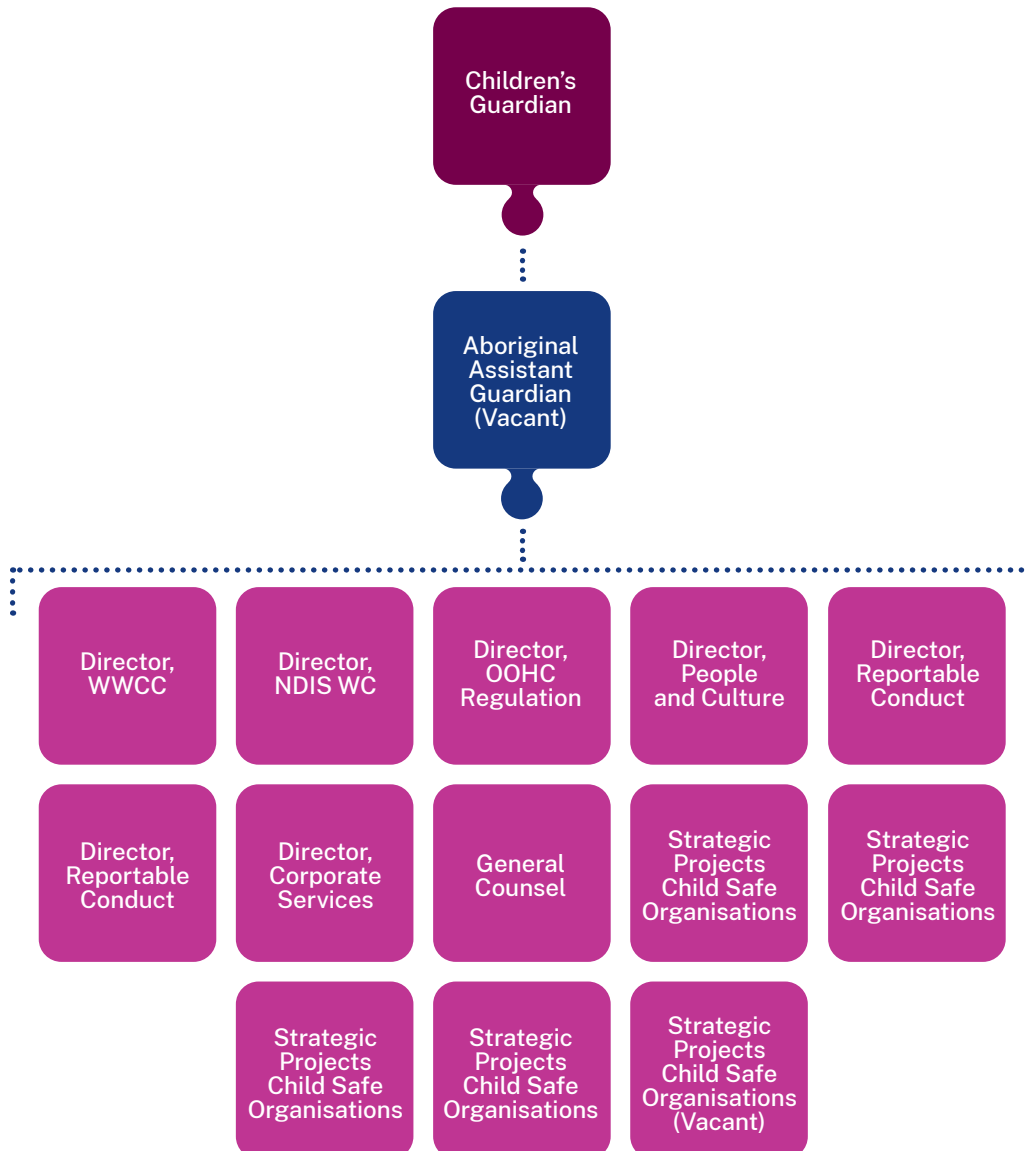
Bachelor of Commerce, Bachelor of Laws (Hons), Diploma of
Legal Practice, Executive Master of Public Administration

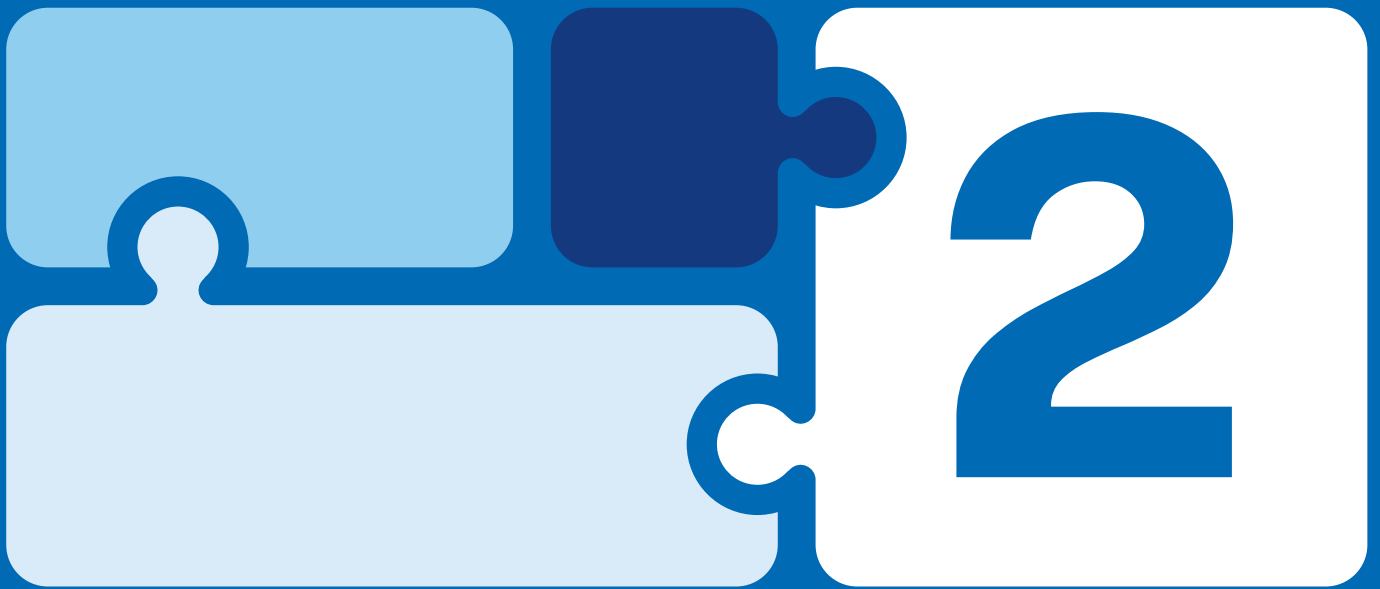
Mr Peter Eaton, Director Corporate Services
(Departed the OCG 29 December 2023)

Bachelor of Commerce, Certified Practising Accountant

Mr Hardik Patel, Interim Corporate Services Director
(Departed the OCG 26 July 2024)

Figure 1: Organisation chart indicating functional responsibilities of senior executives as at 30 June 2024:





Strategy

The Office of the Children's Guardian's role, strategic priorities and responsibilities.

Our primary role

- We regulate and oversight organisations which work with children for the purposes of embedding child safe practice.
- We ensure out-of-home care agencies meet essential standards in relation to the care they provide.
- We administer worker screening checks to identify those who should be prevented from working with children and people with disability.

Strategic priorities

In the first half of 2024, the OCG undertook a consultative process with its senior executives and all staff to develop its 3-year OCG Corporate Strategy 2024–2027. This process involved:

- a review of the 2023 People Matter Employment Survey (PMES) results and development of a report outlining key recommended actions and responses to issues raised
- the development of a People & Culture Strategy, which addresses many of the recommendations in the PMES review report
- an all staff planning day to develop our strategic priorities for the next 3 years and to celebrate the successes of the past year
- the development of a ‘strategy on a page’ which is available on the OCG website
- the commencement of business planning processes to link the strategic priorities to tangible business activities and KPIs.

The OCG Corporate Strategy 2024–2027 outlines 6 strategic priorities below, which are detailed further on our website.



1.
Being a model administrator
and oversight body



2.
Increasing awareness and
building capability



3.
Shaping policy and practice



4.
Improving First Nations
outcomes



5.
Enhancing collaboration



6.
Supporting our people

* Artwork with thanks to Kurna and Narungga woman, Charmaine Mumbulla.



Summary of operational responsibilities

Child Safe Scheme

The Child Safe Scheme is a significant reform to child safety in NSW and provides an overarching framework for the operation of our functions under the *Children's Guardian Act 2019*.

The 10 Child Safe Standards were recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse. These standards provide a framework for organisations to create, maintain and improve child safe environments by building child safe cultures and improving child safe practices to prevent harm and abuse from occurring.

The scheme has been in place for more than 2 years, and monitoring, assessment and compliance powers commenced in February 2023.

Working with Children Check

The Working with Children Check is one of a number of tools that organisations should use to build a safe environment for children.

People who work or volunteer to provide certain services to children and young people in NSW are required to have a Working with Children Check (WWCC) clearance. It is an offence for a person to engage in child-related work without a current application or clearance.

Employers also have legal responsibilities in relation to the WWCC. We monitor employers' compliance with WWCC laws with a focus on employer education, particularly the importance of verifying their workers' Checks.

Reportable Conduct Scheme

The Reportable Conduct Scheme oversees how certain organisations respond to serious allegations of criminal and other improper conduct relating to the treatment of children by their employees, and actions they take to prevent future harm to children in their organisation.

Where risks to children are identified, reportable conduct information may be shared with the WWCC and other areas of the Office of the Children's Guardian to inform decision-making in the exercise of our education, compliance and monitoring functions. We may also share information with external parties.

Statutory out-of-home care and adoption

The OCG is responsible for accrediting and monitoring government and non-government agencies authorised to provide statutory out-of-home care to children and young people across NSW. Our role is to protect and promote the safety, wellbeing and welfare of children and young people who have been placed in out-of-home care.

The OCG also regulates adoption services in NSW. Non-government agencies that offer adoption services are required to be accredited and all agencies are required to meet specific adoption standards and comply with legislative requirements.

Carer and residential worker monitoring

The OCG manages the Carers Register and Residential Care Workers Register. The Carers Register records information about carer applications, authorised carers who are providing out-of-home care and their household members. The Residential Care Workers Register records information about individuals who have applied for and are engaged as residential care workers, including those who are authorised to provide out-of-home care in a residential setting.

Each register assists in the selection and probity assessment of carers and residential care workers. Information collated from the Carers Register and Residential Care Workers Register informs our out-of-home care accreditation and monitoring process work.

Specialised substitute residential care

Specialised substitute residential care is an arrangement between a parent and an organisation for a child to receive care away from their usual home for 3 or more nights in any 7-day period. The care must be for respite or behaviour support or funded by the National Disability Insurance Scheme.

It provides support for families caring for children and young people with complex needs, many of whom are living with disability.

In NSW, providers of this type of care are required to complete a self-assessment using our online tool and comply with the Code of Practice which we use to monitor them.

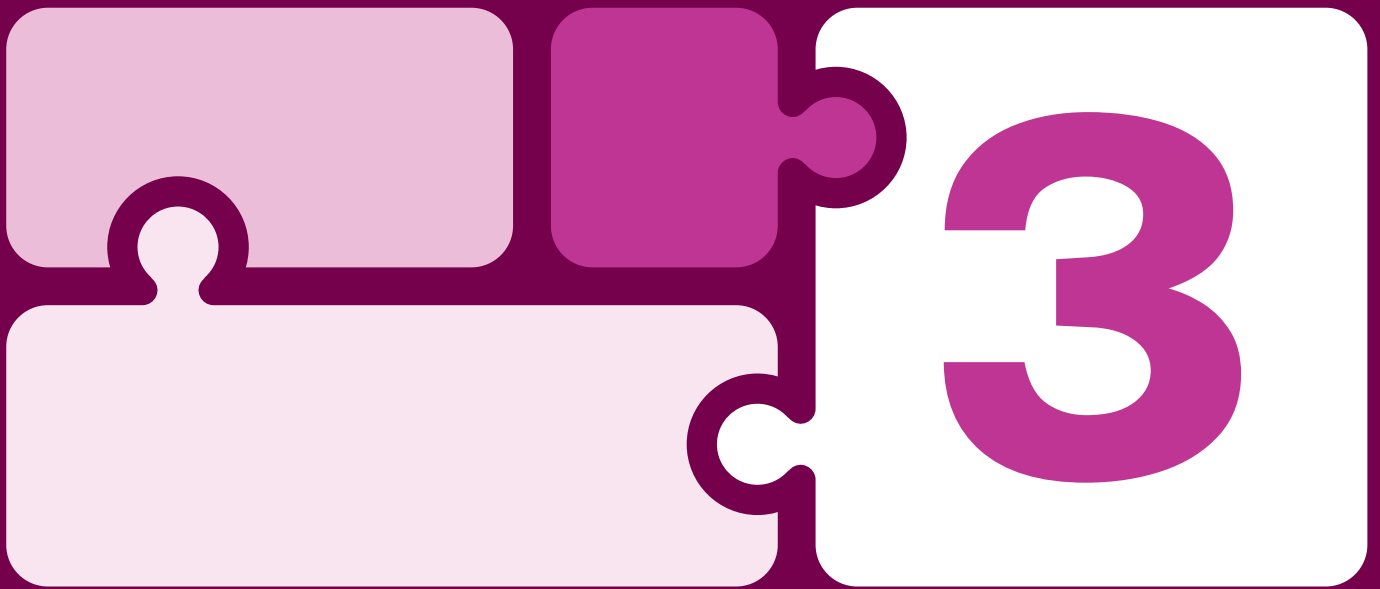
Children's employment

The Office of the Children's Guardian is responsible for regulating organisations that employ children in the entertainment, exhibition, still photography, modelling and door-to-door sales industries to ensure that children's welfare is protected while they are working.

NDIS Worker Check

Certain workers delivering supports or services under the National Disability Insurance Scheme (NDIS) are required to have a worker screening clearance. In NSW the Office of the Children's Guardian is responsible for administering the NDIS Worker Check.

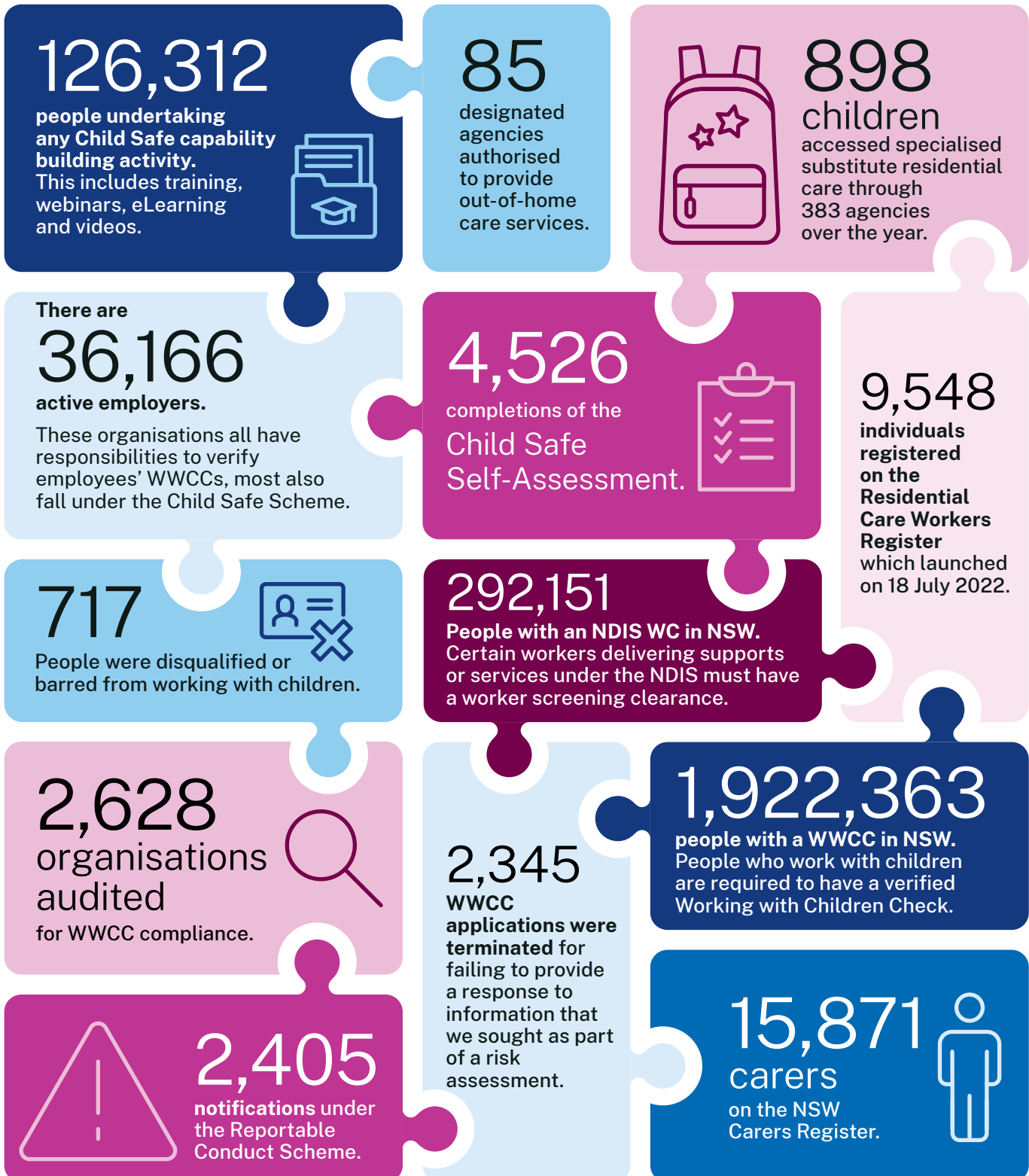
All states and territories are operating an equivalent worker screening check that is recognised by the Commonwealth Government. An NDIS Worker Check is valid for 5 years and can be used across Australia with any NDIS employer and in any NDIS role.



Operations and performance

Summary of our operations and our performance highlights that help keep vulnerable people safe in organisations.

Highlights for 2023–24





Child Safe Scheme

Organisations captured under the Child Safe Scheme must implement the Child Safe Standards and be proactive about protecting children from harm.

We assess and monitor organisations' compliance with the scheme, to make sure organisations are implementing the Child Safe Standards.

Building organisations' understanding of the Child Safe Standards is the foundation of the Child Safe Scheme, and the OCG supports organisations to build this capability by providing ongoing sector support, resource development and training.

In addition, certain NSW government agencies are required to develop Child Safe Action Plans that detail how they will support child safe organisations in their sectors to implement the Child Safe Standards.

While we have made substantial progress in laying the groundwork for the Child Safe Scheme, there are more than 30,000 organisations captured by the scheme, and there are funding constraints that impact on our capability building and monitoring of the rollout of the scheme. However, we remain committed to creating a culture of child safety across NSW.

Child safe assessment and monitoring

Following the commencement of Part 9A of the *Children's Guardian Act 2019* on 1 February 2023, the OCG established the Child Safe Assessment and Monitoring program (previously known as Child Safe Compliance).

The main function of this program is to monitor child safe organisations in relation to their implementation of the Child Safe Standards. The program covers all sectors covered by the Child Safe Scheme across NSW, including education, early education, sport and recreation, local government, and religious organisations.

In the 2022–23 financial year, we designed a Child Safe Monitoring Assessment process relating to the exercise of our monitoring functions under Section 8V and Section 8W of the *Children's Guardian Act 2019*. Our monitoring assessment process involves:

- reviewing an organisation's child safe systems, policies, and processes, including any existing information about an organisation held by the Children's Guardian
- directing an organisation to complete a Child Safe Self-Assessment
- requesting that the head of a child safe organisation respond to questions and provide specific information at an assessment interview
- inspecting an organisation's premises, where applicable, and
- providing the organisation with a detailed monitoring assessment report that sets out our findings and guidance regarding how the organisation can improve child safe practice.

In 2022–23, we also launched a pilot monitoring program that continued into this financial year. In 2023–24, we completed 5 additional pilot assessments of organisations with strong child safe practices. The pilot program has enabled us to develop a better understanding of good practice across sectors and challenges that organisations face when implementing the Child Safe Standards. We also tested and refined our newly developed monitoring assessment processes.

In 2023–24, we initiated monitoring assessments of organisations in response to referrals or complaints. Referrals or complaints can be received from internal or external sources and generally identify concerns with an organisation's implementation of the Child Safe Standards. We completed 13 monitoring assessments of organisations in response to referrals or complaints.

If serious gaps are identified in the organisation's implementation of the Child Safe Standards, we make related recommendations in the monitoring assessment report. Organisations are required to provide a response to these recommendations, outlining how the recommendations have been implemented within required timeframes.

After receiving the organisation's response to our recommendations, we undertake a separate follow up process to determine whether the organisation has effectively implemented the recommendations. The follow up assessment process may result in:

- An outcome letter stating that the organisation has provided a satisfactory response to the recommendations. This outcome letter may include additional guidance to support the organisation to further improve child safe practice.
- A warning letter or escalation to enforcement measures if the organisation fails to respond to the recommendations or fails to provide a satisfactory response.

In the second half of 2023–24, we trialled a desk-based monitoring process to increase the impact and reach of the Child Safe Assessment and Monitoring program. This process involves completion of an assessment form by the head of the organisation, together with a review of child safe policies and procedures. We intend to implement this process more broadly in 2024–25.

In addition to monitoring assessment activities, we also completed 24 stakeholder engagement activities in 2023–24. These activities included joint sector-based engagement with the Child Safe Engagement and Capability Building team to promote the Child Safe Assessment and Monitoring function of the OCG.

CASE STUDY



Using the Child Safe Scheme to improve child safety in a sports organisation

The Department of Communities and Justice referred information to our office about an allegation that a coach at a sports club had engaged in threatening and physically abusive behaviour towards the children being coached.

We commenced a child safe monitoring assessment of the organisation to assess implementation of Child Safe Standard 1 (child safety is embedded in institutional leadership, governance and culture) and Child Safe Standard 7 (staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training).

We made several recommendations to assist the organisation to improve child safe practice. We recommended that the organisation amend and distribute their Child Safe Code of Conduct to all employees and volunteers. We also recommended that the organisation develop key child safe policies and procedures, including a Commitment to Child Safety,

a Child Safe Policy, a Complaints Handling Policy and Procedure, and a Child Safe Recruitment and Induction Policy.

We also required coaches and directors of the organisation to attend a training session we delivered and recommended that the organisation develop a staff training plan to ensure ongoing in-house training or training by an external provider.

With considerable support from our team, the club provided a satisfactory response to the recommendations issued. Our monitoring assessment helped the organisation strengthen its child safe systems for preventing similar incidents from occurring in the future. We also liaised extensively with our colleagues in the Child Safe Engagement and Capability Building team at the OCG to ensure the organisation received adequate training and support throughout the monitoring assessment process.



CASE STUDY



Improving complaints handling at a Local Council

We received a report of concern about a local council having failed to respond to requests for information and complaints submitted by parents of children training at a facility operated by the council. Based on the information provided, we identified concerns with the council's implementation of Child Safe Standard 1 (child safety is embedded in institutional leadership, governance and culture) and Child Safe Standard 3 (families and communities are informed and involved).

We identified key gaps in the council's implementation of Standard 1 through our monitoring assessment. The council had failed to provide clear information to the community on how to raise a complaint about children's safety and had not distributed the organisation's Child Safe Code of Conduct to workers, children, families and communities. We also identified a lack of clarity about which positions within council were required to undertake training on child safety.

We issued the council with recommendations requiring a response to address gaps in their child safe practice. Upon receiving our monitoring assessment report, the organisation updated its website to include information about the council's complaint handling process in different community languages, and a form to submit an online complaint about children's safety concerns. Contact information for council's child protection officers also was included on the website.

The council updated induction procedures to ensure that their Child Safe Code of Conduct was distributed to all new employees and volunteers. New posters were developed to display the Code of Conduct and reporting processes across all the council's services and facilities. A training register was also developed to track child safe training completed by staff.

The council provided evidence of measures taken to respond to our recommendations and to better embed the Child Safe Standards.

Child Safe Self-Assessment

In January 2023 we launched the free, web-based Child Safe Self-Assessment, which has been designed for child safe organisations to assess their implementation of the 10 Child Safe Standards.

Once the self-assessment is completed by an organisation, they are provided with a tailored Assessment and Action Report to implement to improve their child safe practices.

The self-assessment results are also provided to the OCG, giving us valuable insights to inform future areas for capability building for each sector.

As at 30 June 2024 we had received 7,163 self-assessment submissions. These numbers include multiple completions from the same organisation. The early childhood education sector had the highest number of submissions at 2,491, which makes up 35% of all submissions.

Table 1: Child Safe Self-Assessment completions 2022–23 and 2023–24 by sector

Organisation Sector*	2022–23**	2023–24
Early Childhood Education or family day care	1,035	1,456
Education	290	484
Services for children with disability	194	284
Outside of school hours care or vacation care	180	268
Other	167	398
Sport for children and young people	156	531
Religious services	137	204
Local Government	113	164
Out-of-home care	81	71
Respite or voluntary out-of-home care (SSRC)	80	55
Health services	56	200
Clubs or other bodies	46	138
Counselling or mental health services	32	81
Blank***	30	115
Child protection	19	37
Services for Aboriginal or Torres Strait Islanders	18	34
Justice Corrective Services	3	6
Total	2,637	4,526

*Note that some of these sectors overlap; for example, an organisation might identify as sport for children and young people, as well as clubs and other bodies. People completing the self-assessment can only choose one sector.

**Figures for 2022–23 have been updated from last year’s Annual Report due to a data error.

***Some organisations completed the self-assessment without selecting a sector.

Ongoing capability building

Building organisations’ understanding of the Child Safe Standards and supporting them to embed a culture of review and continuous improvement is the foundation of the Child Safe Scheme. We continue to provide direct support to the sectors we regulate, with a strong focus on sector engagement.

To support child safe organisations to meet their obligations under the scheme, our ongoing capability building program includes resources and training, which had more than 126,000 engagements over

2023–24. This includes completions of our eLearning modules, face-to-face and online training, video views and views of recorded webinars. All our resources and training are free and give participants practical information about how to implement the Standards to create, maintain and improve child safe practices.

In addition, we continue to provide direct support to each of the sectors that have responsibilities under the Child Safe Scheme, with a strong focus on sector engagement.



CASE STUDY



Collaborative forum for faith-based organisations

The religious sector Community of Practice commenced in August 2023 to provide a collaborative forum for faith-based organisations to support one another in developing strong responses to their obligations under the Child Safe Scheme and Reportable Conduct Schemes. A smaller working group was formed to enhance and provide feedback on the development of

some updated, practical resources to help faith-based organisations embed the child safe standards in their settings. The Community of Practice has also discussed related important matters including how religious organisations can support those affected by domestic and family violence.

New resources

The OCG has produced more than 85 resources to educate organisations and support them to implement the Child Safe Standards. In 2023–24, this included a suite of new resources for the early education sector and videos for the sport and recreation sector, including a social media campaign for young people, developed in partnership with the Office of Sport.

Our resources are available in many different formats, including handbooks, animations, videos, eLearning and our Child Safe Podcast. This helps us to meet the needs of the different sectors captured under the scheme and the unique audiences within each sector.

Topics covered include general information about the Child Safe Standards and what a child safe organisation looks like, to more specific information related to the Standards, such as reporting, risk management and supporting children to participate in the decisions that affect them. Our child safe resources continue to be well used. There were 56,095 downloads of our resources from our website in 2023–24 and more than 80,000 views of either a video or recorded webinar. More than 32,500 people completed at least one of our eLearning modules.

Subject to resourcing constraints, we aim to continue to build on our resource and training program to make sure child safe organisations implement the Child Safe Standards with best practice guidance and education on how to create, maintain and improve child safe practice in NSW.

Sector engagement

Our dedicated child safe engagement officers support sectors within the Child Safe Scheme. This approach aims to create tailored engagement based on each sector's specific needs. In 2023–24, our child safe engagement officers responded to 5,759 stakeholder enquiries about the Child Safe Scheme and the Child Safe Standards.

Our work in partnership with peak bodies and other government agencies continues to develop and strengthen. Some of the highlights in 2023–24 include:

- delivering a series of webinars to the health sector on the Child Safe Standards, reporting and risk management
- presenting to the NSW Rugby League Board of Directors
- presenting at the 2024 Football NSW Club Coaching Conference, where there were more than 100 clubs in attendance

- delivering an ‘ECE Connect’ webinar for the NSW Department of Education for early education providers and service leaders, and
- presenting to the NSW/ACT Province Safeguarding Community of Practice, with representatives from all 11 NSW Catholic dioceses attending.

Tailored training was provided to NSW Triathlon, including development of a working with children handbook, and we travelled to regional NSW to deliver training to regional Local Councils.

We held our inaugural Child Safe Info Day in January. Eighty-six attendees across all sectors came along to learn more about the 10 Child Safe Standards and for the opportunity to speak directly with our child safe engagement officers about their child safe journeys.

We will continue to build on our engagement approach to reach new organisations across priority sectors including by:

- working with stakeholders to deliver sector-specific resources
- establishing relationships with organisations to develop trust and deliver support around some of the more complex aspects of the Child Safe Scheme
- connecting organisations within a sector through communities of practice so knowledge and experience can be shared, and new opportunities for collaboration identified, and
- supporting organisations to identify champions for change within their organisations, to help implement child safe practice.

Training

Our training sessions are an opportunity for organisations to deepen their child safe knowledge and awareness. They include an introductory session on the Child Safe Standards, and sessions on how to develop important child safe documents, such as a Child Safe Code of Conduct and Child Safe Risk Management Plan. We also offer training on how organisations can encourage children’s empowerment and participation, and what they need to do to make sure they are meeting their reporting obligations under the Child Safe Scheme.

2023–24 was the first year we delivered more face-to-face (172) than online events (133).

This year we also delivered a series of on-demand webinars for the faith sector and a number of face-to-face sessions for International Grammar School.

Table 2: Child safe activities undertaken in 2023–24

	Face-to-face events	Online events	Number of organisations	Total people participating
Child Safe Standards training and webinars	172	133	1,909	11,555
SAFE Series	32	23	714	1,928
eLearning	N/A	32,638	N/A	32,638
Video views*	N/A	N/A	N/A	80,191
Total	204	32,794	2,623	126,312

*Video views combines views of child safe videos and webinar recordings. Total views may include one person viewing a video multiple times.



CASE STUDY



Roll out of our protective-behaviours program across Thrive Early Learning Centres

Thrive's Head of Education and Quality contacted us to set up a series of training sessions to support them to roll out our SAFE Series Protective-behaviours Program to their 13 long day care centres in NSW.

Information and training sessions were provided for centre managers and senior management at their head office. These were followed by 2 online training

sessions: one for educational leaders and one for all other staff. The Head of Education and Quality attended all 3 sessions to make sure all staff were confident to handle any disclosures or reporting obligations that may arise when they roll out our program.

In 2023–24 we ran 55 SAFE Series events in total, to 714 organisations (including Thrive).

Child Safe Action Plans

Under the Child Safe Scheme, the following NSW Government agencies, as 'prescribed agencies' are required under the *Children's Guardian Act 2019* to prepare a Child Safe Action Plan:

- Department of Communities and Justice
- Ministry of Health
- Department of Education
- Office of Sport
- Office of Local Government
- Inspector of Custodial Services
- NSW Education Standards Authority.

A Child Safe Action Plan is a high-level strategic document that details how the prescribed agency will raise awareness about the importance of child safety, build capability of child safe organisations to implement the Child Safe Standards, and improve the safety of children in NSW. Strategies under a Child Safe Action Plan must cover the child-related services that the agency offers, as well as any organisations they fund or regulate that fall under the scope of the Child Safe Scheme.

As of June 2024, all of the above agencies have developed and made public a Child Safe Action Plan which has been approved by the Children's Guardian. All approved plans are available on our website.

These 7 agencies are in the process of implementing their Child Safe Action Plans, with several awareness raising actions already completed or in progress. As part of the implementation process, each agency must report on their progress through their annual reports.

Working with Children Check

People who work or volunteer to provide services to children and young people in NSW are required to have a Working with Children Check (WWCC) application or clearance.

The WWCC is one of a range of measures administered by the OCG to create safer organisations that work with children.

All applications and renewals undergo screening which includes a national criminal history check through the Australian Criminal Intelligence Commission, and clearances are subject to ongoing continuous monitoring by the NSW Police. Police information considered as part of the WWCC application and monitoring process includes juvenile offences, relevant offences against adults, and charges that do not result in a conviction. Relevant offences that do not involve children are considered in our decision-making because of their potential impact on children, even though a child may not have been the primary victim.

In addition to the national criminal history check, applications are checked to identify if there have been any workplace investigations reported via the Reportable Conduct Scheme, and if there have been any adverse decisions imposed by screening agencies in other states and territories.

Our connection to the National Reference System (NRS) also allows us to screen applications at the time of application and continually monitor a change in WWCC status nationally. The NRS provides information about a person who is barred from working with children in any other state or territory. The *Child Protection (Working with Children) Act 2012* was also amended to require people who have been barred in other states or territories to undergo a risk assessment.

1,922,363 people in NSW held a Working with Children Check clearance as at 30 June 2024.

Types of applications

A person who is in paid or volunteer child-related work must have a valid WWCC application before they commence their work. Once cleared, a WWCC is valid for 5 years. People who want to continue in child-related work as their WWCC reaches its expiry date must apply for a renewal.

In 2023–24 a total of
509,915
applications were processed.

Of these applications:
216,018 (42%)
were new applications.

293,897 (58%)
were applications to renew.



CASE STUDY



Growing numbers of digital WWCC renewals

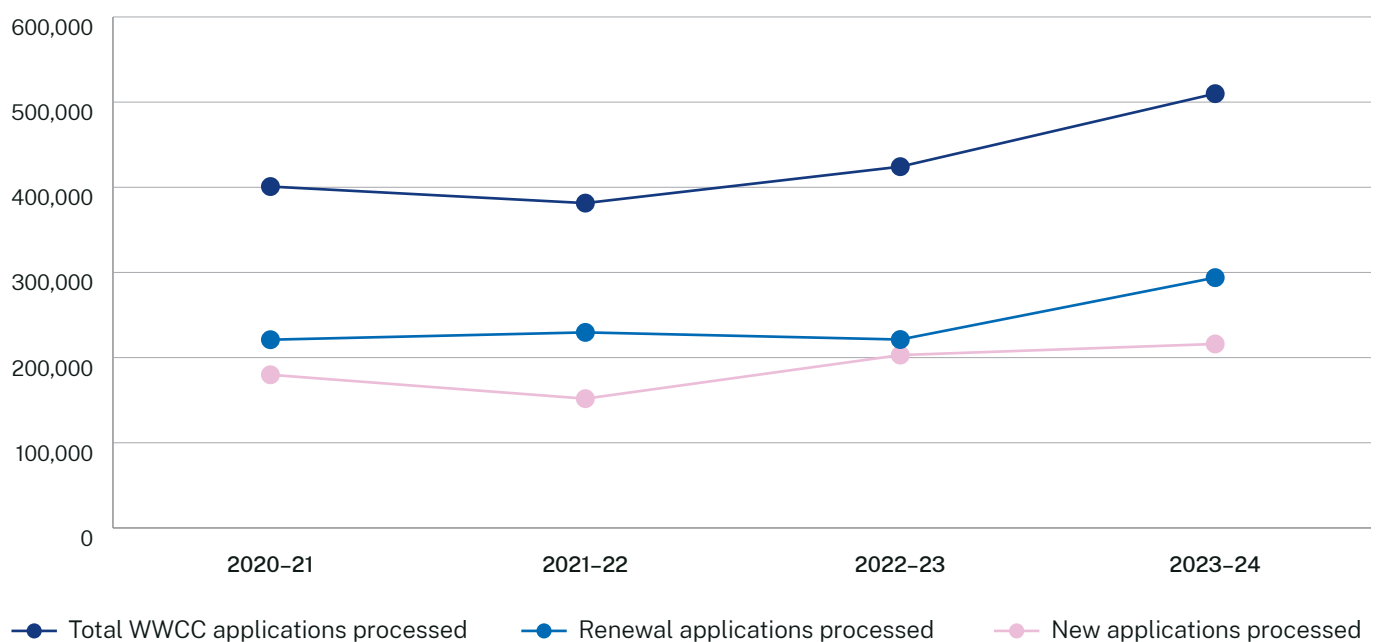
In partnership with Service NSW, the OCG has introduced photo verification technology as an added digital option for people renewing their WWCC. This helps make renewing a WWCC easier for people who live interstate, in rural or remote communities, or for people who find it difficult to get to a Service NSW centre to show their physical identity documents.

The digital renewal process requires a smart phone or computer with a working front-facing camera. The process involves identity

documents that can be digitally verified, which allows people to renew their WWCC easily and securely without having to visit a Service NSW Centre. There are some eligibility requirements to meet.

Since launching late last year, over 22,000 customers had successfully renewed their WWCC online at 30 June 2024 and we continue to see a growth in the proportion of digital renewals.

Figure 2: Working with Children Check applications processed



Continuous monitoring and information exchange

One of the key strengths of the NSW WWCC is that all WWCC applications and clearances are subject to continuous monitoring. The integrated continuous checking system, which includes continuous monitoring of police and workplace records, enables us to respond quickly to risks.

We receive notifications in relation to a WWCC clearance holder or applicant:

- if they are charged by police with certain offences in NSW
- if there is a sustained finding made about them in relation to certain types of allegations under the Reportable Conduct Scheme
- if they have an adverse outcome imposed on their WWCC clearance in another state or territory
- if they have an adverse outcome imposed by the NDIS Worker Check.

Another source of information relates to material shared by prescribed bodies under Chapter 16A of the *Children and Young Persons (Care and Protection) Act 1998*.

In 2023–24, we received 6,629 notifications through the continuous monitoring process. These alerts enable us to promptly review the status of a person's WWCC.

The outcome of this review may be to conduct a risk assessment (with the option to impose an interim bar if there is likely risk to the safety of children while we conduct the assessment), or if a person has records listed under Schedule 2 of our Act, to immediately bar the person and communicate this outcome to their employer so they can remove them from child-related work.

Supporting our customers

In 2023–24, our Customer Service team answered 61,875 telephone calls with an average wait time of 1 minute 46 seconds. We responded to nearly 11,000 emails, assisting with enquiries from applicants and organisations in relation to topics including the WWCC application process, the status of an application, and verification requirements.

Our Customer Service team supported 295 people who had difficulty obtaining the required proof of identity documentation due to exceptional circumstances. This included liaising directly with Service NSW to provide timely and efficient solutions so these people could apply for their WWCC clearance and commence child-related work.

CASE STUDY

Proof of Identity

The Department of Communities and Justice (DCJ) contacted the OCG on behalf of a prospective carer who was experiencing difficulties obtaining the required proof of identity documents.

The person, a First Nations woman, had obtained her birth certificate for the purpose of applying for a WWCC application. Upon receipt, she realised that the name on her

birth certificate differed to the name she had used her whole life, including on other identity documents. Due to her family of origin being unknown, the person was unable to have her birth certificate corrected. Our Customer Service team worked with the person and DCJ to satisfy the proof of identity requirements so she could proceed with her carer application.





Working with Children Check outcomes

Automatic clearance

Where screening shows an individual does not have any police or workplace records, clearances are issued automatically.

77% of individuals were cleared within 1 hour of applying when there were no relevant records.

Over **91%** of individuals were cleared within 5 days of applying when there were no relevant records.

Applications requiring records review

Where screening shows an individual has police or workplace records, or has been barred in another jurisdiction, the provisions in Schedule 1 and 2 of the *Child Protection (Working with Children) Act 2012* determine how an application is dealt with.

We conduct a review to decide if the individual should be:

- automatically disqualified (due to Schedule 2 records)
- referred for risk assessment (due to Schedule 1 records or records relevant to the safety of children), or
- cleared (no records relevant to the safety of children).

In 2023–24, 60,827 applications required records review, a 14% increase from 2022–23.

Automatic disqualification

Records under Schedule 2 of the *Child Protection (Working with Children) Act 2012* result in an automatic disqualification from working with children. Equivalent records from other states and territories, including offences under a law of a foreign jurisdiction, also lead to either an automatic disqualification or a risk assessment.

In 2023–24, there were 448 applicants who were automatically disqualified from working with children due a Schedule 2 offence.

Referral to risk assessment

If a person has records that fall under Schedule 1 of the *Child Protection (Working with Children) Act 2012*, the applicant is subject to a risk assessment before a decision on the individual's WWCC status is made.

Additionally, section 15(3) of the Act permits the Children's Guardian to refer a matter for risk assessment where no Schedule 1 record is present, if the person has records considered relevant to the safety of children.

In 2023–24, 3,853 individuals were referred for risk assessment due to the presence of a record listed in Schedule 1 or other records relevant to the safety of children. This is a 22% increase from 2022–23 (3,151).

Risk assessment outcomes

When a risk assessment is required, we request further information from the applicant and other organisations, to ensure we have all relevant information before we decide to grant or refuse a clearance. We encourage applicants to participate in the process.

Risk assessment factors include:

- the applicant's conduct: including the seriousness of any offences, and the applicant's conduct since the offence
- their age at the time of the offence, and their age now
- ages of the victims, their level of vulnerability, and their relationship to the applicant, and
- the likelihood of recurrence and the impact on children.

Outcomes of risk assessment include termination due to non-response, granting a clearance or refusing or cancelling an application. In 2023–24, we finalised 3,751 applications that were referred to risk assessment. This represents a 25% increase from 2022–23 in which 3,000 applications were finalised after being referred to risk assessment. This increase is attributed to efficiencies achieved through the establishment of specialised teams and further refinement of business processes to support staff in their decision-making. These efficiencies enabled a 25% increase in assessments finalised per staff member over the financial year.

Interim bar during risk assessment

We can impose an interim bar while the risk assessment is conducted if there is a likely risk to the safety of children. Interim bars can be imposed on an application at any point after receiving information of concern; both for new applications as well as existing WWCC clearance holders.

In 2023–24, we imposed 865 interim bars which is an 80% increase on the 481 interim bars in 2022–23. The increase from 2022–23 is in part due to an increase in continuous check events across the year and reflects the growing Scheme, and increased number of people in NSW with a WWCC.

Clearances granted following risk assessment

Legally, we must grant a clearance to a person who is subject to a risk assessment unless we are satisfied that the person poses a risk to the safety of children.

In 2023–24, we granted clearances to 1,137 individuals following a risk assessment. This is an 8% increase from last year, in which 1,049 clearances were granted following a risk assessment.

Refusal or cancellation following risk assessment

We must refuse or cancel a WWCC application if we are satisfied that the person poses a real and appreciable risk to the safety of children.

In 2023–24, we refused or cancelled 269 applications following risk assessment. In 2022–23 we refused or cancelled 59 applications following risk assessment.

Applications closed

If an applicant does not respond to a written request for information within 3 months, we can terminate applications or cancel clearances. We have worked to increase engagement in the risk assessment process by simplifying our written correspondence and phone contact and reducing identified barriers that may stop people from engaging in the risk assessment process.

In 2023–24, we closed 2,345 applications because the applicants did not provide a reasonable excuse for failing to provide us with the information we had requested. This is a 25% increase on last year with 1,873 closed applications in 2022–23. These individuals can make a new application if they still require a WWCC.

Increase in applications and bars in 2023–24

We have included 4 years of data in the tables below, to demonstrate the reduction in numbers in 2021–22 due to COVID-19. During lockdowns, we extended the duration of WWCCs to provide continuity of essential services to children. This meant workers did not need to renew their WWCC for many months. Many children's activities ceased during this period, which also resulted in a reduced number of WWCC applicants.

We have seen a correction and growth in the past 2 years, with a significant increase in 2023–24 in the number of applications, risk assessments, interim bars, bars and terminated applications.



Table 3: Risk assessments processed and outcomes

Activity	2020–21	2021–22	2022–23	2023–24
Total WWCC applications processed	400,855	381,405	424,203	509,915
New WWCC applications processed	179,837	151,790	202,977	216,018
Risk assessments with outcomes	3,642	2,600	3,000	3,751
Individuals automatically barred due to Schedule 2 records	434	408	432	448
Individuals interim barred during risk assessment	552	303	481	865
Individuals barred after risk assessment	82	58	59	269
Individuals cleared following risk assessment	780	695	1,049	1,137
Applications terminated after referral to risk assessment	2,331	1,847	1,873	2,345

Table 4: Refusals for a Working with Children Check

Year	2020–21	2021–22	2022–23	2023–24
Number of barring decisions	516	466	491	717
% of barring decisions (of the total applications each year)	0.13%	0.12%	0.12%	0.14%

Litigation advice and operational support

The OCG manages litigation relating to administrative decisions made by the Children’s Guardian, which primarily involve WWCC appeal matters to the NSW Civil and Administrative Tribunal (NCAT) and the Supreme Court. In 2022–23, there were 44 applications for review. In 2023–24, there were 61 applications for review:

- 32 by applicants to NCAT seeking review of the Children’s Guardian’s decision to refuse or cancel a WWCC clearance

- 23 applications to NCAT seeking an order that the applicant is not to be treated as a disqualified person. For these applicants, who are automatically barred from engaging in child related work, an enabling order must be granted by NCAT before a WWCC clearance can be issued.

In addition, there were 6 interim bar appeals, and one *Child Protection (Offenders Registration) Act 2000* appeal to the NCAT appeal Panel (an appeal of the Tribunal’s original decision).

We use key findings from court and tribunal decisions to refine our decision-making processes.

CASE STUDY



NCAT emphasises seriousness of child abuse material offences in decision refusing WWCC

In December 2017, FND, a 59-year-old male, applied for a WWCC clearance to work in the allied health sector. The Children's Guardian refused to grant FND a clearance, as his criminal convictions automatically 'disqualified' him from being granted a clearance. The criminal convictions related to the possession of child abuse material which occurred in September 2000. FND established a website containing pornographic images of men. During the police's investigation, they discovered that FND possessed images which depicted males under the age of 16. On 1 September 2022, FND filed an application at NCAT seeking an enabling order declaring that he is not to be treated as a disqualified person.

During the Tribunal proceedings, which took place in April 2022, it was found that FND was alleged to have stalked a person (AB) whom he knew through the gym he attended. FND first met AB when he was 16 years old, and the relationship breakdown took place when AB was 20.

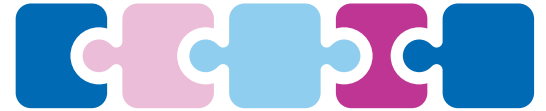
In May 2024, the Tribunal delivered its decision and refused FND's application for an enabling

order. In its decision, the Tribunal emphasised the seriousness of child abuse material offences, particularly in the context of the WWCC scheme 'as the very nature of the abuse material goes against the paramount consideration to ensure the safety and well-being of children'. The Tribunal also outlined that FND's behaviour towards AB showed a lack of insight into his actions. While the Tribunal found that FND would not be likely to reoffend, they were not satisfied that FND held 'sufficient insight into his behaviour that would ensure that he keeps children safe from harm'. This was due to FND being unable to understand that the evidence clearly established that he willingly chose to download child abuse material. The Tribunal also relied on expert evidence by a psychiatrist.

Due to the psychiatrist's opinion, the lack of treatment by FND and the course of behaviour shown in FND's dealings with AB, the Tribunal found that there is a real and appreciable risk posed by FND to the safety of children, despite the passage of time since the disqualifying offence.



CASE STUDY



Developing guidelines for Continuing Residence Approval applications

In June 2024, the OCG published resources to guide DCJ and designated agencies on what information the Children’s Guardian may consider in an application for a Continuing Residence Approval (CRA) under section 11D of the *Child Protection (Working with Children) Act 2012*.

CRA’s may be required for young people who do not hold a WWCC to continue to live in care once they turn 18. People over 18 who live on the property of an authorised carer (adult household members) are required by the Act to hold a WWCC clearance or have a current WWCC application. If an adult household member does not have a WWCC and is, or was, in the care of the authorised carer immediately before turning 18, they may apply for a CRA to continue living with the authorised carer. To grant a CRA, the Children’s Guardian must be satisfied any risks to the safety of children residing at the property of the authorised carer are sufficiently mitigated.

To ensure that CRA applications contain the key evidence required to enable the Children’s Guardian to decide the application, the General Counsel and OOHC Regulation Directorates worked together to create an application form and guidance materials to assist applicants, including case studies to illustrate how applications would work in practice. The guidelines were developed in consultation with DCJ to identify operational and other issues that needed to be addressed in the guidelines.

The guidelines enable the Children’s Guardian to receive adequate information to make decisions concerning CRA’s, and support the processing of such applications in a timely manner. This in turn supports the ability of young people, where possible, to continue living in their homes while protecting against risks to the safety and welfare of other children residing in the household.

Working with Children Check compliance

The *Child Protection (Working with Children) Act 2012* and the *Child Protection (Working with Children) Regulation 2013* establish legal obligations for employers that offer services to children and engage paid or volunteer workers in child-related work.

To be compliant, employers have a legal responsibility to:

- register as an employer in the WWCC system
- verify the WWCC clearances of workers in child-related roles
- remove any barred or unauthorised people from child-related work, and
- maintain up-to-date records showing they have verified the workers' WWCCs.

Verification enables the employer to confirm that the worker has been cleared to work with children, and it also creates a critical link between our office and the worker's employer. This enables the OCG to swiftly contact employers in circumstances where their worker is barred from child-related work.

We monitor compliance against these legal requirements both proactively and reactively.

As a proactive compliance measure, we target our WWCC audits towards high-risk organisations using intelligence from the WWCC system and trend-based data collated through previous compliance activity.

Reactive work includes matters that come to us from the WWCC system through processing WWCC applications, risk assessments and organisations registering as employers. We also receive referrals and 'reports of concern' from organisations, government agencies, members of the public and other areas within the OCG.

Our monitoring work highlights a need for substantial improvement in employers' compliance with obligations under the WWCC scheme, particularly in relation to verifying worker's WWCCs. We are currently examining how the systems relating to the verification of workers might be substantially improved.

Auditing and monitoring compliance

In 2023–24, we contacted 2,628 employers as part of our compliance plan. This involved sending notices to audit (356 employers) and advice to newly registered employers (2,272 employers) with the aim of achieving compliance. This represents an increase of just under 31% on the contacts made in the previous financial year.

The nature of our auditing and monitoring activities is discussed below.

CASE STUDY



Impact of our auditing and monitoring work

A person using our parent portal system verified the status of a WWCC where the clearance holder later became barred from working with children. We identified from the person's email that they were from a district junior league club. That club was not registered as an employer with us. We contacted the club about its WWCC obligations and also contacted the peak body overseeing that district. As a result, we identified that out of 18 clubs within that district, 17 were

non-compliant with their employer obligations under the WWCC scheme. Non-compliance was rectified by all 17 clubs by the end of the audit program, with all clubs accessing the OCG employer portal and undertaking the mandatory online verification of their volunteers who worked with children.

Following our contact, the club removed the barred worker from his position as coach of a junior team.



New employer registrations requiring attention

Employers are required to register as an employer in the WWCC system to verify their workers' status. We contact employers who have recently registered but have not verified any workers to assist and provide information on how to achieve compliance.

3,725 new organisations registered as employers for the WWCC in 2023-24.

Of that number
1,453 verified their workers at the time of registration.

Follow-up was undertaken on the
2,272 remaining registrations.

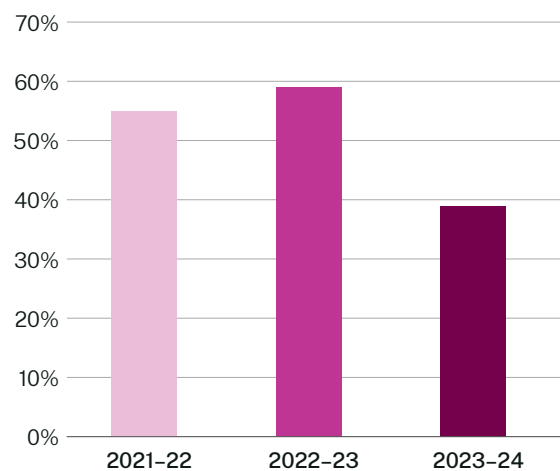
667 were identified as duplicate registrations, and

248 registrations were made in respect to employees who were not in child-related work.

1,357 employers were advised to verify their workers, of which **64** required follow up.

Our review of the *Child Protection (Working with Children) Act 2012*, will consider what legislative strategies could be implemented to improve verification of child-related workers and volunteers.

Figure 3: Percentage of new employers verifying immediately after registration, 2021-22 to 2023-24



On 30 June 2024 there were **36,166** active employer registrations in the Working with Children Check system.

Targeted audits

In 2023–24, we targeted our audits to focus on behaviour rather than on sector. Compliance efforts prioritised employers that had not verified any workers over a 3–5 year period. This enabled us to address barriers to compliance across a range of sectors and organisations including raising awareness and building capacity.

In total, we audited 280 organisations. This was on par with the 275 audits completed in the previous financial year. Our audit activities focus on ensuring employers are:

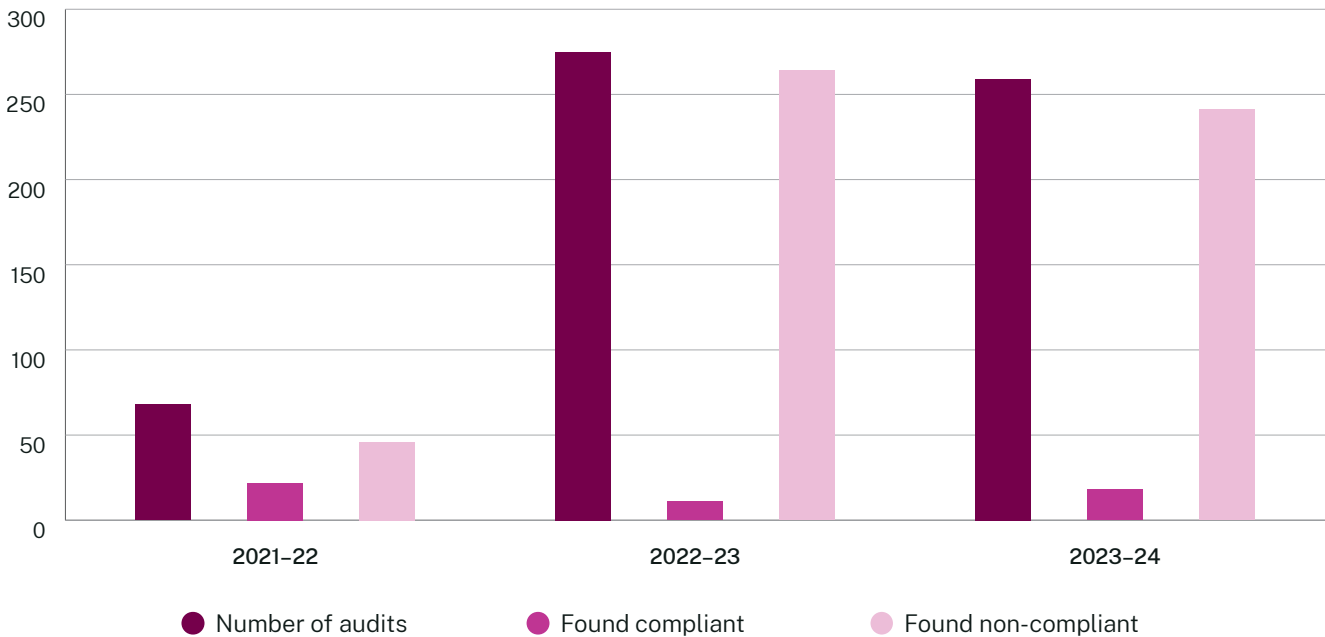
- registered in the WWCC system.
- verifying workers engaged in child-related work
- not engaging barred workers in child-related roles, and
- maintaining proper records.

Of the 280 organisations audited, 244 or 87% of cases audited were not compliant with the legislation. The main breach identified was that workers’ checks had not been verified prior to commencement of child-related work or re-verified when their check was renewed.

Verification is a critical child safety tool, as it connects the worker with the employer so that the OCG knows who to contact should the worker become barred from working with children. Of the 244 organisations which were found to be in breach:

- 239 were issued with a reminder or warning notification, and
- 10 fines were issued to 5 employers (totalling \$8,500) in instances where there was greater culpability and potential risk of harm to children.

Figure 4: Number of audits, including rate of compliance compared to non-compliance, 2021–22 to 2023–24





The OCG has significantly increased its number of audits over the last 2 financial years. The lower number of audits conducted in 2021–22 was due to the impact of COVID-19.

The increase in the number of non-compliant organisations, and decrease in the number of compliant organisations, can largely be attributed to improvements we have made to our case selection strategy. We apply a risk-based approach to compliance and target organisations and sectors where we believe compliance may be low. The main area of non-compliance identified has been related to the requirement to verify workers' WWCCs. This is an area we are continuing to focus on through awareness raising campaigns, sector engagement and consideration of broader system change aimed at substantially lifting compliance in this area.

Notifications for change in WWCC status

The OCG is required to contact employers when:

- an applicant is barred or an interim bar is imposed, or
- where an application for a WWCC is closed prior to it being finalised.

Barred applicants

In 2023–24, 1,616¹ individuals who applied for a WWCC were barred or received an interim bar pending a risk assessment². This represents a 165% increase from 2022–23, which can in part be attributed to an increase in continuous check events across the year and reflects the growing Scheme, and increased number of people in NSW with a WWCC.

Of the total number of barred and interim barred workers in 2023–24 (845), the percentage who had not been verified by an employer rose slightly from 50% in 2022–23 to 52% in 2023–24.

The process of employer verification of a worker's WWCC is critical as it provides the OCG with an employer's details so that we can contact them should a person become interim barred or barred from working with children. If a barred person has not been verified by an employer, we investigate whether the barred person is employed in child-related work. Any employers that are identified are informed that the worker must be removed from working with children. Enforcement action may also be taken against the employer for failing to verify.

In 2023–24, the OCG contacted **1,812** employers to establish if the applicant was working with children.

This is a **168%** increase from 1,079 in 2022–23.

We conducted **167** investigations into unverified barred workers.

We issued **406** notices to employers about their employee's change in status, requiring them to remove the worker from child-related work.

1 1,616 represents both interim bars and bars, and some applicants were interim barred before they were subject to a final bar. In these cases, we had to contact the employer in connection with each barring action.

2 Noting that one barred person can have multiple employers.

Closed applications

An application is considered closed:

- when an applicant requests to withdraw their application, which requires approval by the Children's Guardian
- when an applicant surrenders their clearance with the approval of the Children's Guardian
- if a person subject to a risk assessment has failed to provide further information within 3 months of our request without a reasonable excuse
- if a person has provided incorrect or incomplete information on their application.

When an application is closed, the applicant must not commence or continue in child-related work.

When this happens, employers are advised that the worker is not permitted to work with children.

Employers are not required to respond if:

- they do not currently engage the person in child-related work, or
- they have verified a new WWCC number for the person who will commence their employment at a later date.

In 2023–24 we issued:

- 2,884 notices to employers who had verified an applicant whose application was closed because they did not participate in the risk assessment process, representing a 58% increase on the previous year. Of these, 55 applicants were found to be working in child-related roles and were removed after employers were notified (43 in 2022–23).
- 2,090 notices to employers due to administrative closures, such as the applicant providing incorrect information or not disclosing an alias name. 28 people were removed from child-related work when the employer was notified.

Reports of concern

The OCG reviews instances of alleged non-compliance with the *Child Protection (Working with Children) Act 2012* and the *Child Protection (Working with Children) Regulation 2013*. Allegations are received from many sources, including referrals from other government agencies; referrals from other teams within the OCG; and from concerned members of the public, via the Report of Concern portal.

The Report of Concern portal enables members of the public to report instances of alleged non-compliance or concerns regarding the WWCC, Children's Employment or the Child Safe Scheme. In 2023–24, the process of submitting and receiving reports of concern was streamlined and integrated into our case management system to manage workflow.

In 2023–24, the OCG received a total of 320 Reports of Concern that were triaged, assessed, prioritised, and actioned by the Investigations team. This represents a 72% increase compared to the previous financial year.

Reports of Concern that are assessed as posing a high risk of harm to the safety, health, and wellbeing of children are allocated as a priority and investigated. Of the 320 reports of concern, 78 were allocated for further investigation resulting in:

- 27 found to be compliant
- 9 reminders issued
- 21 warnings issued
- 1 fine issued
- 16 considered outside the OCG's jurisdiction
- 4 did not have enough information to proceed.

The remaining 242 reports of concern were triaged and assessed, and were either referred to other OCG teams or other government agencies, or closed, where there was insufficient information to proceed.

Matters finalised due to insufficient information include circumstances when the reporter does not respond to follow up enquiries or reports anonymously.



Investigations

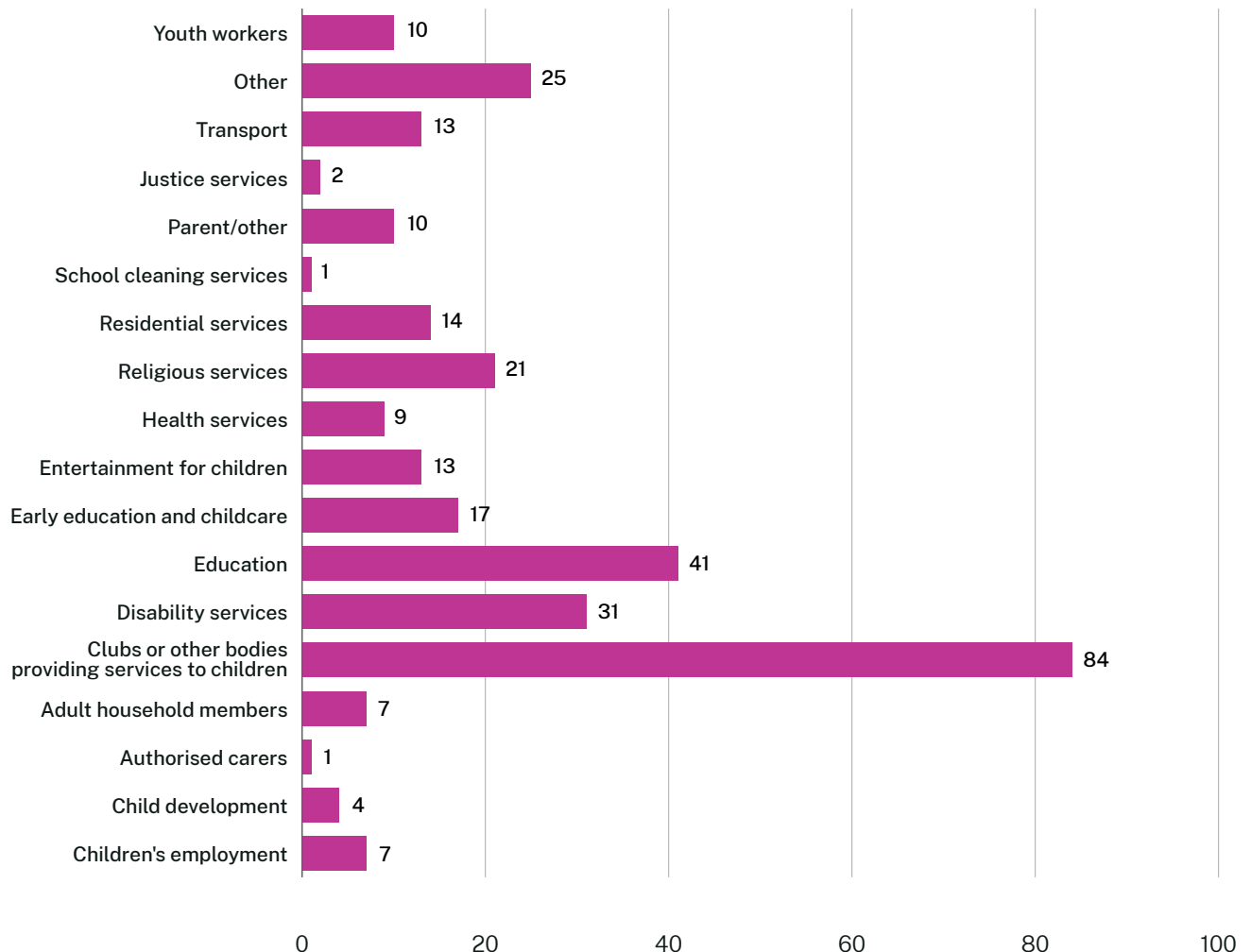
Some instances of alleged non-compliance with the *Child Protection (Working with Children) Act 2012* involve a high risk to children. These include allegations that a barred worker or an individual without a WWCC has engaged in child-related work, or allegations that an employer has repeatedly failed to verify their employees' WWCCs.

In 2023–24 we completed 143 investigations into alleged breaches of the *Child Protection (Working with Children) Act 2012*, a 144% increase compared to the previous financial year. As part of the investigative process, we identify the child-related sector that the worker or employer works within. This data helps us identify high-risk sectors that may need further assistance in achieving compliance.

The high number of investigations in the 'Clubs and other bodies providing services to children' sector may be due to the scope and scale of the sub-sectors that make up this sector, including sports and recreational services.

In response to the high number of barred workers whose WWCCs had not been verified by employers, we initiated a targeted investigation program to assess whether this category of workers posed a significant risk to children. In 2023–24, we conducted 167 investigations into unverified barred workers to determine if they were engaged in child-related work. The pilot investigations program revealed that the overwhelming majority of unverified barred workers were not engaged in child-related work.

Figure 5: Investigations by sector, 2023–24



Administrative enforcement can include reminders and warning letters to caution an employer or individual about their legislative obligations and what they need to do to be compliant in future.

Where we have identified that the employers' degree of culpability or the potential risk to children created by the alleged breaches is significant, we may issue fines. As a result of the investigations conducted in 2023–24, we issued 37 fines to 10 organisations, totalling \$32,500, for failing to comply with the *Child Protection (Working with Children) Act 2012*.

Table 5: Outcomes of investigations completed 2022–23 to 2023–24

Investigation outcome	2022–23	2023–24
Employer found to be compliant	22	114
Not enough information to proceed	7	102
Not in jurisdiction	11	20
Reminder issued	13	21
Warning issued	40	43
Fine issued	6	10
Total	99	310

CASE STUDY

Failing to verify

We received a referral from the OCG's Specialised Substitute Residential Care (SSRC) team after they identified an employer they were working with had failed to verify the WWCCs of their workers who were engaged to provide overnight care for children.

The matter was investigated on the basis that:

- the employer had registered to provide SSRC services to children, which requires that workers hold a WWCC clearance and are verified by their employer
- the employer had been notified by the SSRC team of their obligations to register and verify workers on the WWCC system but had failed to do so, and
- the employer was providing services to a vulnerable group of children presenting an enhanced risk of potential harm.

As part of the investigation, an audit was conducted and over 100 WWCC details were reviewed. 94% of the total workforce had unverified WWCCs.

Throughout the investigative process, the employer demonstrated a willingness to cooperate and implement changes to ensure that their organisation would be compliant with the *Child Protection (Working with Children) Act 2012*. This was considered when determining the most appropriate enforcement action and as a result, a reduced number of fines were issued.

While punitive action was taken in this case, we also aim to assist employers to build their capability and understanding of the requirements to improve future compliance.

In this case, the employer voluntarily accepted an invitation to attend WWCC online training and demonstrated that they had implemented and improved recruitment processes following the investigation to ensure required workers had their WWCC verified prior to commencing employment.





Reportable Conduct Scheme

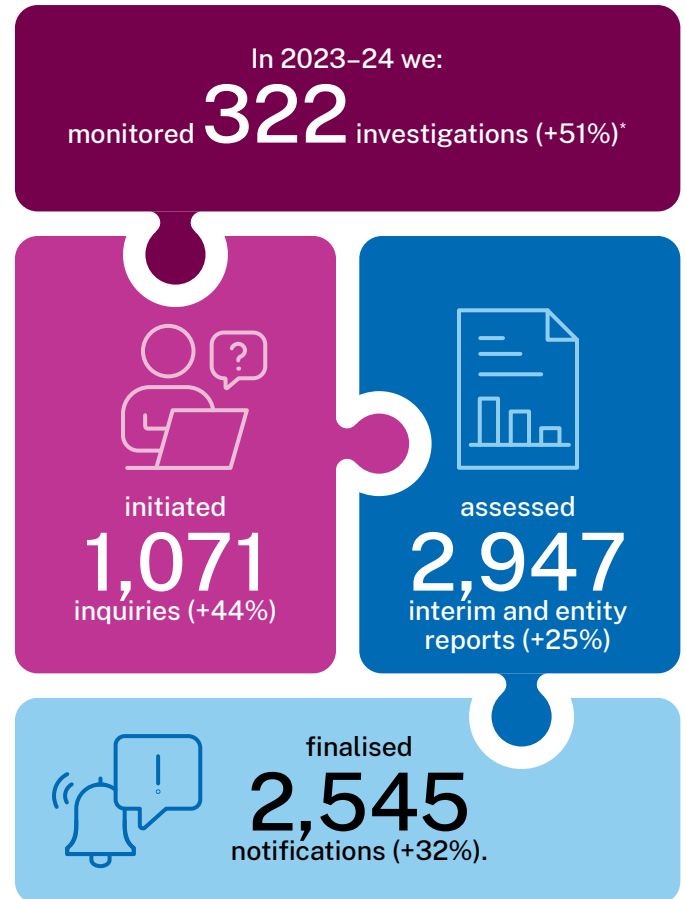
The primary functions under the Reportable Conduct Scheme are:

- providing oversight and guidance on reportable conduct investigations
- conducting investigations and inquiries into reportable allegations and convictions and the response to, and handling of, these matters by relevant entities
- ensuring appropriate action is taken by a relevant entity
- monitoring a relevant entity's systems for preventing, detecting and dealing with reportable conduct and reportable convictions
- providing advice and education
- reporting relevant entities' sustained findings of sexual offences, sexual misconduct and serious physical assaults to our WWCC Directorate, and
- referring information about people who pose a real and appreciable risk to children during an investigation to the WWCC Directorate.

The Reportable Conduct Scheme requires relevant entities from both government and non-government sectors to notify us of reportable allegations and reportable convictions against their employees within 7 days of becoming aware of them and to undertake an investigation. Relevant entities have additional reporting obligations at 30 days and on completion of their reportable conduct investigation. About 15,000 organisations across NSW have these obligations.

Under the Scheme, 'employee' is defined broadly to include contractors, volunteers and people otherwise engaged by the relevant entity to provide services to children.

The Children's Guardian has broad powers to require information from relevant entities about reportable conduct matters, whether in response to a notification, following a complaint or of the Children's Guardian's own motion.



*Percentages are increases on 2022-23 data.

Our case study (Proactive oversight and information sharing) illustrates the complexity and risk involved in the exercise of our Reportable Conduct functions; the importance of timely and proactive oversight; and the role we play in sharing information and facilitating information exchange.

CASE STUDY



Proactive oversight and information sharing

The OCG received information from a Commonwealth agency about a person (the employee) verified to work with children in a NSW hospital in the jurisdiction of the Reportable Conduct Scheme. The employee had allegedly been engaging online with a convicted paedophile and making inappropriate comments about offending against children. Two Commonwealth agencies had become involved, however the available evidence did not support criminal charges against the employee.

Upon receipt of this information, we ascertained that the OCG was the only NSW organisation in possession of the information. With clearance from both Commonwealth bodies, we took immediate steps to:

- make a Risk of Significant Harm report to the Child Protection Helpline;
- directly share information with the employing hospital under Chapter 16A of the *Children and Young Persons (Care and Protection) Act 1988*, so that it was in a position to implement immediate risk management action; and

- facilitate the hospital obtaining further information from the Commonwealth authorities.

We then made a referral to our Working with Children Check Directorate (WWCCD) under section 56(2) of the Children's Guardian Act, because we had formed the opinion that there was a real and appreciable risk to the safety of children during the course of the hospital's reportable conduct investigation.

The WWCCD placed an interim bar preventing the individual from working with children.

We monitored the hospital's reportable conduct investigation, which resulted in a sustained sexual misconduct finding. We referred the sustained finding to the WWCCD, which resulted in barring the employee from working with children.



Notifications and trends

During 2023–24,
4,374 matters
were reported to the Reportable
Conduct Scheme – an increase of 19% on
last financial year:

2,405 notifications (+17%)*

1,917 enquiries (+23%)

52 complaints (+8%).

Despite receiving 17% more notifications during the 2023–24 financial year than the previous financial year, the Reportable Conduct Directorate finalised 32% more notifications than in 2022–23. At the same time, the Directorate significantly improved the timeliness of entity report assessments, with the average time taken dropping from 76 days to 37 days.

There has been a cumulative increase in notifications of 51% over the past 2 years, which we have managed because we received temporary additional funding last financial year.

Increased notifications

An increase in notifications does not necessarily equate to an increased prevalence of child abuse. Instead, increased reporting can be the result of a myriad of factors and can be a positive sign of an increased awareness of child safety and reporting obligations. Relevant factors include the introduction of the Child Safe Scheme; growth and increased education and awareness within sectors; and the year-on-year improved awareness and support for victims and their families to disclose and report. New Public Interest Disclosures legislation took effect during the reporting period, which may have increased reports in government bodies. We have also observed an increase in historical allegations arising through civil or National Redress Scheme claims over the past 2 years, which has impacted the reporting trends of schools, religious bodies and Youth Justice. The case study below (Historical allegations that intersect with the Reportable Conduct Scheme) explores our response to the growth of historical allegations that intersect with the Reportable Conduct Scheme.

*Percentages are increases on 2022–23 data.

Table 6: Number of notifications received by relevant entity type

Type of relevant entity	2021-22	2022-23*	2023-24
Adoption service provider	0	0	0
Agency providing substitute residential care	12	12	9
Approved education and care service	211	278	383
Department of Communities and Justice	299	365	317
Department of Education	228	360	375
Health organisations**	34	37	49
Non-government school	102	178	271
Non-government designated agency	517	618	721
Other public authorities	56	70	133
Religious body	47	85	95
Agency providing specialised substitute residential care	21	50	40
TAFE	6	5	10
Agency not in jurisdiction	0	2	2
Grand Total	1,533	2,060	2,405

*Figures for 2022-23 have been updated from last year's Annual Report.

**Includes Ministry of Health, Local Health Districts, statutory health corporations, affiliated health services and Ambulance Service of NSW.



The single-most notified category of reportable conduct was assault (30%), followed by allegations of a sexual nature (29%), comprised of notifications of sexual offences (19%) and sexual misconduct (10%).

The biggest increase in notifications by allegation type were allegations of:

- neglect (+80/35%*)
- ill-treatment (+50/24%)
- sexual offences (+80/21%)
- sexual misconduct (+41/20%).

*Numbers and percentages are increases on 2022/23 data.

The majority (71%) of neglect notifications came from designated OOHC agencies, with 43% from non-government OOHC and 28% from the Department of Communities of Justice (DCJ).

Non-government OOHC entities notified the most ill-treatment allegations (40%), followed by approved early childhood education and care entities (17%) and the Department of Education (16%).

The highest number of allegations of a sexual nature from a single entity was 237, from the Department of Education. Relevant entities or entity types for which allegations of a sexual nature represented over half of their notifications were religious bodies (75%), Department of Education (63%), TAFE (60%) and Catholic systemic schools (52%).

The biggest increase in notifications by relevant entity type were from:

- non-government designated agencies (+103/17%*)
- non-government schools (+93/52%)
- approved early childhood education and care services, (+105/38%) and
- other public authorities (+63/90%).

*Numbers and percentages are increases on 2022/23 data.

CASE STUDY



Historical allegations that intersect with the Reportable Conduct Scheme

In July 2023, we hosted over 40 external stakeholders from Youth Justice, DCJ, Education, the non-government school sector, the non-government OOHC sector and the religious sector, to discuss difficulties they faced in responding to historical allegations of child abuse that intersect with the Reportable Conduct Scheme. Historical claims can be a very challenging area, from evidentiary, procedural fairness, victim support and risk management perspectives.

We subsequently formed a working party of representative stakeholders to progress work on 2 new guides: one for handling concurrent investigations and another for managing

historical allegations. We have liaised extensively with NSW Police about the content of these new guides. We have also liaised with the National Redress Scheme about information sharing challenges associated with redress claims that fall within the Reportable Conduct Scheme. In addition, we have obtained Senior Counsel advice regarding relevant aspects of the Scheme in the context of historical claims.

We have since held 2 further roundtables with a broader stakeholder base, including unions and specialist investigators, to ensure the soon-to-be released guidance is fully informed by broad stakeholder experiences.

Notifications from designated agencies

The majority of notifications from designated agencies involved allegations against foster carers (741 – 74%), while 24% (241) involved employees in residential care services.

The data reflects significantly increased reporting by residential care services – a 40% increase (from 159 to 222) compared with a 9% increase across the rest of the sector, which in part explains the 17% increase in notifications from non-government designated agencies. We will be working across directorates to explore the factors contributing to this trend.

The biggest proportionate increase in notifications from across the non-government OOHC sector was in the category of sexual misconduct – a 152% increase (25 to 63). The majority (64% – 40/63) of sexual misconduct allegations from non-government designated agencies arose in residential care settings. In contrast, the majority of sexual offence allegations from the sector (73% – 44/60) arose in foster care settings. It is significant to note that while alleged victims reporting directly to the entity were the source of reportable allegations at comparable rates in residential care and foster care (41% of reports versus 40%), employee reports were the source of 26% of notifications from residential care services compared with 11% from foster care.

Notifications from the education sector

The education sector accounted for 43% (1,026/2,405) of notifications over the year, with 37% (380/1026) of these notified by approved early childhood education and care services and 63% (646/1026) from schools.

Approved early childhood education and care sector

The 38% increase in notifications from approved early childhood education and care services may in part be attributable to increased education and awareness across the sector through jointly-developed resources by the OCG and the Early Childhood Education and Care Regulatory Authority – including eLearning modules, a podcast, animations and videos. Widespread media attention about sexual offence charges against a worker in childcare settings may also have led to increased reports in this sector. In this regard, notifications of sexual misconduct allegations from this sector almost tripled (from 8 to 22) over the reporting period and notifications of sexual offence allegations increased by 47% (from 19 to 28). Notifications of assault allegations also increased by 43% (from 86 to 123). However, additional guidance is required for this sector to ensure that notifications are properly made, as 32% of the notifications this year (120/380) were assessed as being not in jurisdiction.

Schools

The notification rate across the schools sector over the year was proportionate to the workforce size in each of its subsectors.

Table 7: Notification rate by percentage by school sector

Schools Subsector	Number of notifications	As a percentage of schools notifications	As a percentage of all notifications
Department of Education	375	58%	16%
Non-government schools – Independent	144	22%	6%
Non-government schools – Catholic Systemic	127	20%	5%



The majority of notifications from schools (58%) involved allegations of a sexual nature; however, the notification dynamic differed between government and non-government schools.

Almost half (49%) of notifications from the Department of Education involved allegations of sexual offences, up from 37% the previous financial year. This compared with 30% of notifications from Catholic systemic schools and 22% from independent schools. However, Catholic systemic schools and independent schools notified proportionately more sexual misconduct allegations (23% and 26%, respectively) than the Department of Education (14%).

We received a 92% increase in notifications from independent schools (from 75 to 144), which spanned all reportable conduct categories. Notifications of sexual offences from the sector doubled (from 16 to 31) and notifications of sexual misconduct increased by 72%. This sector has seen significant growth over the year, both in student population and number of schools; has been the subject of widespread media attention, which may have affected reporting rates; and has benefited from increased training delivered by the Association of Independent Schools (of which 96% of independent schools are members).

As noted previously, the schools sector has also been impacted by the increase in historical allegations arising from civil and National Redress Scheme claims (the majority of which involve sexual offences).

Reporting rates in other sectors

- The 90% increase in notifications from other public authorities, following a 23% increase last financial year, is attributed to our increased education and awareness activities with this sector.
- Notifications from religious bodies continued to predominantly relate to alleged sexual offences – 61% (58/95). Although notifications from this sector have been increasing year on year, the overall notification rate is still lower than expected. We continue to work with the religious sector to improve its child safe and reportable conduct practice.
- Notifications from the health sector increased by 32% (37 to 49); however, notifications are low compared to the sector's size and the level of its employees' interaction with children. Over the year, we increased our targeted engagement with the health sector. Together with our Child Safe team, we delivered webinars to employees of Local Health Districts, Affiliated Health Organisations and Statutory Health Corporations. We have also worked collaboratively with the Ministry of Health on its updated Misconduct and Reportable Conduct policy and provided case-by-case guidance to health entities on complex investigations.

Source of reportable allegations

In 2023–24, the largest percentage of reports – 27% – were made by agencies which are external to where the person who is the subject of the alleged conduct works (such as DCJ or NSW Police).

The relatively high proportion of allegations made by alleged victims and their families reinforces the importance of organisations having robust child safe complaint practices that provide known, trusted and reliable pathways for raising concerns. In this regard:

- 23% of notifications arose from direct disclosures and reports by the alleged victim to the relevant entity, and
- 22% arose from complaints made by the alleged victim’s family, carer or advocate.

Employee reports, including employee witnesses and employee self-reports, accounted for 19% of reportable allegations. Organisations with a strong child safe culture manifest high rates of employee reports. Relatively high employee reports also tend to arise in organisations in which employees consider children to be particularly vulnerable and

may be unable to disclose reportable allegations themselves. In 2023–24 this category of report was proportionately highest in the early childhood education and care sector (40% of notifications from that sector were employee reports), health (39%), residential care service providers (24%) and agencies providing specialised substitute residential care (23%).

Employees the subject of reportable allegations

Gender

As in previous years, male and female employees were the subject of reportable allegations in even numbers; however, with different reporting patterns.

Female employees were notified primarily for assault (34%), neglect (19%) and ill-treatment (14%).

Almost half (47%) of notifications involving male employees involved allegations of a sexual nature, comprised of sexual offences (32%) and sexual misconduct (15%).

Table 8: Number of notifications received by primary allegation type

Primary allegation	2021–22*	2022–23*	2023–24
Assault	502	679	714
Behaviour that causes significant emotional or psychological harm to a child	18	41	44
Ill treatment	140	211	261
Neglect	215	231	311
Offence under S43B or S316A of the <i>Crimes Act 1900</i>	7	11	6
Reportable conviction	1	7	4
Sexual misconduct	137	206	247
Sexual offence	290	379	459
Not in jurisdiction	228	295	359
Total	1,538	2,060	2,405

* Figures for 2021–22 and 2022–23 have been updated from last year’s Annual Report.



Of all allegations of a sexual nature notified over the year, 78% were allegedly perpetrated by male employees.

The gender disparity in notifications of allegations of a sexual nature is even more stark considering that 81% of those notifications, where a job title has been provided, involve accredited school teachers, and males constitute less than a quarter of the accredited school teacher population.

Employment type

Half of the notifications in which employment status is known involved allegations against employees who were casual, agency staff, contractors or volunteers (including authorised carers). This highlights the importance of the broad definition of ‘employee’ in the *Children’s Guardian Act*.

Over the past 2 years, entities have demonstrated an improved awareness of their obligations in connection with third party contractors. These obligations were first introduced in March 2020 in response to the public’s concerns about a swim teacher charged with multiple counts of child sexual abuse not being captured by the Reportable Conduct Scheme due to his employment status.

Over the year, 5% (106) of notifications with known employee status involved contractors or volunteers engaged by the relevant entity through a third party – 5 times as many as in 2020–2021 – and, of those in jurisdiction, 49% involved allegations of a sexual nature.

Work-related

Like last year, the vast majority (89%) of notifications in 2023–24 relate to an employee’s alleged conduct occurring in, or connected to, the employee’s place of employment. Outside-of-work allegations primarily involved alleged criminal offences by employees towards children, with 31% that were in jurisdiction involving alleged assaults and 41% involving alleged sexual offences.

Alleged victims

Notifications in jurisdiction received over the reporting period involved 2,894 alleged victims – noting that 19% (448) of notifications involved more than one alleged victim. This constituted a 13% increase on the number of alleged victims notified last year; and a cumulative increase of 39% over the past 2 years. The data below relates to these alleged victims.

Aboriginal or Torres Strait Islander alleged victims

Approximately a quarter (709) of alleged victims were reported to be Aboriginal or Torres Strait Islander children. In total, 522 notifications involved at least one alleged victim reported to be Aboriginal or Torres Strait Islander, with 43% involving allegations of assault, 24% involving allegations of neglect and 20% involving allegations of a sexual nature. The vast majority (80%) of these were notified by OOHC entities, in contrast to only 12% of the notifications coming from the education sector (including early childhood education and care services). Aboriginal and Torres Strait Islander children constituted 44% (587/1331) of alleged victims in OOHC. We note that as at 30 June 2024, 45.1% of children and young people in OOHC in NSW were Aboriginal or Torres Strait Islander.

Alleged victims with disability

Almost a quarter (713 – 25%) of the alleged victims were reported to have disability. In total, 575 notifications involved at least one victim with at least one disability. Of those, 66% (378) were notified by designated OOHC entities and 28% (163) from the education sector (including early childhood education and care services). Of all notifications in 2023–24, children with disability were the alleged victims in:

- 41% of allegations of ill-treatment (107)
- 33% of allegations of assaults (234)
- 36% of allegations of neglect (112)
- 16% of allegations of a sexual nature (110).

Table 9: Alleged victim – types of disability

Disability Category*	Count
Cognitive	511
Physical	80
Sensory	136
Social/Emotional	445
Unknown	9
Total	1,181

*Alleged victim might have one or more disability type.

Alleged victim gender

The gender of alleged victims was unknown in 4% (106) of matters at the time of reporting. Many of these matters involve offences relating to child abuse material, in which the victim’s gender may not be identified.

Of the 2,788 alleged victims where the gender is known, 5 alleged victims identify as non-binary or transgender and of the remaining alleged victims, 51% (1,420) are male and 49% (1,363) female.

In connection with the notifications last financial year, we reported that females were almost twice as likely than males to be notified as the alleged victim in allegations of a sexual nature. This dynamic shifted this year,* with an overall difference of only 16% when the categories of sexual misconduct and sexual offences are combined. More significantly, the category of sexual misconduct saw females notified 28% more frequently than males, while the category of sexual offence saw females notified only 6% more frequently than males. This may reflect the growing number of historical allegations arising from civil and redress claims, in which the gender of victims tends to be more equal and the claims largely relate to sexual offences. Male children were 15% more likely to be the alleged victim of notified assault and 10% more likely to be the alleged victim of notified ill treatment.

*Data is based on notifications where gender is known.

Table 10: Notifications received 2023–24 (excluding not in jurisdiction) by primary issue and the alleged victim’s gender

Primary Issue	Non binary	Female	Male	Transgender	Unknown	Total
Assault	0	407	556	0	8	971
Behaviour that causes significant emotional or psychological harm to a child	0	28	32	0	0	60
Ill treatment	0	186	229	0	8	423
Neglect	2	250	246	0	3	501
Offence under s316a of the Crimes Act 1900	0	2	3	0	0	5
Offence under S43B of the Crimes Act 1900	0	3	1	0	0	4
Reportable conviction	0	4	1	0	1	6
Sexual misconduct	1	226	127	1	21	376
Sexual offence	1	257	225	0	65	548
Grand Total	4	1,363	1,420	1	106	2,894



Alleged victims by age

Alleged victims of different age groups were represented in notifications in jurisdiction³ as follows:

- 16 and 17 years: 15% of notifications, 51% of these involving allegations of a sexual nature
- 13 to 15 years: 27% of notifications, most involving allegations of a sexual nature (40%) and assault (32%)
- 10 to 12 years: 19% of notifications, comprising allegations of assault (40%), sexual in nature (25%), neglect (18%) and ill-treatment (15%)
- 7 to 9 years: 15% of notifications, the majority involving allegations of assault (39%) and neglect (24%)
- 1 to 6 years: 23% of notifications, primarily involving allegations of assault (41%), followed by neglect (25%)
- younger than 12 months: 1% of notifications, primarily involving allegations of assault, neglect and ill-treatment.

These reporting trends by age of alleged victim are consistent with last year.

Table 11: Notifications received 2023–24 (excluding not in jurisdiction) by primary issue and the alleged victim’s age

Primary Issue	< 12 months	1–6 years	7–9 years	10–12 years	13–15 years	16–17 years	Not in jurisdiction not child at time	Unknown	Grand Total
Assault	10	235	146	185	207	94	1	93	971
Behaviour that causes significant emotional or psychological harm to a child	1	18	5	10	14	7	0	5	60
Ill treatment	6	97	53	68	77	23	2	97	423
Neglect	11	142	89	82	94	58	0	25	501
Offence under s316a and s43B of the Crimes Act 1900	0	2	1	3	2	1	0	0	9
Reportable conviction	0	0	0	0	1	2	1	2	6
Sexual misconduct	2	22	15	39	122	107	6	63	376
Sexual offence	2	57	64	76	140	82	1	126	548
Grand Total	32	573	373	463	657	374	11	411	2,894

³ where age is known.

Time taken to investigate

Under the *Children's Guardian Act 2019*, we are required to report on the number of investigations or determinations in relation to reportable allegations or reportable convictions that have not been completed by a relevant entity or the Children's Guardian within 6 months after the commencement of the investigation or determination.

Finalised matters

Of the 2022 entity investigations that were finalised over 2023–24, 52% (1,059) took more than 6 months to investigate, while the average investigation completion time for matters notified under the *Children's Guardian Act 2019* and finalised over the reporting period was 276 days. Of those, 33% (642/1973) had been deferred or suspended for a period of time. The average period of deferral for these matters was 163 days.

A deferral or suspension is the primary reason a reportable conduct investigation will take much longer than 6 months. Reportable conduct investigations are typically deferred or suspended when a third-party investigation is underway, for example by police, or when the matter is the subject of criminal proceedings. There are other legitimate reasons for suspending an investigation, including health concerns for the alleged victim or the employee about whom the allegation was made.

Other factors can also impact the investigation time. Of matters closed during the reporting period which took more than 6 months to investigate, the following factors were most typically present (as a percentage of matters recorded): complexity (22%), suspended due to third party involvement (for example police) (18%), resourcing (17%), difficulty or delay obtaining third party information (11%), difficulty locating witnesses (5%), inexperience (5%) and victim or employee wellbeing (3%).

Active matters

At 30 June 2024, we had 1,545 open notification cases with entity investigation reports pending, of which 56% (865) have been active for more than 6 months. Many of these matters (667 of 1,545 which is 43%) have been the subject of a deferral or suspension of investigation decision. About 34% (826/2,405) of all reportable allegations notified over the reporting period were also reported to police.

Outcomes

In 2023–24 we finalised 2,545 cases. A portion of these finalised matters did not result in findings, primarily because we exempted the relevant entity under section 31 of the *Children's Guardian Act* from commencing or continuing its investigation. Reasons for section 31 exemptions include:

- dual employer notifications, whereby one employer leads the investigation and the other is exempted
- the involvement of vulnerable parties and a risk to these individuals should the reportable conduct investigation proceed
- that commencing or continuing a reportable conduct investigation may compromise a future police investigation, and
- that the objectives of the Reportable Conduct Scheme will be better met through a response that focuses on risk management.

When an entity is exempted from commencing or continuing an investigation, it is not necessarily relieved of all obligations in relation to the allegations. In many cases we work with relevant entities to ensure that alleged victims and their families are properly informed about the steps taken in response to their disclosure or report and reasons the investigation has not proceeded; identify whether any systemic shortcomings exist and ways to remedy them; and ensure the entity undertakes a risk assessment and introduces appropriate risk management strategies.

The following outcomes relate to matters investigated to completion (finding).



Findings

Over the year, 33% of matters investigated to finding and finalised were sustained (27% as reportable conduct).

Sustained findings of serious physical assault, sexual misconduct and sexual offences must be reported by the Reportable Conduct Directorate to the WWCC Directorate. These reports trigger an assessment of the employee's suitability to continue holding a clearance to work with children.

The *Children's Guardian Act 2019* states that heads of relevant entities must make a finding of reportable conduct if satisfied, on the balance of probabilities, that the case against the employee has been proved.

The sustained rate for reportable allegations that constituted criminal offences was lower (20% for sexual offences and 24% for assaults) than non-criminal reportable allegations (37% for neglect; 36% for ill-treatment; and 35% for sexual misconduct).

As part of our oversight, we scrutinise findings to ensure that they are logical and evidence-based. It is inevitable that some decision-makers will be more cautious with their findings than others. Our role is to ensure that the finding they make is open to them on the evidence.

Over the year, we found relevant entities' handling of reportable allegations to have an unsatisfactory element in 9% of finalised matters, which may include deficient investigation planning, documentation, procedural fairness, or victim support. In these cases, the deficiencies could not be remedied and instead we provided detailed feedback to the entity for capability-building purposes. We assessed that 2% of finalised matters were unsatisfactory overall. These all involved unreasonable findings. We may request that an entity review its finding if an unreasonable finding has serious implications for either the subject employee or for managing risks to children. This informal approach generally results in deficiencies being remedied. Occasionally, we need to escalate our involvement.

Action at the conclusion of reportable conduct investigations

While 73% of finalised investigations did not result in a sustained reportable conduct finding, 80% of all finalised matters resulted in the relevant entity taking disciplinary, remedial or systems-related action at the conclusion of the investigation. This reflects 2 important preventative elements of the scheme.

Firstly, in many reportable conduct matters, the available evidence may not be sufficient to satisfy the decision-maker that the alleged conduct occurred, but it may be sufficient to give rise to concern for the head of relevant entity that the subject employee may pose a risk to children that requires management.

Secondly, reportable conduct investigations often uncover evidence of systemic failings or areas for system improvement. In this regard, 8% of investigations finalised over the reporting period resulted in the entity making changes to their policies, procedures or systems, and in 92% of those cases, the changes were to improve implementation of the Child Safe Standards. See case study 'Reportable conduct investigation leading to improved child safe systems' as an example. Smaller entities are more likely to make changes to their systems at the conclusion of a reportable conduct investigation than larger entities, with the early childhood education and care sector, non-government OOHC agencies, independent schools and agencies providing substitute residential care reporting the highest rate of systemic change.

CASE STUDY



Reportable conduct investigation leading to improved child safe systems

A designated OOHC agency notified us about allegations that an authorised carer had committed sexual offences against multiple children who had been placed in his care over time. The carer was charged and subsequently convicted of numerous child sexual offences. In light of the carer and his carer wife being deauthorised and the male carer being barred from working with children, the relevant entity expressed an intention to provide the OCG with the outcome of the criminal process and close its reportable conduct file.

However, we were concerned that the entity had not undertaken any review or analysis about how multiple children over time had come to be abused by the carer without concerns being identified or the children disclosing. We also held no information to indicate that the entity had engaged with the victims about their experience in care. We requested that the entity undertake a review

to identify and respond to systemic problems that permitted the abuse to occur, and to consider its obligations under section 57 of the *Children's Guardian Act* to disclose information to the victims.

In response, the entity undertook a thorough and constructive review and acknowledged significant lessons from the matter, including about the modus operandi of adults who groom others to sexually abuse children and the importance of caseworkers remaining vigilant. The Head of Relevant Entity personally apologised to each victim; provided them with information about how they could take civil action over the abuse they suffered; and explained to them the action the entity has taken to improve the safety of children in the care of the organisation. The entity now uses the matter as a case study to train its caseworkers.



Complaints about responding to reportable allegations

Under the *Children's Guardian Act 2019*, any person can make a complaint about the way relevant entities respond to reportable allegations, and can also raise reportable allegations directly with the Children's Guardian. We received 52 complaints over the reporting period, most of which were from employees or alleged victims (or people acting on behalf of alleged victims).

Consistent with previous years, complaints that were in jurisdiction tended to concern allegations relating to:

- a failure to notify a reportable allegation
- inadequacy in the risk assessment or the risk management action taken, or related communication with involved parties
- the length of time for an investigation, or
- a failure to provide procedural fairness.

This year, 44% of the complaints we received were assessed as not meeting the threshold of a reportable conduct complaint. However, the majority of these were assessed to fall within the broader jurisdiction of the OCG and the information was shared internally for further action (see case study 'Reportable Conduct complaint informing Child Safe monitoring action'). Similarly, our Reportable Conduct enquiries line is often used by general members of the public who wish to raise broad concerns about child safe practices in organisations, which may or may not include a reportable conduct component. These enquiries are often complex and result in a joint internal response or an internal referral for discrete action.

CASE STUDY



Reportable Conduct complaint informing Child Safe monitoring action

We received a complaint from a community advocate, who raised a number of child safe concerns about a school, including that a student had been assaulted by an employee on school grounds and that the school was not culturally safe for Aboriginal students.

With the complainant's consent, we firstly contacted the school and provided information about the alleged assault. The school subsequently notified the allegation to us and made inquiries directly with the complainant as part of its investigation.

Secondly, we referred the broader concerns to our colleagues in the Child Safe Directorate, who provided support to the school in relation to child safe practices.

In the course of responding to the complaint, the complainant also raised concerns about the way in which police officers handled an incident involving 3 Aboriginal students at the school. With the complainant's knowledge, we referred this concern to the Law Enforcement Conduct Commission, as we are required to do under section 33 of the *Law Enforcement Conduct Commission Act 2016*.

The complainant was satisfied with the action we took in response to his concerns.

Exemptions under section 30

Under the *Children's Guardian Act 2019*, we are required to provide details of any exemptions from notification given to a class or kind of conduct of employees of a relevant entity. The OCG has not granted any exemptions in 2023–24. This is because we did not have prescribed procedures for exempting a class or kind of conduct as required by the Act.

We are in the process of finalising Regulations that will provide for the Children's Guardian to exempt a class or kind of conduct from notification.

Evaluation of responses

The *Children's Guardian Act 2019* requires us to report an evaluation of the response of relevant entities to the recommendations of the Children's Guardian. In 2023–24, we completed one evaluation in response to an investigation. See case study 'Evaluation of response to recommendations'.

CASE STUDY



Evaluation of response to recommendations

In 2023–24, we issued recommendations regarding one reportable conduct investigation. The investigation related to long-standing concerns over the way in which reportable allegations against an employee had been handled. We had assessed that:

- the relevant entity's investigation was procedurally unfair and otherwise deficient
- the findings against the employee were unreasonable, and
- the entity had treated the employee poorly.

We also identified a number of concerns with the entity's systems for responding to reportable allegations.

We engaged with the entity under our general inquiry powers to resolve these deficiencies, and the entity took some appropriate steps in response to our concerns, particularly to improve its systems. However, the entity

did not take appropriate action to rectify the impact of its deficient investigation on the employee. We therefore escalated our involvement to formal investigation and made recommendations about the finding against the employee, the records the entity kept in connection with the employee and other action the entity should take, including issuing an apology to the employee. At the point of issuing the final recommendations, the legal status of the entity had changed and this has in part contributed to the entity's compliance with our recommendations being protracted despite the entity agreeing to them in principle.

At the time of writing this report, the recommendations have been partially complied with and the entity has expressed – to us and to the employee – an intention to fully comply with the remainder of the recommendations.



Out-of-home care and adoption

The OCG regulates and monitors statutory out-of-home care and adoption services in NSW.

Our 2 main functions are to accredit agencies and monitor standards of care.

We assess organisations seeking accreditation for the first time and assess those seeking to renew their accreditation. We also monitor agencies to ensure they meet their responsibilities throughout their period of accreditation.

New service providers

Four new statutory out-of-home care providers were accredited in the last year; 3 of these are Aboriginal agencies.

Given the significant over-representation of Aboriginal children in statutory out-of-home care, we encourage and continue to prioritise applications from Aboriginal Community Controlled Organisations (ACCOs). This approach has supported an increase in the number of accredited ACCOs from 21 at the end of the 2023 financial year, to 24: there are 18 accredited to provide foster care; 1 is accredited to provide residential care; and 5 are accredited to provide both service types.

Designated and adoption agencies are accredited after they have demonstrated they meet the requirements in the NSW Child Safe Standards for Permanent Care. Designated agencies have responsibilities under the *Children's Guardian Act 2019* and regulation, and the *Children and Young Persons (Care and Protection) Act 1998* and regulation. Adoption agencies must also comply with the *Adoption Act 2000* and regulation.

Agencies applying for accreditation may be granted provisional accreditation or full accreditation. Provisional accreditation is granted where an agency has not provided statutory out-of-home care or adoption services in the 12 months prior to making an application for accreditation. Most agencies with provisional accreditation are agencies that are providing services for the first time. When a new provider first commences providing services, the agency must notify the Children's Guardian and assessors visit the agency every 4 months over the course of the agency's accreditation period to monitor practice and compliance with accreditation criteria.

When an agency has provided statutory out-of-home care or adoption services for 12 months, they may apply for full accreditation.

Designated agencies and adoption service providers are required to comply with the standards throughout the period of their accreditation. A Notice of Conditions of Accreditation is issued to each accredited agency. It sets out the services the agency can provide and any other requirements the agency must meet.

The Children's Guardian can shorten or cancel an agency's accreditation if it fails to comply with any of the conditions or fails to meet accreditation criteria over time. Information about agencies' accreditation periods and conditions of accreditation are published on our website.

This year, we have continued onsite monitoring and, in some circumstances, have included a hybrid approach of both onsite and remote assessments.

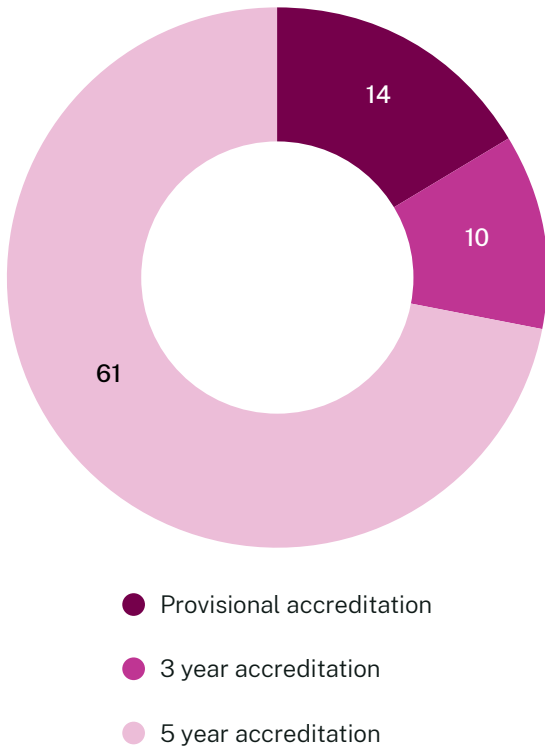
Designated agencies

On 30 June 2024, there were 85 designated agencies accredited to provide statutory out-of-home care in NSW. They include non-government providers and DCJ.

At 30 June 2024:

- 61 agencies had full accreditation for 5 years
- 10 agencies had full accreditation for 3 years
- 14 agencies had provisional accreditation for 3 years.

Figure 6: Designated agencies in NSW



NSW Department of Communities and Justice

Each of the 16 DCJ districts are accredited as individual designated agencies and we undertake regular monitoring of each district’s compliance with the standards. The focus and timing of our monitoring activities depends on where each district is in its accreditation cycle.

In 2023–24, we undertook assessment and monitoring activities in 15 districts, for different purposes.

- We continued accreditation renewal assessments for one DCJ district, following a period of deferral to allow for further assessment of compliance. This district gained full accreditation for 5 years.
- We undertook monitoring of 6 districts, which are part-way through their accreditation cycles. The purpose of this monitoring was to ensure the districts continue to comply with the standards.

- We monitored key areas of practice against accreditation criteria in 15 districts. This included a specific focus on care provided for children and young people in:
 - Alternative Care Arrangements in 15 districts, and
 - Special out-of-home care in 9 districts.

Alternative Care Arrangements are emergency and temporary arrangements for a child or young person in, or entering, statutory out-of-home care after every effort has been made to place them with relatives or kin, a foster carer or designated agency. (See our Case Study ‘Alternative Care Arrangements’).

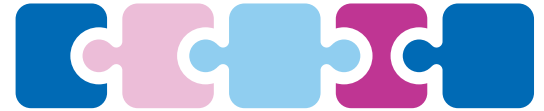
Special out-of-home care can be arranged by the Secretary for DCJ where a child has complex disability or medical needs. Special out-of-home care placements are often provided by disability service providers.

All accredited agencies are issued a Notice of Conditions of Accreditation which sets out any conditions that apply specifically to the agency. In 2022–23, the Children’s Guardian imposed a condition on the accreditation of DCJ districts regarding the way they arrange special out-of-home care for children and young people.

The condition on the accreditation of DCJ districts required the submission of policies and procedures for the arrangement of special out-of-home care and periodic progress reports on the implementation of its special out-of-home care action plan. In 2023–24, we monitored 9 districts to ensure improved consistency in how special out-of-home care placements are arranged, supervised and supported. Further monitoring of children in special out-of-home care will take place in 2024–25.



CASE STUDY



Alternative Care Arrangements

In Alternative Care Arrangements (ACAs), the day-to-day care and supervision of children and young people is generally provided by labour hire workers, subcontracted by accredited out-of-home care agencies. Children and young people are typically cared for in unstable short-term accommodation settings such as motels, caravan parks, holiday rentals or serviced apartments.

It is widely acknowledged that ACAs do not provide children and young people with the stability and support they need, and these arrangements have come under increased scrutiny. In September 2023 we undertook a targeted review that looked into the circumstances of 55 of the 149 children and young people in ACAs at that point in time.

Our review was principally focused on the adequacy of the oversight mechanisms and the related systems, policies and practices for monitoring the safety and quality of care provided to these 55 children and young people.

Our review identified a number of key issues which compromise the quality of care provided to children and young people in ACAs, including:

1. Inadequate oversight and monitoring of the care provided.
2. An inability to guarantee that children and young people are provided the integrated supports and critical services they need.
3. Significant problems in attracting and retaining appropriately skilled staff.
4. Significant over-representation of Aboriginal children and young people in ACA placements.
5. Children being placed and remaining in ACAs due to the lack of suitable care options, noting that the impact of this failure in the system is particularly acute for children and young people with complex needs.

In August 2024, we tabled a report in NSW Parliament setting out proposals for system reform to address the factors driving the use of ACAs. The report, 'Strengthening out-of-home care and the broader child protection system' is available on our website.

The report highlighted issues that need to be addressed for the broader out-of-home care system. These include the need to ensure high quality therapeutic residential care for the many young people in these services, often with complex support needs. As part of addressing this issue, the report proposes establishing an expert advisory group for residential care.

Adoption

If a designated agency seeks to provide adoption services, it is required to comply with legislative requirements and demonstrate that it meets the standards as they apply to adoption. When an agency is accredited by the Children's Guardian, it can provide adoption services for children and young people in NSW.

On 30 June 2024, there were 6 non-government designated agencies that are also accredited to provide domestic adoption services in NSW. Five of these agencies hold full accreditation and one has provisional accreditation. This agency is participating in a direct evidence program towards full accreditation.

In 2023–24, the Children's Guardian imposed a condition on the accreditation of one agency, requiring it to progress its action plan to demonstrate how it will comply with adoption accreditation criteria. We monitored the agency's progress against the action plan in June 2024.

DCJ also provides domestic and inter-country adoption services in NSW. These services are due for continued monitoring next year.

Monitoring out-of-home care agencies for compliance

Each year, the OCG visits designated agencies and adoption service providers to monitor their compliance with the standards. The outcome of these visits provides feedback to the agency on areas for improvement and also informs the Children's Guardian's decision on whether to accredit the agency.

Monitoring assessments include discussions with key staff and a review of documentation about individual children and young people and their carers, to check if the agency has systems to promote their safety and wellbeing. We assess compliance with child protection requirements, suitability of placements and care environments as well as authorised carer assessments and ongoing carer suitability and support. In addition, the monitoring assessments review the administration of the Carers and Residential Care Workers Registers to ensure carers and workers are appropriately authorised with mandatory probity, suitability checks and

authorisation documentation is recorded on agency files and informs the authorisation decision and ongoing supervision and support needs.

We conducted assessments of 65 agencies this year, of which 15 were DCJ out-of-home care programs. In all, we conducted 92 assessments of direct evidence this year.

These assessments involved agencies that were new providers, those working on practice improvements and agencies applying to renew accreditation. Our assessors may spend several days or weeks monitoring an agency, and some agencies are visited several times over a 12-month period to monitor practice improvements.

Non-compliance with accreditation criteria

Designated agencies and adoption service providers must demonstrate compliance with the NSW Child Safe Standards for Permanent Care (November 2015) and children's care legislation to achieve and maintain accreditation. Where an agency does not comply with these requirements, the Children's Guardian may decide to:

- refuse to grant accreditation
- defer a decision on an application for accreditation and require an action plan to address non-compliance
- impose a condition on the accreditation
- shorten or cancel the period of accreditation.

When considering any of these actions, the Children's Guardian advises the agency of the compliance concerns and the steps the agency must take to address these. In deciding what actions to take, the Children's Guardian considers the degree of risk to children as a result of non-compliance.

In 2023–24, the Children's Guardian deferred a decision on 2 applications for accreditation. During a period of deferral, the agency remains accredited to provide statutory out-of-home care or adoption services. The agency is required to prepare an action plan and address any issues before accreditation is renewed. We visit these agencies regularly to monitor progress towards complying with the standards and any concerns about individual children and young people are referred to DCJ.



Conditions of accreditation imposed by the Children's Guardian

All designated agencies and adoption service providers are subject to general conditions of accreditation, set out in the Children's Guardian Regulation 2022.

In addition to general conditions of accreditation that apply to all agencies, the Children's Guardian may also impose further conditions on an agency's accreditation to address a particular area of concern.

When assessment of an accredited agency identifies areas of significant non-compliance over a period of time, the Children's Guardian may impose specific conditions of accreditation requiring the agency to take urgent remedial action to address areas of concern. Such conditions may also require the agency to prepare an action plan and periodically report to our office on progress against the action plan or place a restriction on the agency's placement of children and young people.

Examples of conditions that the Children's Guardian may impose on an agency's accreditation include:

- preventing the agency from accepting further placements until a compliance concern is addressed
- requiring the agency to engage a person with child protection or other expertise to provide training to staff
- preventing the agency from accepting referrals for placements of children with complex needs until an area of concern is addressed
- requiring an agency to report on its progress in addressing compliance concerns.

Conditions imposed by the Children's Guardian relating to a specific issue or concern in an agency may be varied or lifted by the Children's Guardian. Failure to comply with a condition of accreditation may result in the Children's Guardian finding that the agency is not suitable to be accredited.

During 2023–24 the Children's Guardian imposed specific conditions of accreditation requiring urgent remedial action on 5 non-government agencies and all 16 DCJ districts.

Shortening or cancelling accreditation

The Children's Guardian may shorten or cancel an agency's accreditation if the agency is not suitable to be accredited or the accreditation was granted in error.

An agency is not suitable to be accredited if it:

- is disqualified from being accredited
- does not wholly or substantially meet the accreditation criteria.

The Children's Guardian may also find that an agency is not suitable to be accredited where:

- the agency, or principal officer of the agency, failed to comply with the children's care legislation
- the agency failed to comply with a condition of its accreditation
- the agency, or principal officer of the agency, made a statement or gave information in connection with the administration of the children's care legislation knowing the statement or information was false or misleading in a material particular.

The Children's Guardian may consider shortening or cancelling an agency's accreditation where there is persistent non-compliance with accreditation criteria or children's care legislation, and where the safety, welfare or wellbeing of children are at risk.

Where the Children's Guardian decides to shorten or cancel an agency's accreditation, the agency is advised of the decision in writing, including the grounds for the decision and the time and date on which the decision takes effect.

When an agency's accreditation is cancelled, it is disqualified from being accredited for a period of 2 years. Wherever an agency is not accredited, it must not provide nor seek to provide statutory out-of-home care or adoption services.

Deferral of a decision on accreditation

When an agency applies for accreditation (including an application to renew accreditation), the agency must demonstrate that it wholly or substantially complies with accreditation criteria. Where an agency does not demonstrate compliance, the Children's Guardian may refuse to grant accreditation or may defer making a decision on the agency's application.

The Children's Guardian may defer making a decision on an application for accreditation where the agency has submitted an action plan setting out how it will become compliant with accreditation criteria, and the Children's Guardian is satisfied with the action plan.

The maximum length of time an agency may have a deferred decision on its accreditation is 24 months. If the agency cannot meet the requirements of the code of practice in that time, its application for accreditation is refused.

An agency with a deferred decision on its application for accreditation continues to be accredited but must cooperate with a monitoring program and comply with any conditions imposed by the Children's Guardian.

Consultation on the code of practice

In 2021–22, we sought sector feedback on a proposal to bring the statutory out-of-home care and adoption sector into the Child Safe Scheme, by replacing the current NSW Child Safe Standards for Permanent Care with the Child Safe Standards. There was broad support for the proposal and agencies noted clear benefits in having one set of Child Safe Standards across all child-related sectors in NSW. The sector also noted that sector-specific practice requirements would need to be reflected in the new accreditation requirements to ensure the needs of children and young people in statutory out-of-home care and adoption arrangements are met.

In September–November 2023, we sought feedback from the sector regarding the practice requirements that should be incorporated into a code of practice, to ensure that the particular needs of children and young people in out-of-home care and adoption arrangements continue to be reflected in accreditation requirements. We then worked with Parliamentary Counsel's Office to draft a sector code of practice.

In February–April 2024, we consulted the sector on the draft code of practice. The code of practice will set out how the Child Safe Standards are to be implemented in the statutory out-of-home care and adoption sector. When the code commences, it will become the new accreditation criteria and will replace the NSW Child Safe Standards for Permanent Care.

The code of practice will ultimately be set out in the Children's Guardian Regulation 2022. We are working with Parliamentary Counsel's Office to finalise the code of practice in the second half of 2024. We have developed a range of guidance materials for the sector to assist the transition to the new accreditation criteria and anticipate that the code of practice will commence mid-2025.

Monitoring to renewal framework

In 2023–24, we commenced the new approach to monitoring statutory out-of-home care and adoption services. Information about how agencies meet the standards and implement practice improvements is gathered through the new monitoring to renewal framework. This process informs how intensive the renewal process needs to be for each agency. Where the monitoring program indicates that an agency has sound systems to manage its own compliance and quality of practice, the agency will not need an accreditation renewal assessment.

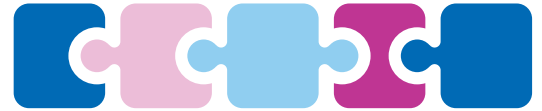
Following consultation with designated agencies and adoption service providers, we trialled and then commenced a new way of regulating the sector. The new monitoring to renewal framework has a greater focus on each agency's systems for quality assurance and continuous improvement. Under this framework we will have more regular contact with agencies during the accreditation cycle, but our engagements will be shorter.

More information about the new assessment process is published on our website in the **monitoring to renewal framework**.

We will finalise the framework later in 2024 ready for the transition to the new accreditation criteria: the code of practice.



CASE STUDY



First accreditation under the new direct renewal pathway

In December 2023, William Campbell Foundation had its accreditation renewed under our new streamlined assessment process.

The agency was assessed through our regular monitoring processes and submitted a very comprehensive agency status update outlining its own quality assurance systems, identified risks and actions taken to mitigate these. The agency status update is a questionnaire that is completed by each agency and responses contribute towards our planning for monitoring and accreditation renewal for the agency. The annual agency status update is key to our monitoring functions under the new framework.

William Campbell Foundation's agency status update, its history of compliance with accreditation criteria and its demonstrated responsiveness to feedback provided by our office, resulted in a recommendation for direct renewal without further assessment. The agency's compliance with other requirements, such as the National Disability Insurance Scheme, the NSW Education Standards Authority, reportable conduct and the WWCC, also informed this recommendation. The Children's Guardian accredited the agency for another 5 years in December 2023.

CASE STUDY



Aspire Homes Australia – medical model ‘Baby House’

Aspire Homes Australia provides care to 2 baby boys with profound medical and disability needs in the New England region. As part of the agency’s Direct Evidence Program, OCG assessors visited the placement and spoke with direct care staff about the care provided to the children.

Aspire Homes Australia staff spoke about their vision for the placement to be a home-like environment where the children can play and interact, however, one of the children was diagnosed with a contagious bacterial infection that prevented this interaction from occurring in the way it was intended. Despite this new challenge, Aspire Homes Australia staff divided the house in two and colour coded each child’s medical, feeding and play equipment to ensure a sterile environment for both children free from cross contamination. Each part of the house has walls of photographs of each child’s family and their favourite characters from television shows. Both families attend the house for family time and can leave items of significance for the children to be displayed in their rooms.

Ongoing care, commitment and love is evident within this placement and demonstrated by the care team who have been consistent since the commencement of the placement, with very minimal turnover. Aspire Homes Australia has specifically recruited care staff with medical backgrounds and has implemented rigorous handover and supervision procedures to ensure staff are supported in their roles. The agency also has procedures in place to address emergency medical needs as they may arise, and the children’s residence was purposefully located nearby to a hospital.

Aspire Homes Australia advised that while this placement is essentially a miniature hospital, the agency has not lost sight of the fact their clients are babies who need cuddles, nurturing and a lot of love. All of which has improved some outcomes for the children’s trajectory, not thought possible by their treating medical team.



Resources to support cultural care planning

We support the transition of Aboriginal children and young people to ACCOs. All designated agencies are required to undertake culturally appropriate care planning, aimed at keeping Aboriginal children and young people better connected to family, kin, culture and Country.

In consultations with the sector, designated agencies overwhelmingly supported an increased focus on cultural care. Non-Aboriginal designated agencies articulated a need for guidance material to assist developing their practice in this area.

In 2023, we engaged Curijo, an Aboriginal company that provides consultancy, capability and cultural training, to work with us to design and create resources to assist service providers develop cultural support plans.

We also worked with designated agency, Burrun Dalai Aboriginal Corporation, to develop video resources to assist non-Aboriginal agencies in understanding the importance of family and connection.

The **Developing Aboriginal Cultural Support Plans** resource and the videos are published on our website.

The cultural care guidance material is not mandatory: it supports agencies that are seeking assistance to better meet the needs of Aboriginal children and young people in their care.

Information reported to the Office of the Children’s Guardian

Agencies are required to notify us when a child or young person dies while in statutory out-of-home care and when a child under 12 years old is placed into residential care. Agencies are also required to notify reportable allegations to the OCG under the Reportable Conduct Scheme. Once we receive a notification, we carefully assess the information to determine whether the agency is meeting its legislative requirements. We may decide to make additional inquiries and use the information to inform our monitoring decisions.

During 2023–24, we received notifications relating to 166 children under 12 years whose placements commenced in residential care, with 21 designated agencies.

Some children can be placed in residential care on more than one occasion. We received notification of 186 placements of children under 12 years.

During 2023–24, our Reportable Conduct Directorate received 473 allegations relating to 533 children and young people in statutory out-of-home care where the primary allegation was assault, sexual misconduct or sexual offence. Of these, 190 children and young people were placed with DCJ and 343 were placed with non-government designated agencies.

We received notification of 3 deaths of a child or young person in statutory out-of-home care during 2023–24: 2 child deaths were related to car accidents, and one will be the subject of a coronial inquest.

Table 12: Information reported relating to children in statutory out-of-home care in 2023–24

Information reported	NGOs	Dept Communities and Justice	Total
Allegations of sexual misconduct, sexual offences and assault by staff, carers and volunteers	319	154	473
Death of a child or young person in statutory out-of-home care	3	0	3
Number of children under 12 years old placed in residential care	166	–	166

Carers Register

The Carers Register records information about carer applications, authorised carers and their household members providing out-of-home care. It is a licensing tool to assist designated agencies in the selection and probity assessments of carers.

The Carers Register requires designated agencies to share information about carers, prospective carers and their household members. It is designed so that only individuals who have met minimum mandatory suitability and probity checks are able to provide out-of-home care to children and young people.

At June 30 2024, 15,871 carers were authorised to provide out-of-home care to children and young people in NSW. Of these, 2,303 identified as Aboriginal or Torres Strait Islander.

There were 54 designated agencies accredited to provide statutory out-of-home care that are required to use the Carers Register to authorise carers and their household members.

The main activities we undertake to operate the Carers Register are:

- monitoring and compliance to check agencies are meeting Carers Register requirements, and
- checking data integrity and undertaking remediation so the information recorded is current and accurate.

Capability building

Capability building activities to support designated agencies to meet the requirements of the Carers Register included training and online, phone and email support. Additionally, we produce business intelligence reports to support designated agencies' data management and quality assurance.

Five training sessions were presented in 2023–24 providing information and skills to new and existing Carers Register users. The sessions were tailored to newly accredited agencies and agencies that have had significant staff changes. A range of resources to support agency knowledge are available on the OCG website, including training modules, guidelines and fact sheets.

One to one advice and guidance were provided to agency staff on a range of individual matters throughout 2023–24.

Monitoring agencies

31 Carers Register reviews have been completed this year. Reviews were conducted onsite at the agency, remote and a hybrid version of onsite and remote, and form part of Carers Register compliance activities. Reviews focus on monitoring all aspects of carer assessment and authorisation, including carer and household member probity, ongoing carer support and ensuring the Carers Register is updated accurately. Carers Register reviews confirm that the requirements of the NSW Child Safe Standards for Permanent Care are met (Standard 19: Assessment and selection of carers, guardians and adoptive parents).

Data integrity

Carers Register data is audited to check its reliability and integrity and to create reports, some of which require action from designated agencies. We monitor the integrity of the data to ensure it is a reliable source of information and it also informs compliance actions. Reports are also generated to assist agencies to inform their own quality assurance processes and confirm data accuracy.



CASE STUDY



Sharing good practice to better support carers

Foster and relative and kinship carers are critical to the out-of-home care system. Designated agencies have an important role in providing carers with the support they need to care for children and young people.

Our OOHC Regulation directorate invited representatives from designated agencies to join a carer supervision and support working group. With overwhelming interest in the project, 14 agencies joined the group to consider how authorised carers can be better supported in their complex role.

The purpose of the working group was to discuss challenges, showcase existing practice and share or develop tools to guide the sector's carer support and supervision practices.

The group came together for 4 sessions from March-June 2024. After establishing and endorsing the Terms of Reference in the first session, the following 3 sessions focused on workshoping:

- solutions to record and capture carer household profiles to document the carer journey
- supervision and support tools that would be useful to guide sector practice, and
- how agencies can support and gather information from carers exiting the carer role.

The process involved brainstorming the challenges of supporting the carer role, showcasing existing practices, and drafting templates and processes with a solution focus.

The sessions resulted in the development of 4 templates that have been published on the OCG website to guide sector practice:

1. Carer household profile
2. Carer supervision and support
3. End of placement
4. Exiting carer interview and review.

These are not prescribed documents but can be adapted as per designated agency requirements.

The working group was also a meaningful way for the sector to share ideas and learn from one another, with positive feedback received from participants.

'Has been a great experience'

'Thank you so much for this opportunity... I have learnt so much'

'It was so much fun and we were supported and guided so well through it'

The working group demonstrated the sector's commitment to improving systems and processes to better guide carer supervision and support practices. We continue to advocate for a sector wide carer engagement and advocacy group.

Overview of carer households

In 2023–24 there were 15,871 authorised carers. The total number of authorisations has decreased compared to last year's figure of 17,121.

In 2023–24 there were 10,304 carer households. The total number of carer households has decreased compared to last year's figure of 11,156.

The decrease in carer numbers is associated with carers leaving the sector, however the information recorded in the Carers Register does not provide information on the carers' placement history, capacity to care or whether the carer was authorised for a known child or general foster care.

Figure 7: Carers Register key statistics 2023–24

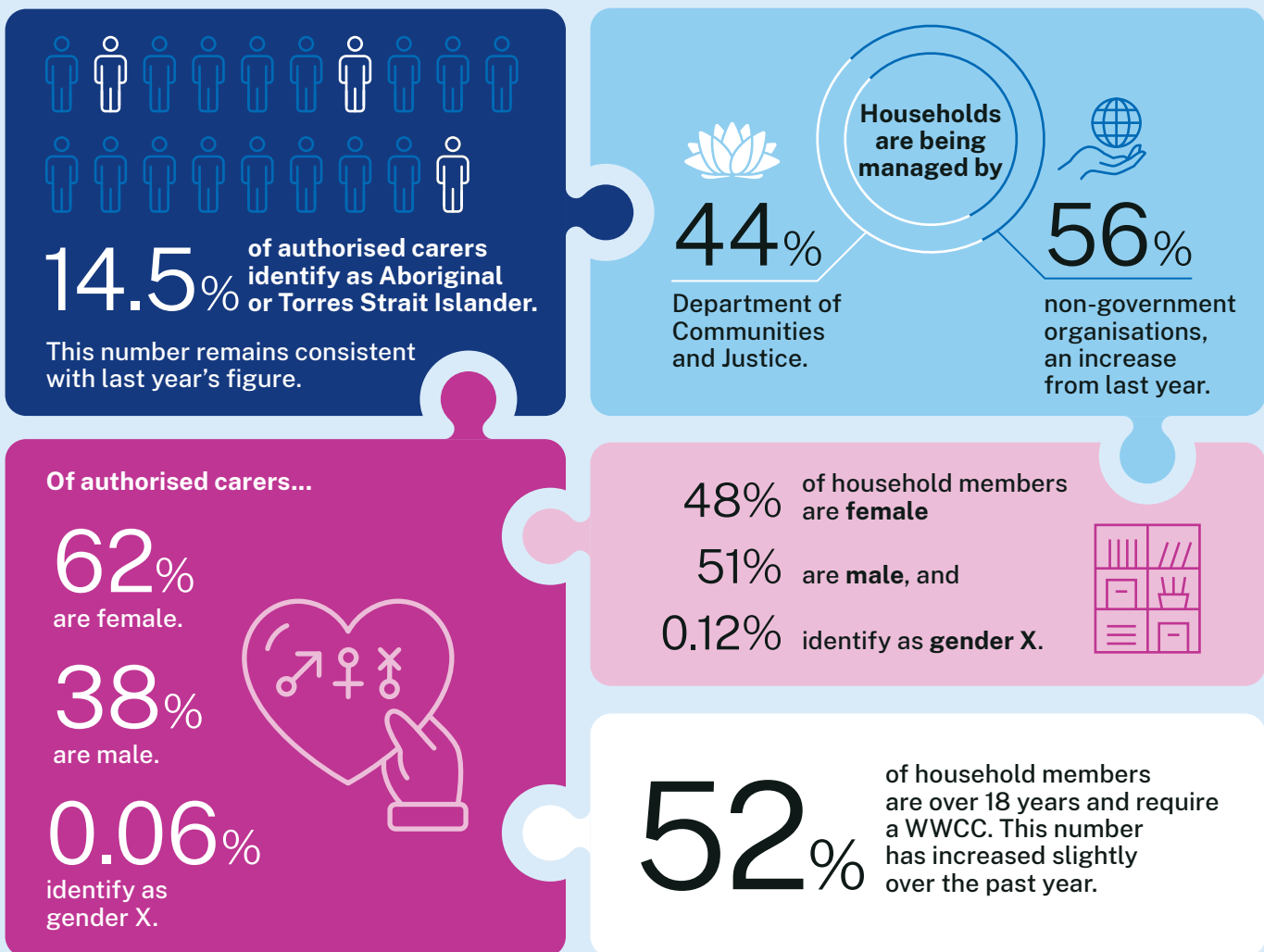




Table 13: Reportable allegations 2023–24

Reportable allegation counts (in reporting period)	
Reportable allegations (lodged)	
Current	409
Finalised – contact agency	98
Finalised – no record	195

Carers Register key statistics 2023–24

Figure 8: Total number of Authorised Carers and household members in the Carers Register

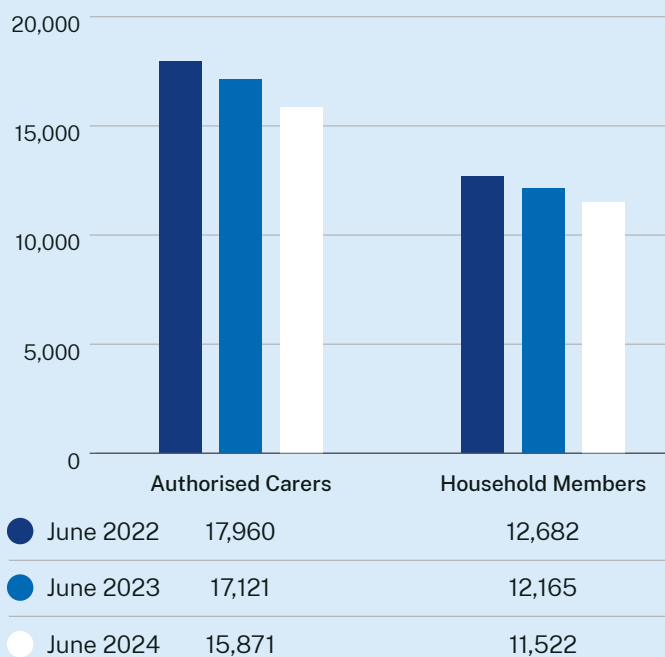


Figure 9: Authorised Carers – gender

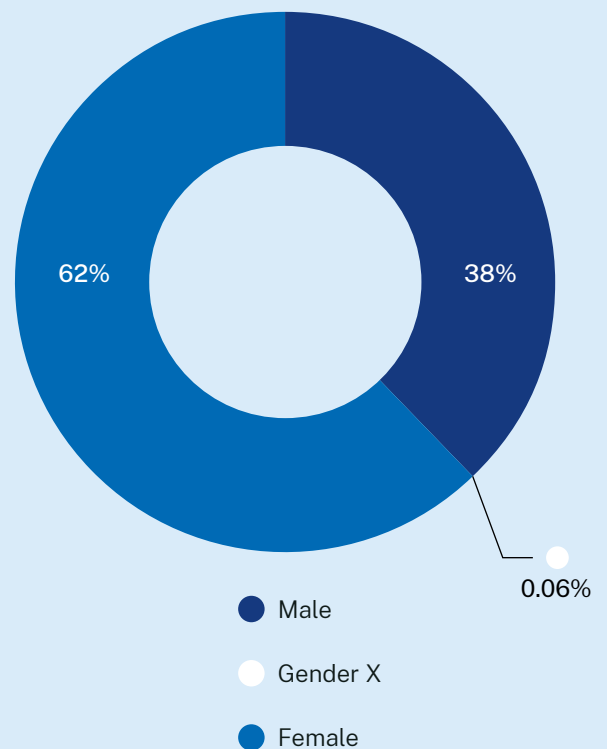
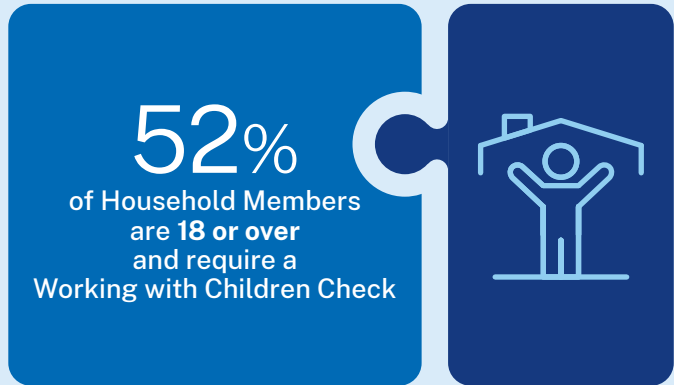
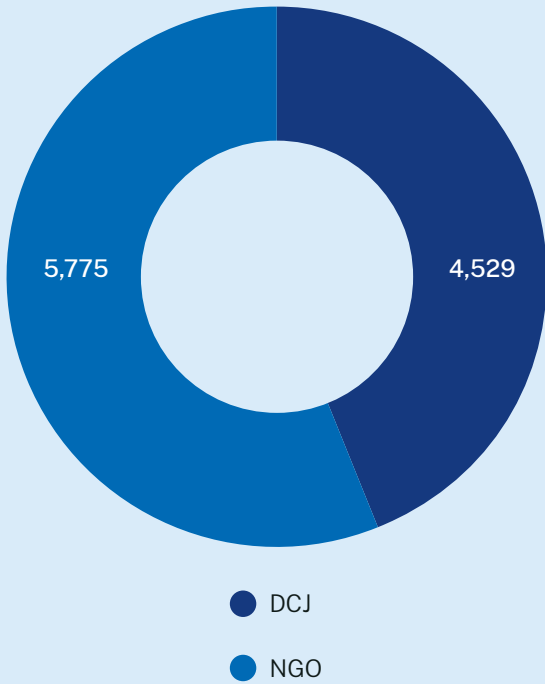


Figure 10: Number of households managed by DCJ/NGO



Carer applications

Table 14: Current applications

Current applications	2024
# of household applications	1,560
# of carer applications	2,398

During 2023–24, 586 carer applications have either been refused or withdrawn due to concerns. This number has increased 14% compared with last year.

Table 15: Carer applications refused/withdrawn

Status	2023	2024
Refused	343	371
Withdrawn no concerns	1,843	2,120
Withdrawn with concerns	169	215

* Artwork with thanks to Kurna and Narungga woman, Charmaine Mumbulla.

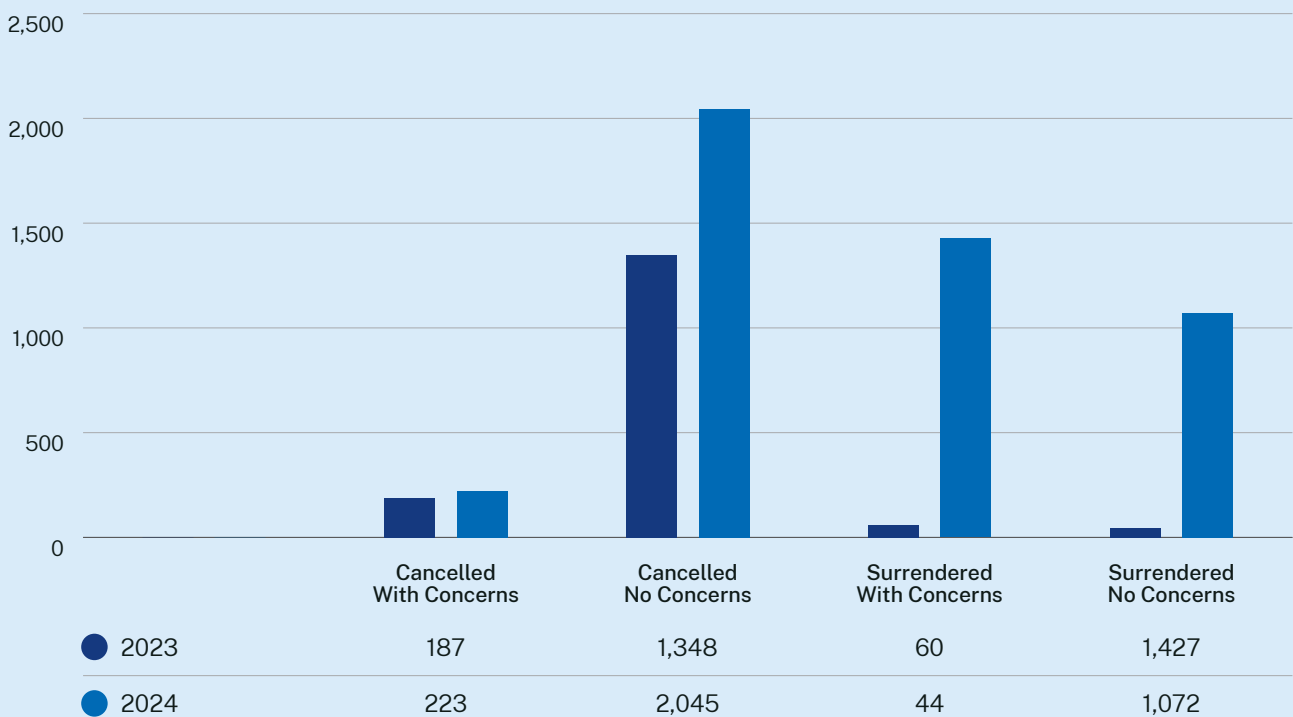


Carer authorisation outcomes

223 carer authorisations were cancelled with concerns in 2023–24, and 44 were surrendered with concerns. This number has increased 8% since last year.

Carers that are cancelled or surrendered with concerns are flagged on the Carers Register. If these individuals were to apply to another agency to become a carer, the concerns would be shared between agencies.

Figure 11: Authorised Carers – Cancelled/Surrendered 2023–2024



Working with Children Check bars and interim bars of carers and household members

A total of 646 carers or their household members have had their WWCC clearance cancelled since the Carers Register began in 2015 and are no longer legally allowed to care for children and young people in out-of-home care.

Table 16: Working with Children Check bars (cumulative) relating to carers and household members

	At 30 June 2022	At 30 June 2023	At 30 June 2024
WWCC bars			
Authorised carers	193	210	243
Household members	105	131	143
Interim bars			
Authorised carers	98	120	167
Household members	78	91	116

NOTES:

Individuals may have a carer and a household member role – the total is a distinct individual count.

Carer authorisations are automatically cancelled if the person no longer has a WWCC or is subject to a bar or interim bar.

Carer authorisations are automatically suspended if a household member no longer has a WWCC or is subject to a bar or interim bar.

The relevant designated agency must, within 48 hours of becoming aware of a cancellation or suspension, ensure that children or young people in out-of-home care are no longer placed in a household where a person with a WWCC bar or interim bar resides.

Residential Care Workers Register

The Royal Commission into Institutional Responses to Child Sexual Abuse recommended that each jurisdiction in Australia should establish a register of residential care workers to improve the safety of children and young people in out-of-home care. The *Children’s Guardian Act 2019* provided the legislative power to the OCG to establish a register of residential care workers.

The NSW Residential Care Workers Register (Residential Register) and the Children’s Guardian Regulation 2022 commenced on 18 July 2022. The provisions within the Regulation support the register’s operation.

The Residential Register provides a mechanism for designated agencies to exchange information about an individual, where this is relevant to the safety, welfare or wellbeing of children and young people. This supports agencies to decide if an individual is suitable to provide care to children and young people in residential care and helps prevent unsuitable workers moving from one agency to another.

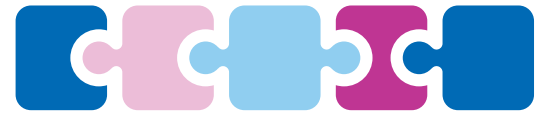
The Residential Register is a secure, restricted-access database which holds information about those individuals who have reached the final stages of the recruitment process and those who have been engaged as residential care workers. This assists designated agencies in the selection and probity assessments of residential care workers. It is designed so that only applicants who have met minimum mandatory suitability and probity checks are able to provide out-of-home care to children and young people in a residential setting.

The main activities we undertake to operate the Residential Register are:

- monitoring and compliance to check agencies are meeting Residential Register requirements
- checking data integrity and undertaking data remediation, so the information recorded is current and accurate.



CASE STUDY



The Residential Care Worker Register in practice

A worker provided care to children and young people in residential care. The agency recorded this worker on the Residential Register and listed her as 'engaged'. The worker later resigned, and the agency end dated the person's record on the Register.

The agency contacted the OCG some months later to seek advice on how they could add a reportable allegation to the register against the worker, even though the worker had been end dated. We identified that the agency was aware of the allegation when the worker was still employed as a residential care worker, but the allegation hadn't been added to the register at that time.

We provided support to the agency to ensure the allegation was added to the Residential Register and the investigation conducted. Training was also provided to the agency with the aim of preventing this from occurring again in the future.

We highlighted a functionality of the Register, which supports the agency to indicate whether it holds information that is relevant to the safety, welfare and wellbeing of children,

against a worker who has been end dated. The agency didn't use this function, which meant the current detail was inaccurate given the new information about a reportable allegation. The agency reviewed the information they held and updated the record for the worker, to indicate it did hold relevant information to share. By doing this, it will support the sharing of information between designated agencies, if the individual should seek employment as a residential care worker with another agency.

In this case, the worker had not sought employment elsewhere. If she does in future, the agency will be able to exchange information it holds that is relevant to the safety, welfare or wellbeing of children, with another potential employer. This will help to inform any decision about the worker's suitability to care for children and young people in residential care.

Building capability within the OOHC sector to ensure a clear understanding of obligations and how the Residential Register works, can help agencies to make decisions about a worker's suitability.

Capability building

In 2023–24, we have continued to have a strong focus on capacity building with designated agencies, to support them to meet the requirements of the Residential Register. This has included meeting one-on-one with agencies to discuss progress and review practice, providing clarification and updates to guidance materials available, as well as online, phone and email support.

The Residential Register provides agencies with the ability to produce business intelligence reports to support their own internal data management and quality assurance.

Monitoring agencies

The Residential Register was introduced in 2022–23 as a practice requirement for all designated agencies. We have supported agencies to understand their obligations and have now commenced active monitoring of each agency's practice to ensure these obligations are being met. This includes meeting with agencies to discuss their progress and reviewing data held on the Residential Register to confirm accuracy.

Agencies have been required to develop policies and procedures to support their practice in meeting the Residential Register requirements. 54 of the 70 agencies registered have finalised their documentation, with the remainder actively working with us to complete these throughout the coming year.

Data integrity

Residential Register data is audited to check its reliability and integrity so it can be used to create reports that provide details of the residential care workforce. If a report highlights errors or other practices that do not align with obligations relating to the Register, we monitor that the designated agency takes action to remediate the information. We have continued to focus on ensuring only those workers defined by legislation are entered into the system, and that records, including currency of employment and completion of mandatory probity checking is within the scope of legislative requirements.

Overview of residential care workforce

At the time of the commencement of the Register, any individual already working as a residential care worker was required to be recorded on the Residential Register. This is referred to as 'back capture'. Any new applicants since the commencement of the Residential Register are to be recorded and all of the relevant information must be provided and reviewed before they are approved to provide care to children and young people.

As of 30 June 2024, 9,548 individuals were recorded on the register as being engaged as a residential care worker, with 1,616 of these working for more than one agency at the same time. There was a total of 12,727 engagements across the sector. Of the total number of individuals, 830 identified as Aboriginal or Torres Strait Islander.

There were 70 designated agencies registered to use the Residential Register. These agencies are required to record workers and authorise those providing residential care to children and young people. One agency is government (DCJ) and the remaining 69 are non-government organisations (NGOs).

A focus at the commencement of the register was to add all current engagements into the new system. 26% of current engagements are back capture entries (those engagements which had already commenced prior to the Register starting). This has reduced from 45% at end of the previous year and can be explained by back capture workers exiting the workforce and new workers entering.



Figure 12: Residential Register key statistics

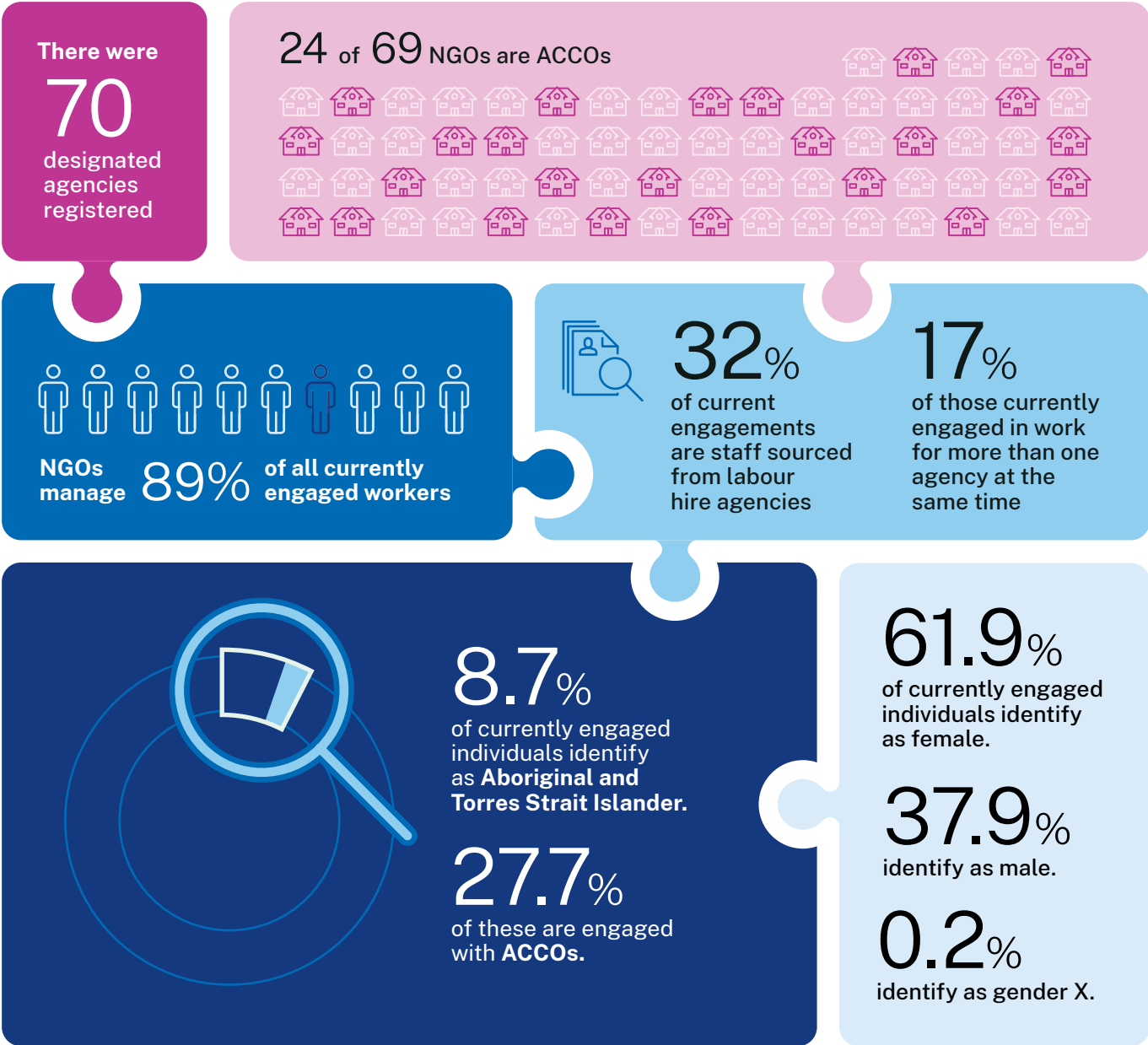


Figure 13: Labour Hire – % workers engaged via labour hire

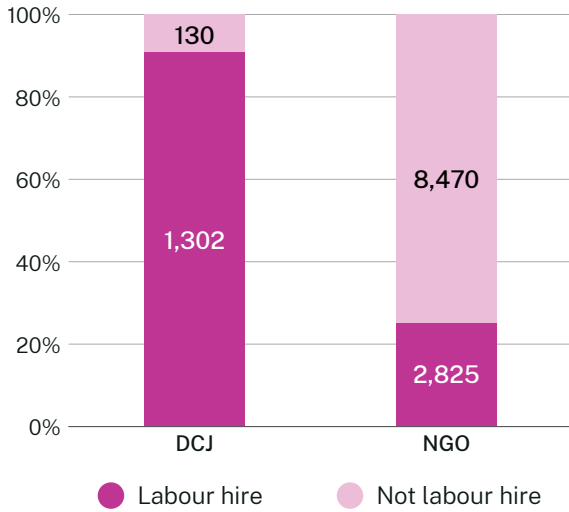
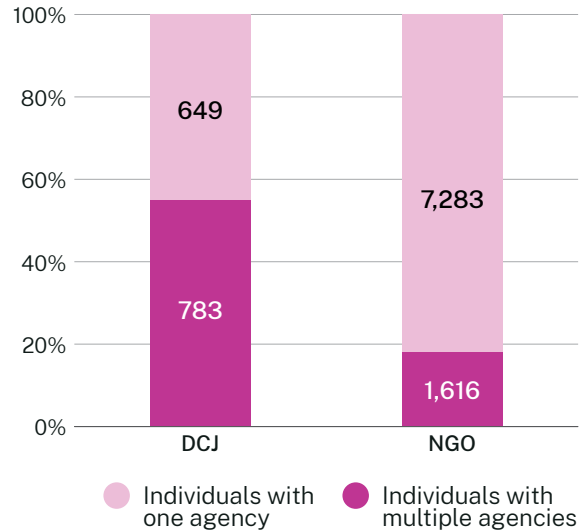


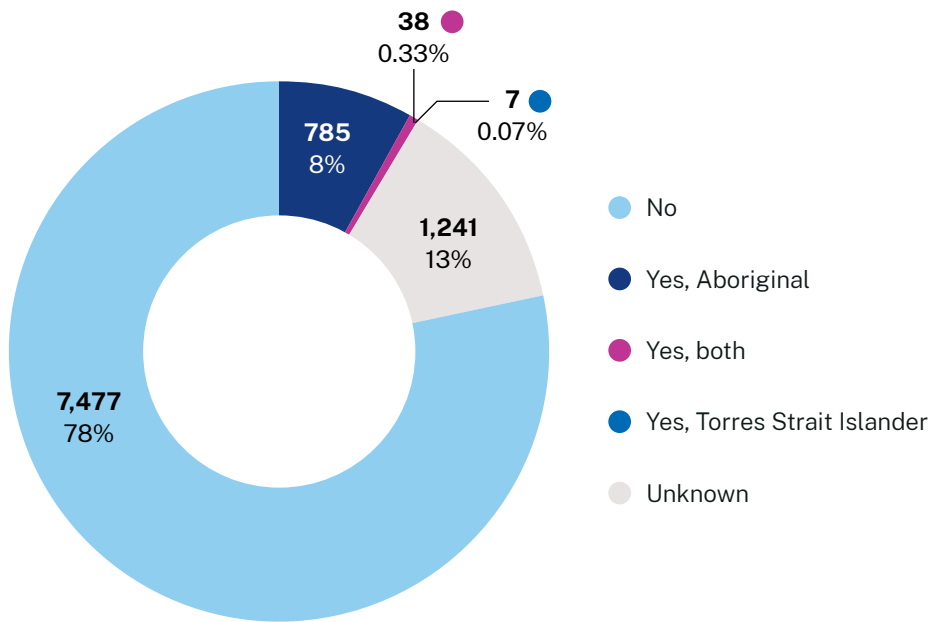
Figure 14: Multi-associations – % individuals currently with multiple agencies



NOTE:

DCJ multi-association individuals are a subset of NGO's multi-association individuals.

Figure 15: Aboriginal or Torres Strait Islander Identity – Currently engaged individuals





Reportable allegations

During 2023–24, reportable allegation records on the Residential Register indicated that:

- 87 were being investigated
- 84 had been finalised and a decision made that there was no information indicating a risk posed by the individual
- 38 had been finalised and the agency had determined that it had information relevant to the safety, welfare or wellbeing of children which should be shared with others in the future.

Reportable conduct flags

The *Children’s Guardian Act 2019* requires that we report the number of people on the Residential Care Workers Register who have a Reportable Conduct flag noted (which means there is a current allegation). As at 30 June 2024, there were 39 people on the Residential Register who have a reportable conduct flag noted under these circumstances. Of these, 21 had an investigation that commenced during the 2023–24 reporting period.

New residential care worker engagements

During 2023–24, there were 7,105 new worker engagements. The majority of these were in the NGO sector. Of these, 6,883 were workers who had been engaged as residential care workers for the first time and 222 were workers who had previously worked as a residential care worker and had been re-engaged by the agency, to commence this work again.

Table 17: New worker engagements

	30 Jun 2023	30 Jun 2024
New engagements	6,837	7,105
Department of Communities and Justice	543	533
Non-government organisation	6,294	6,572

During 2023–24, 4,407 worker engagements ended. The reasons for this include that an individual resigned, moved to a new position within the agency or had their employment terminated.

Where an agency has ended a worker’s engagement, they are required to make a decision about whether they hold information about the individual that is relevant to the safety, welfare or wellbeing of children. This is added to the Residential Register as either a ‘yes’ or ‘no’ outcome. If an agency holds relevant information, the register facilitates information exchange between relevant agencies, including potential future employers.

The exchange of relevant information does not preclude an individual from obtaining future employment. Instead, it assists agencies in identifying and managing any risk to children and young people by supporting the recruitment of suitable workers. This process maintains the safety of children as the paramount consideration in the delivery of out-of-home care services.

Table 18: Ended residential care worker engagements

	30 Jun 2023	30 Jun 2024
Ended engagements	2,352	4,407
Contact Agency – Yes	85	93
Contact Agency – No	2,267	4,314

Specialised substitute residential care

Specialised substitute residential care (SSRC) is an arrangement between an organisation and a parent to provide overnight care to a child under 18 years old, outside of the child's home, and where there are no child protection concerns. SSRC provides support for families caring for children and young people with complex needs, many of whom are living with disability. SSRC is a particularly high-risk area of our work due to the vulnerable clients receiving SSRC services.

The SSRC scheme replaced the voluntary out-of-home care scheme on 1 September 2022.

All entities providing SSRC must comply with the SSRC Code of Practice. Any new SSRC providers are required to complete the online Child Safe Self-Assessment. Following completion of the self-assessment, we arrange the provider's access to the SSRC Register, where they record all nights of SSRC that they provide.

In 2022–23, there were 272 providers registered under the SSRC scheme. In 2023–24, the number of providers registered increased to 383, representing a 40.8% increase. This can be attributed to an increasing awareness of the SSRC scheme and changes to requirements for providers. Having these providers registered with the OCG allows us to better target capability building activities and to actively monitor providers if there are concerns (see our case study 'Monitoring of SSRC improves services for children'). However, we face significant challenges in meeting our monitoring responsibilities in this area, due to the significant growth in SSRC services under our oversight.

Through 2023–24 we conducted 16 rapid risk assessments which target specific areas of concern, non-compliance or breaches of the SSRC Code of Practice by providers. We completed 7 full monitoring assessments with providers identified as being high risk. These assessments included desktop reviews and one or more on-site visits to assess compliance with the Child Safe Standards and SSRC Code of Practice. Providers were issued with interim and final monitoring assessment reports, including enforceable and monitored recommendations.

In 2023–24, we continued our focus on onboarding new providers and building their capability. As part of our onboarding process, we met with 24 newly registered providers to introduce ourselves, get to know the provider and to outline SSRC obligations and available resources. In November 2023, we published the Specialised Substitute Residential Care Implementation Handbook, developed in consultation with the sector, supporting agencies to implement the Child Safe Standards and meet their specific obligations under the SSRC Code of Practice. In June 2024 we published information sheets for parents about SSRC in 5 community languages including Arabic, Korean, Vietnamese and Chinese (simplified and traditional Chinese).

Children using specialised substitute residential care

In 2023–24, 898 children and young people accessed SSRC, compared to 803 children and young people in 2022–23. Of the 898 children and young people, 719 (80%) have a disability.



Care episodes

The OCG monitors care placements and identifies high risk placements. One care placement relates to each time a child receives SSRC – this could involve a short placement of only a few nights, or a longer-term respite stay. 4,452 placements were recorded during 2023–24 by SSRC providers, compared to 4,566 placements during 2022–23.

Supervision by a designated agency is required when a child or young person’s overnight care runs for a cumulative period of 90 days in a year (even when more than one registered agency has provided that care), to ensure correct supports and planning are in place for the child.

In 2023–24, there was a 17% increase in the number of placements of children and young people that required supervision by a designated agency (from 75 in 2022–23 to 88 in 2023–24). This increase may be due to an enhanced understanding on the part of providers of their obligation to register placements.

We also monitor children and young people who are approaching 180 days in care in a 12-month period. Children are required to be referred to a designated agency for a case plan to be in place from 180 days in care. In 2023–24, there was a 14% increase in the number of children who required a case plan (from 42 in 2022–23 to 48 in 2023–24). A further 36 children with case plans activated prior to 2023–24, ended their case plans during 2023–24, because they reached 18 years of age or no longer accessed SSRC. In total, 84 children had an active case plan during 2023–24.

CASE STUDY



Monitoring of SSRC improves services for children

The SSRC Team received information that a provider was not meeting their obligations to record placements provided to a child on the SSRC Register. After contacting the provider, the SSRC Team learned that the child concerned was under 7 years and placed in a centre-based environment. The SSRC Code of Practice requires providers to prioritise placements for children under the age of 7 in a host family or family care setting.

The provider was issued a warning to comply with their SSRC obligations to record placements on the SSRC Register and was asked to provide evidence of decision making that led to the centre-based placement for the child. We asked the provider to submit evidence aligned with the SSRC Code of

Practice showing that they considered the risks, service capability and age-appropriate requirements before placing the child in the current placement. As a result of contact from the SSRC Team, the child’s placement was reviewed by the provider through case planning meetings with family members, health professionals, support coordinators, disability workers and relevant government departments.

The provider subsequently recorded the child’s placement on the Register and provided risk assessments, including strategies for risk mitigation, resourcing and staff supervision. The provider showed consideration of the child’s young age by relocating the child to a residential service modelled on a family setting.

Employing children

The OCG monitors organisations that employ children who are under 15 and who work in the entertainment industry, as well as those children under 16 working in the modelling industry. There is a code of practice that sets out the minimum required standards when employing children in these industries.

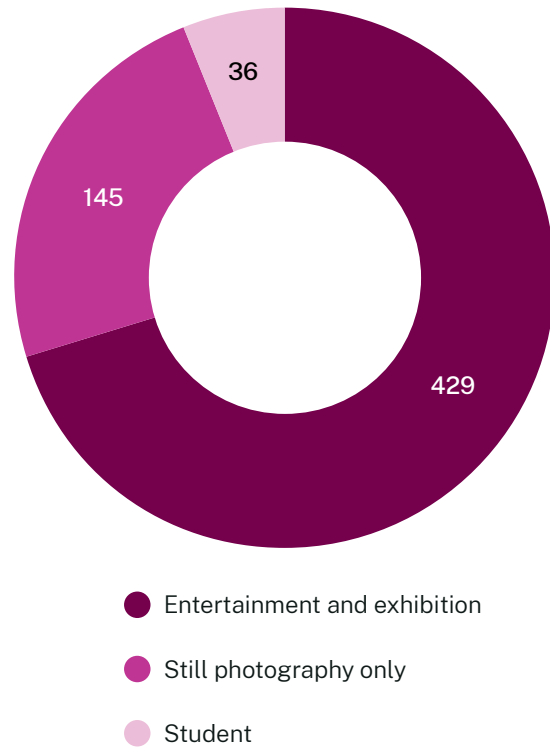
We issue employers with an authority to employ children in the categories of entertainment and exhibition, still photography and student productions. Through this process, employers register their intention to employ children in NSW with the OCG. This regulatory requirement allows us to monitor the conditions for young employees working in these industries and educate employers regarding their legal obligations in keeping children safe.

In 2023–24, we received 610 applications for an authority to employ children within NSW, an increase of 4% compared to the previous year. Six-month authority applications increased significantly by 127% (from 11 in 2022–23 to 25 in 2023–24).

Table 19: Authority to employ children

Authority length	Number of applications
1 week	436
3 months	31
6 months	25
12 months	118
Total	610

Figure 16: Employer authority applications by type, 2023–24





Productions

Employers holding an authority need to notify the OCG of the details of children's work in each production, the risks associated with the work and their risk management strategies.

In 2023–24, we received 1,095 notifications of productions employing children, a decrease of 4% from the previous year.

There were significant increases in notifications for children employed in:

- film production (112% increase from 55 in 2022–23 to 117 in 2023–24)
- radio (118% increase from 5 in 2022–23 to 14 in 2023–24)
- voice overs (22% increase from 60 in 2022–23 to 73 in 2023–24).

There were decreases in notifications for children employed in:

- live performances (23% decrease from 64 in 2022–23 to 49 in 2023–24)
- TV series (45% decrease from 92 in 2022–23 to 50 in 2023–24).

There was also a minor decrease in notifications in advertising.

Compliance

We undertake a range of compliance activities to ensure that employers are adhering to the requirements for employing children and young people. Compliance checks are targeted at high-risk organisations or productions, based on intelligence received during our monitoring and historical compliance activities. If we receive allegations or complaints about an employer, or a significant breach is identified, we will refer that information to the Investigations Team.

During 2023–24 we completed 102 desk-based compliance checks. This is an 8% increase from 2022–23.

Of the employers checked, 42 were compliant and 60 were in breach of the legislation. Breaches included not providing the OCG with the required 7-day notification, or appropriate notice of risks, insufficient supervision, not maintaining proper records and not providing parents with the code of practice. Depending on the seriousness of the offence, employers may receive an informal caution, formal warning letter with an invitation to participate in an education session, or fines.

As a result of the compliance checks:

- 15 formal warnings were issued to employers
- 36 reminders were issued to employers for breaches to the *Children's Guardian Act 2019*
- 7 reminders were issued to employers regarding their WWCC obligations relating to children's employment
- One case was referred to the Investigations Team for review
- One required no further action to be taken.

NDIS Worker Check

The National Disability Insurance Scheme (NDIS) Worker Check commenced in NSW on 1 February 2021. It is part of the national quality and safeguarding arrangements for NDIS participants and includes a nationally consistent approach to worker screening for NDIS workers. In this regard, all states and territories are operating an equivalent worker screening check that is recognised by the Commonwealth Government.

In NSW, the scheme operates under the *National Disability Insurance Scheme (Worker Checks) Act 2018* and the National Disability Insurance Scheme (Worker Checks) Regulation 2020. The Regulation prescribes the disqualifying and presumptively disqualifying offences, and the corresponding laws to support national information sharing.

The Commonwealth Government sets the requirements for NDIS worker screening. It is a requirement placed upon providers regarding which workers need a clearance to work.

The Commonwealth Government also administers the NDIS Worker Screening Database which allows employers to verify an application and keeps a national list of clearances and exclusions.

Table 20: Key statistics NDIS Worker Check, 2020–21 to 2023–24

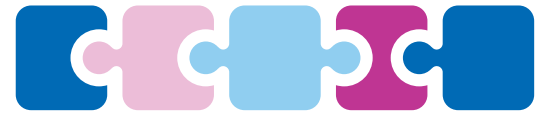
	2020–21	2021–22	2022–23	2023–24
Applications received	37,567	93,267	93,752	84,173
Decisions made:				
Clearances	32,984	91,219	89,339	79,037
Exclusions	2	70	211	343

Table 21: Cumulative NDIS Worker Check clearances and exclusions 2020–21 to 2023–24

	2020–21	2021–22	2022–23	2023–24
Clearance holders	32,982	124,157	213,381	292,151
Exclusion holders	1	69	271	601



CASE STUDY



Assessing who is suitable to work with people with disability

An NDIS Worker Check applicant had a criminal conviction 4 years ago for assisting in securing a part of a firearm to supply to another person. The applicant attempted to receive a financial reward for their actions. The applicant also had prior convictions related to drug possession and supply.

The NDIS Worker Check conducted a risk assessment of the applicant. It found the applicant's criminal history indicated a propensity to engage in a range of criminal activities without regard to the potential consequences and social harm caused. The applicant's behaviour also indicated a willingness to engage in serious crimes because of peer pressure or for personal gain. The applicant's conduct was deemed to be relevant to NDIS work. The NDIS Worker Check determined the applicant posed a risk of harm to the health, safety, and wellbeing of NDIS participants.

The applicant was issued an NDIS Worker Check exclusion. This prohibits the person from engaging in NDIS work that requires a clearance for 5 years.

The applicant appealed to the NSW Civil and Administrative Tribunal (NCAT). NCAT agreed with the NDIS Worker Check's assessment of the applicant. NCAT found the applicant permitted themselves to be manipulated by others. They also found the applicant had a desire to please peers, which overrode rational decision-making. NCAT found that, although the applicant showed remorse for their conduct, they showed little regard to the gravity of their offending. As a result, NCAT upheld the NDIS Worker Check's decision to exclude the applicant from NDIS work.

Child Sex Offender Counsellor Accreditation Scheme

The Child Sex Offender Counsellor Accreditation Scheme was originally established to improve the service quality of practitioners providing expert opinion to the courts.

The scheme previously accredited counsellors working with adults who sexually offend against children, and children and young people with harmful sexual behaviours.

A review in 2019 identified that the majority of accredited counsellors worked with the latter cohort and made a number of recommendations to improve and refine the scheme. The scheme was suspended in March 2020 to allow for the development of a new approach with more robust assessment of the clinical competency of counsellors accredited under the scheme.

We are working closely with NSW Health and DCJ to respond to the recommended improvements, with a view to developing a new sustainable model.

Official Community Visitors Scheme

Official Community Visitors are independent statutory appointees of the Minister for Families and Communities and Minister for Disability Services.

The child-related function of the Official Community Visitors Scheme transferred to the OCG with the implementation of the *Children's Guardian Act 2019*. However, as the Official Visitors Scheme covers both child and non-child related functions, the Scheme has been operated by the Ageing and Disability Commission.

In particular, the OCG and the Ageing and Disability Commission developed an agreement under section 146 of the *Children's Guardian Act 2019*, that enables the Ageing and Disability Commission to oversee and support the Official Community Visitors Scheme on a day-to-day basis. It also enables information to be exchanged between both agencies.

The Official Community Visitors Scheme provides our OOHC Regulation Directorate with quarterly data which identifies issues raised during visits to designated residential care providers by Official Community Visitors. This information is used to plan our monitoring visits and accreditation renewal assessments.

Any serious concerns raised following a visit to a designated agency by an Official Community Visitor are referred directly to our Director, OOHC Regulation, who writes to the agency's Principal Officer, requesting information about how the matter will be dealt with.

Designated residential agencies are required to respond to Official Community Visitor reports which outline issues identified during their visit. During our monitoring and accreditation assessments, we review these reports and the agency's response. This information forms part of the overall evidence gathered during our assessments of whether the agency is meeting the NSW Child Safe Standards for Permanent Care.

The Official Community Visitors Scheme produces a stand-alone Annual Report which includes information on the child-related functions, as allowed under the *Children's Guardian Act 2019*. It is available on the Ageing and Disability Commission website and our website.

Additional matters

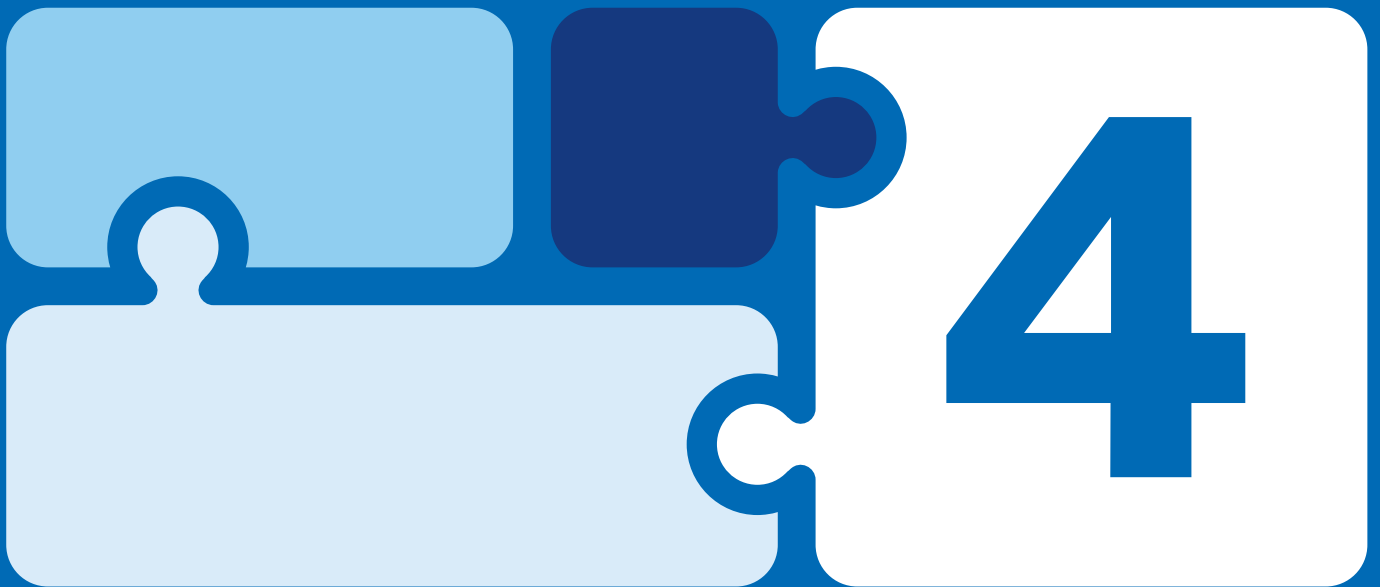
Australian and New Zealand Children's Commissioners and Guardians and Advocates

The Children's Guardian continues as a member of the Australian and New Zealand Children's Commissioners, Guardians and Advocates group (ANZCCGA).

The ANZCCGA identifies common issues and works to promote and protect the safety, wellbeing and rights of children and young people across Australia and New Zealand.

Key priorities for the ANZCCGA during 2024 are:

- promoting the rights of children and young people
- advocating for the right of children and young people to participate in decisions that impact them
- giving voice to the views of, and encouraging direct consultation with, children and young people on matters that affect them
- sharing the observations and perspectives obtained through members' varied functions and roles to make sure these drive improvements for children and young people across Australia and New Zealand
- making sure the best interests of children and young people are considered in the development of policies and programs
- encouraging systemic improvement informed by evidence-based research in areas that impact on the rights, interests and wellbeing of children and young people, including issues such as child poverty, housing and homelessness, mental health, child protection, and youth justice.



Management and accountability

Summary of our management and accountability structures. Information about our human resources and legislation.

Human resources

At 30 June 2024, the OCG employed 277 people (executives, award employees and seconded) on either a full-time or part-time basis.

Table 22: Number of employees by employment category by financial year

	30 June 2021	30 June 2022	30 June 2023	30 June 2024
Ongoing	181	205	238	236
Temporary	26	11	15	21
Casual	3	3	3	3
Seconded In			2	4
Senior Executive	9	10	8	13
TOTAL	219	229	266	277

Table does not include contractors and employees seconded out of the OCG but does include employees on unpaid leave and seconded into the OCG.

Policies and practices

The OCG has comprehensive policies, procedures and other guidance materials which provide a framework for the appropriate management of employees and business risks. Policy changes incorporate any new legislative changes and Public Service Commission requirements.

In 2023–24, we released a new Bullying and Harassment Free Workplace policy to promote positive workplace behaviours. To support the rollout of the new policy, we arranged ‘Respect at Work’ training for all employees, which involved workshops and webinars.

We continue to review and update all internal policies and procedures against best practice and to incorporate current legislative requirements.

Industrial relations

The OCG conducts quarterly state-wide Joint Consultative Committee meetings with the Public Service Association.

Exceptional movement in wages, salaries and allowances

There were no exceptional movements in wages, salaries or allowances during 2022–23.

Overseas visits

There were no overseas visits during 2023–24.

Number and remuneration of senior executives

The tables below include all executives who were employed at any time during 2023–24 and includes the Children's Guardian, although this is a statutory position.

Numbers and remuneration of senior executives

Table 22: Number of Public Service Senior Executives employed in each band from 2021–22 to 2023–24

PSSE Band	2021–22	2022–23	2023–24
Band 3	1 female	1 male	1 male
Band 2	1 male		
Band 1	5 female 3 male	4 female 3 male	8 female 4 male

Table 23: Average remuneration of senior executives in each band

Remuneration level	Average remuneration 2022–23	Range 2023–24	Average remuneration 2023–2024
Band 3*	\$374,560	\$361,301 – \$509,250	\$415,171
Band 2**	\$313,650	\$287,201 – \$361,300	0
Band 1	\$243,351	\$201,350 – \$287,200	\$242,062

NOTES:

*There are no PSSEs employed in the Band 3 level. The Children's Guardian is a statutory appointment and the remuneration disclosed is as per the current incumbent's employment contract.

**There are no PSSEs employed in the Band 2 level. The Aboriginal Assistant Guardian is a statutory appointment, and the role was vacant from February 2023.

Table 24: Percentage of total employee-related expenditure relating to senior executives

Year	Percentage
2021–22	8.48
2022–23	6.35
2023–24	6.53

Consultants

Table 25: Consultancies over \$50,000

Consultant	Description	Amount
Elizabeth Bennett SC Phillippa Kelly William Philips	Combined engagement of 3 barristers to review the adequacy and effectiveness of how we apply legal principles in the exercise of our key functions	\$130,250
Anne Cosgrove	Independent organisational review	\$108,800
Social Ventures Australia	Facilitated development of 3-year Strategic Plan	\$59,500

Consultancies under \$50,000

Category	Number of engagements	Amount
Management Services	1	\$6,187

Research and development

In 2023–24 there were no research and development projects.

Law reform

Statutory review of the *Children’s Guardian Act 2019*

As required by section 183(2) of the *Children’s Guardian Act 2019*, the statutory review of the *Children’s Guardian Act 2019* commenced on 1 March 2022.

A discussion paper was published in July 2022, and 44 submissions were received from government agencies, non-government organisations and individuals. Targeted stakeholder consultations were held between August and October 2022.

Mr Mark Tedeschi AM KC was engaged to review Part 4 of the Act, relating to the reportable conduct scheme.

The statutory review is being completed by DCJ and a report of the review is expected to be tabled in Parliament in 2024.

Review of the *Child Protection (Working with Children) Act 2012*

Work is underway on a review of the *Child Protection (Working with Children) Act 2012*, with the proposed release of a discussion paper in 2025. The discussion paper will consider matters of broad public interest relating to the WWCC scheme.

Remake of the *Child Protection (Working with Children) Regulation 2013*

The repeal of the *Child Protection (Working with Children) Regulation 2013* has been postponed to 1 September 2025. The postponement enables us to first thoroughly review the *Child Protection (Working with Children) Act 2012*. Work on the new regulation will commence following public consultation on the review of the *Child Protection (Working with Children) Act 2012*.

Code of practice for designated agencies and adoption service providers

Between February and April 2024, a draft code of practice for designated agencies and an implementation handbook was released for consultation with the out-of-home care and adoption sectors. The consultation draft was informed by our review of the *Child Safe Standards for Permanent Care* and prior consultation undertaken on proposed content for the Code of Practice in October to November 2022.

Submissions to the 2024 consultation indicated general support for the code of practice. Specific feedback will be incorporated into the code of practice once it is finalised – this is expected to be late 2024.

The code of practice, like the *Child Safe Standards for Permanent Care*, will set the criteria to be met by designated agencies and adoption service providers to obtain and maintain accreditation under the *Children's Guardian Act 2019*.

The code of practice will ultimately be set out in the *Children's Guardian Regulation 2022*.

Proposed changes to probity check requirements for residential care workers

In September 2023, we released a consultation paper to designated agencies covering the requirements relating to the Residential Care Workers Register (Residential Register). The paper canvassed proposed changes aimed at ensuring consistent checking of the register and improving the exchange of safety related information concerning certain residential care workers. These changes will:

- align probity checking requirements for workers currently engaged by another provider, with the requirement for workers previously engaged by another provider
- mandate checks with another residential care provider for a worker seeking to be re-engaged within 12 months of ceasing work, in circumstances where if the other provider has indicated on the Residential Register that they hold relevant information, and
- require providers to ensure that the Residential Register is up-to-date regarding whether they have relevant information to disclose about a worker.

Of the agencies that provided feedback, the majority supported the proposal, with the remaining agencies providing qualified support, contingent upon an assurance that all agencies will correctly identify 'relevant information' and record concerns on the Residential Register in a timely manner.

We are finalising the proposed changes to the *Children's Guardian Regulation 2022*, which we expect will commence in 2025.

Government Information (Public Access) Act 2009

Public access to NSW government information

The OCG holds a range of documents and information. The production of some of these documents may require an application under the *Government Information (Public Access) Act 2009*, the *Privacy and Personal Information Protection Act 1998* or the *Health Records and Information Privacy Act 2002*.

Right to information requests

To promote open, accountable, fair and effective government in NSW, members of the public have the right to access government information. This right is restricted only when there is an overriding public interest against disclosing that information.

Formal and informal requests made under the *Government Information (Public Access) Act 2009* for access to documents held by the OCG should be directed to:

Right to Information Officer
Office of the Children's Guardian
Locked Bag 5100
Strawberry Hills NSW 2012
Telephone enquiries: (02) 8219 3600
Email: legal@ocg.nsw.gov.au

Further information can be found on our website:
www.ocg.nsw.gov.au

Statistics about Government Information (Public Access) Act 2009 applications

Under section 7 of the *Government Information (Public Access) Act 2009*, agencies must review their programs for the release of government information to identify the kinds of information that can be made publicly available. This review must be undertaken at least once every 12 months.

The OCG's Agency Information Guide, which is available on our website, provides a list of information that we proactively release. We proactively release information on our website regarding key statistics on the Carers Register and Residential Care Workers register.

During the 2023–24 reporting year, we updated several corporate policies which are available on our website including:

- **Data Breach Policy** – November 2023
- **Complaints Management Policy and Procedures** – December 2023
- **Legislative compliance policy** – May 2024
- **Privacy management plan** – May 2024
- **Public Interest Disclosures Policy and Procedures** – May 2024



The following series of tables provides data on GIPA applications for the 2023–24 reporting period.

Table 26: Data for clauses 8(b) and 8(c) of the GIPA Regulation 2018

Data type	Number of applications
Total number of access applications received by the OCG (including withdrawn applications but not including invalid applications)	13*
Total number of access applications that the OCG refused, either wholly or partly, because the application was for the disclosure of information referred to in Schedule 1 of the GIPA Act (info for which there is a conclusive presumption of overriding public interest against disclosure)	Refused wholly: 0 Refused partly: 3

*GIPA access applications relating to reportable conduct matters under Part 4 of the *Children’s Guardian Act 2019* are “excluded information”, pursuant to Schedule 2, clause 2 of the GIPA Act. According to section 43(2) of the GIPA Act, an application is not a valid access application to the extent that it seeks access to excluded information.

The total number of applications includes seven (7) applications that were “partially invalid”, that is, the applications were invalid under s.43 of the GIPA Act to the extent that they sought access to the excluded information of the OCG. With regards to six (6) of the “partially invalid” applications, the applications were valid to the extent that it did not seek information that was excluded information. With regards to the other “partially invalid” application, the application was valid by virtue of the operation of s.46 of the *Child Protection (Working with Children) Act 2012* (“WWC Act”) which meant that the applicant was entitled to apply for access under the GIPA Act to any information about a finding referred to in Schedule 1, clause 2 of the WWC Act.

The total number of applications does NOT include:

- i. one (1) decision which the OCG made under s.58(3) of the GIPA Act, to supplement an earlier decision regarding the same access application.
- ii. one (1) decision which the OCG made following the Information Commissioner’s recommendation under s.93 of the GIPA Act that the OCG reconsider its original decision (this recommendation was made following an external review by the Information Commissioner).
- iii. two access applications that the OCG received before 1 July 2023, but were decided in July 2023 – one of which was wholly invalid under s.41 of the GIPA Act.
- iv. one access application that was wholly invalid under s.43 of the GIPA Act.
- v. two (2) applications which the OCG received in June 2024, but a decision on validity had not yet been made by 30 June 2024.

Table 27: GIPA applications by type of applicant and outcome

Type	Access granted in full	Access granted in part	Access refused in full	Information not held	Information already available	Refuse to deal with application	Refuse to confirm/deny whether information is held	Application withdrawn
Media	-	-	-	-	-	-	-	-
Members of Parliament	-	-	-	-	-	-	-	-
Private sector business	-	-	-	-	-	-	-	-
Not-for-profit organisations or community groups	-	-	-	-	-	-	-	-
Members of the public (application by legal representative)	3	2	4	1	2	1	-	-
Members of the public (other)	-	2	1	2	-	-	-	1

NOTE:

This table refers to decisions made between 1 July 2023 and 30 June 2024 about finalised formal access applications. The number of decisions recorded in this table may be different from the total number of applications received, as more than one decision can be recorded in relation to a single access application. Where the same decision is made multiple times in relation to a single access application, that decision is counted once in the table.

As this table refers to “decisions made”, it includes:

- i. one (1) decision which the OCG made under s.58(3) of the GIPA Act, to supplement an earlier decision regarding the same access application.
- ii. one (1) decision which the OCG made following the Information Commissioner’s recommendation under s.93 of the GIPA Act that the OCG reconsider its original decision (this recommendation was made following an external review by the Information Commissioner).

Table 28: GIPA applications by type of application and outcome

Application type	Access granted in full	Access granted in part	Access refused in full	Information not held	Information already available	Refusal to deal with application	Refusal to confirm/deny whether information is held	Application withdrawn
Personal information applications*	3	4	5	2	2	1	-	1
Access applications (other than personal information applications)	-	-	-	-	-	-	-	-
Access applications that are partly personal information applications and partly other	-	-	-	1	-	-	-	-

*A personal information application is an access application for personal information (as defined in clause 4 of Schedule 4 to the Act) about the applicant (the applicant being an individual).

NOTE:

This table refers to decisions made between 1 July 2023 and 30 June 2024 about finalised formal access applications. The number of decisions recorded in this table may be different from the total number of applications received, as more than one decision can be recorded in relation to a single access application. Where the same decision is made multiple times in relation to a single access application, that decision is counted once in the table.

As this table refers to “decisions made”, it includes:

- i. one (1) decision which the OCG made under s.58(3) of the GIPA Act, to supplement an earlier decision regarding the same access application.
- ii. one (1) decision which the OCG made following the Information Commissioner’s recommendation under s.93 of the GIPA Act that the OCG reconsider its original decision (this recommendation was made following an external review by the Information Commissioner).

Table 29: Invalid applications

Reason for invalidity	Number of applications
Application does not comply with formal requirements (section 41 of the Act)	2
Application is for excluded information of the agency (section 43 of the Act)	8
Application contravenes restraint order (section 110 of the Act)	-
Total number of invalid applications received	10
Invalid applications that subsequently became valid applications	8

NOTES:

GIPA access applications relating to reportable conduct matters under Part 4 of the *Children’s Guardian Act 2019* are excluded information, pursuant to Schedule 2, clause 2 of the GIPA Act. According to section 43(2) of the GIPA Act, an application is not a valid access application to the extent that it seeks access to excluded information.

As at 30 June 2024, the total number of invalid applications under s.43 of the GIPA Act includes one (1) access application that was wholly invalid, and seven (7) applications that are “partially invalid”, that is, the application is invalid under s.43 of the GIPA Act to the extent that it sought the “excluded information” of the OCG. The total does NOT include a matter where the access application should have been treated as a partially invalid application under s.43 of the GIPA Act, but the conclusive presumption of OPIAD (excluded information) was applied in error.

Six (6) “partially invalid” applications subsequently became valid applications because part of those applications sought information that was not excluded information.

One (1) “partially invalid” application subsequently became a valid application because the operation of s.46 of the WWC Act meant that the applicant was entitled to apply for access under the GIPA Act to any information about a finding referred to in Schedule 1, clause 2 of the WWC Act.

One (1) application that was invalid under s.41 of the GIPA Act became a valid application after the applicant took steps to satisfy the formal requirements listed under s.41.

Table 30: Conclusive presumption of overriding public interest against disclosure: matters listed in Schedule 1 of the GIPA Act

Interest consideration	Number of times consideration used*
Overriding secrecy laws	-
Cabinet information	-
Executive Council information	-
Contempt	-
Legal professional privilege	-
Excluded information	1*
Documents affecting law enforcement and public safety	-
Transport safety	-
Adoption	-
Care and protection of children	3
Ministerial code of conduct	-
Aboriginal and environment heritage	-
Information about complaints to Judicial Commission	-
Information about authorised transactions under <i>Electricity Network Assets (Authorised Transactions) Act 2013</i>	-
Information about authorised transactions under <i>Land and Property Information NSW (Authorised Transaction) Act 2016</i>	-

NOTE:

More than one interest consideration may apply in relation to a single access application.

*This pertains to a matter where the access application should have been treated as a partially invalid application under s.43 of the GIPA Act, but the conclusive presumption of OPIAD (excluded information) was applied in error.

Table 31: Other public interest considerations against disclosure: matters listed in table to section 14 of the GIPA Act

Public interest consideration	Number of occasions when application not successful
Responsible and effective government	3
Law enforcement and security	-
Individual rights, judicial processes and natural justice	2
Business interests of agencies and other persons	-
Environment, culture, economy and general matters	-
Security provisions	-
Exempt documents under interstate Freedom of Information legislation	-

NOTE:

There were two other access applications which applied considerations from the s.14 table. However, the applicants in those two matters were provided a copy of documents with redactions applied to the information that was subject to an overriding public interest against disclosure (OPIAD). Accordingly, these two access applications are not counted as "occasions when application not successful".

Table 32: Timeliness of GIPA decisions

Time period	Number of applications
Decided within the statutory timeframe (20 days plus any extensions)	11*
Decided after 35 days (by agreements with applicant)	–
Not decided within time (deemed refusal)	1
Total	12

*The number of applications:

- i. includes two (2) wholly invalid applications.
- ii. does NOT include one (1) withdrawn application.
- iii. does NOT include the matter where the OCG made a decision under s.58(3) of the GIPA Act, to supplement an earlier decision regarding the same access application.
- iv. does NOT include the matter where the OCG reconsidered its decision upon the recommendation of the Information Commissioner under s.93 of the GIPA Act.

Table 33: GIPA applications reviewed under Part 5 of the Act

Type of review	Decision varied	Decision upheld	Total
Internal review	–	–	–
Review by Information Commissioner	1	1	1*
Internal review following recommendation under section 93 of Act	1	–	1
Review by the NSW Civil and Administrative Tribunal	–	–	–
Total	2	1	2

*This pertains to a matter in which the Information Commissioner's decision both upheld some aspects of the OCG's decision and varied other aspects of the decision. The OCG's internal review following recommendation under s.93 of the GIPA Act relates to the same matter.

Table 34: GIPA applications for review under Part 5 of the Act

Type of application	Number of applications for review
Applications by access applicants	1*
Applications by person to whom information the subject of access application relates (s. 54 of the Act)	–

*This pertains to a matter that was reviewed by the Information Commissioner. The OCG's internal review following recommendation under s.93 of the GIPA Act relates to the same matter.

Table 35: Applications transferred to other agencies under Division 2 of Part 4 of the Act

Type of transfer	Number of applications transferred
Agency-initiated transfer	0
Applicant-initiated transfer	0

Public interest disclosure

There was one public interest disclosure during the 2023–24 reporting year.

Risk management and insurance activities

The OCG maintains several management disciplines to comply with the NSW Treasury Internal Audit and Risk Management Policy for the General Government Sector (TPP 20-08). The following management disciplines are complementary and constitute the foundation of the OCG's resilience.

Fraud control and corruption prevention

The OCG has a Fraud and Corruption Control Policy that is based on Standards Australia AS8001-2008: Fraud and Corruption Control. This policy incorporates the 10 key attributes of fraud control contained in the NSW Auditor-General Better Practice Guide Fraud Control Improvement Kit.

Guidance is provided to employees in relation to conflicts of interest, gifts, benefits, secondary employment and private work.

Internal audit

In 2023–24 the OCG continued to review its risk profile. The information contained in our risk register informs the focus of our ongoing Internal Audit Plan. The Audit and Risk Committee received and reviewed reports and management responses on:

- OCG's compliance with NSW Cyber Security policies.
- Penetration testing of the WWCC system and NDIS Worker Check system
- Use of Information Assets
- Fraud and Corruption Control.

The internal audit and risk management attestation statement is on 91 page.

Audit and Risk Committee

The OCG has an independent Audit and Risk Committee.

As part of compliance with TPP 20-08 Internal Audit and Risk Management Policy for the General Government Sector, the Committee continued its advisory role in assisting the Children's Guardian with relevant and timely advice on the office's governance, risk and control activities and external accountability obligations.

Collectively, the Committee members have the experience, knowledge and qualifications to effectively discharge their responsibilities as outlined in the Audit and Risk Committee Charter and TPP 20-08.

Five Audit and Risk Committee meetings were held in 2023–24, with the number of meetings each independent member attended as follows:

Jan McClelland AM (Independent Chair):	5
Wayne Evans (Independent Member):	5
Helen Freeland (Independent Member):	5

Insurance activities

Insurance is provided for all major assets and significant risks through the NSW Government self-insurance scheme (NSW Treasury Management Fund). This includes full workers compensation, motor vehicle, property, public liability and miscellaneous insurance cover.

Internal Audit and Risk Management Attestation Statement for the 2023–2024 Financial Year for the Office of the Children’s Guardian

I, Stephen Kinmond OAM, am of the opinion that the Office of the Children’s Guardian has internal audit and risk management processes in operation that are compliant with the seven (7) Core Requirements set out in the Internal Audit and Risk Management Policy for the General Government Sector, specifically:

Core requirements	For each requirement, please specify whether compliant, non-compliant or in transition
Risk Management Framework	
1.1 The Accountable Authority shall accept ultimate responsibility and accountability for risk management in the agency.	Compliant
1.2 The Accountable Authority shall establish and maintain a risk management framework that is appropriate for the agency. The Accountable Authority shall ensure the framework is consistent with AS ISO 31000:2018.	Compliant
Internal Audit Function	
2.1 The Accountable Authority shall establish and maintain an internal audit function that is appropriate for the agency and fit for purpose.	Compliant
2.2 The Accountable Authority shall ensure the internal audit function operates consistent with the International Standards for Professional Practice for Internal Auditing.	Compliant
2.3 The Accountable Authority shall ensure the agency has an Internal Audit Charter that is consistent with the content of the ‘model charter’.	Compliant
Audit and Risk Committee	
3.1 The Accountable Authority shall establish and maintain efficient and effective arrangements for independent Audit and Risk Committee oversight to provide advice and guidance to the Accountable Authority on the agency’s governance processes, risk management and control frameworks, and its external accountability obligations.	Compliant
3.2 The Accountable Authority shall ensure the Audit and Risk Committee has a Charter that is consistent with the content of the ‘model charter’.	Compliant

Membership

The independent chair and members of the Audit and Risk Committee are:

- Independent Chair, Jan McClelland AM, 1 May 2021 to 30 April 2025
- Independent Member, Wayne Evans, 1 September 2021 to 31 August 2025
- Independent Member, Helen Freeland, 1 August 2022 to 31 July 2026.

Steve Kinmond OAM,
Children’s Guardian
3 October 2024

Ada Leung,
Director Corporate Services

Privacy and personal information

The *Government Sector Finance Act 2018* (GSF Act) requires a statement of action taken by the OCG in complying with the requirements of the *Privacy and Personal Information Protection Act 1998* and details of any reviews conducted by or on behalf of the OCG under Part 5 of the Act.

We have a Privacy Management Plan in place and we continue to comply with the *Privacy and Personal Information Protection Act 1998*, including the Information Protection Principles.

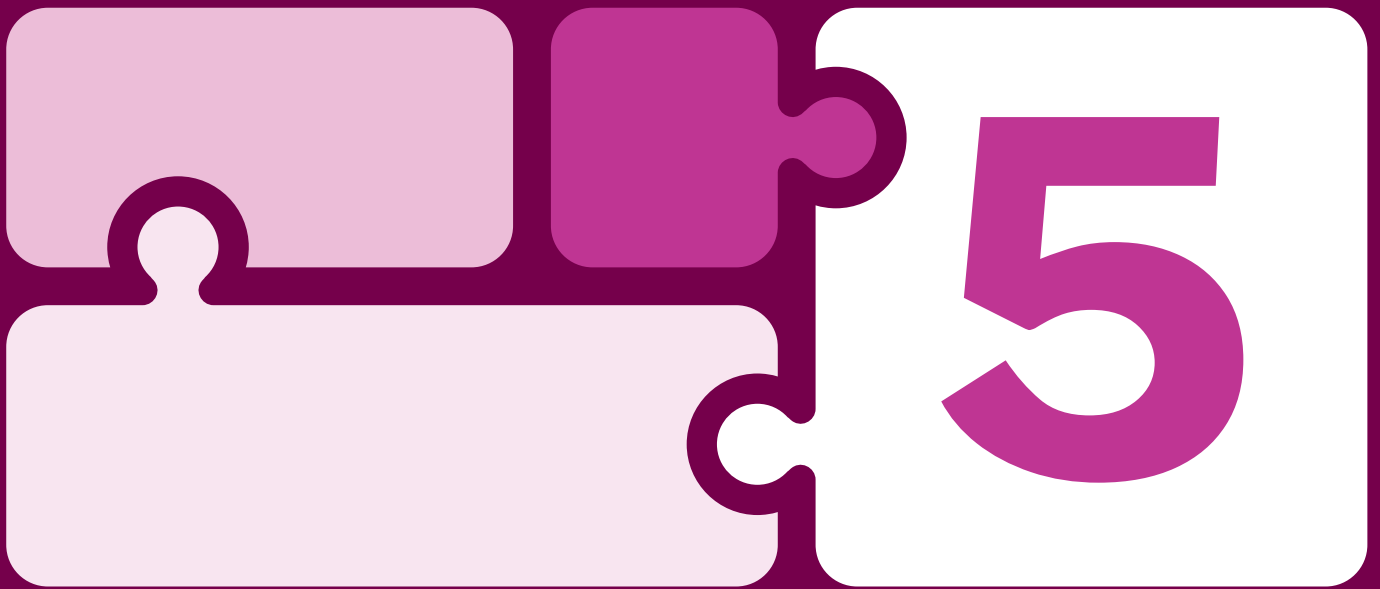
Consumer response

There were no formal complaints received during the reporting year.

The OCG's Complaints Management Policy and Procedures is publicly available on our website. It outlines who complaints should be made, how a complaint will be dealt with, and what outcomes can be expected. The Policy also provides information about how to seek an external review if a complainant is not satisfied with the outcome of the investigation by the OCG. The Policy is reviewed at least every 2 years to ensure continuous improvement.

Annual report preparation

This annual report was prepared in accordance with Premier's Memorandum M2013-09 Production costs of annual reports. There were minimal production costs for copywriting, design or printing outside existing allocation.



Sustainability

Summary of key sustainability risks and opportunities, and overall sustainability performance.

Work health and safety

There were no notifiable incidents reported in 2023–24.

There were 2 workers compensation claims commenced in 2023–24.

We continue to run the Work Health and Safety Committee and offer our Employee Assistance Program to all employees. We helped raise awareness about safety by supporting initiatives such as Movember, Mental Health Week, Women’s Health Week and National Safety Month.

Key initiatives for 2023–24 included:

- free influenza vaccinations, health checks and skin checks for all employees
- rolling out myWellbeing; a new tool via myCareer to support wellbeing
- monthly wellbeing webinars
- professional supervision for nominated employees, and
- recruiting Health Safety Representatives and First Aid Officers.

Workforce diversity and Disability Inclusion

We value the principles of equity and diversity and are committed to building a workplace culture that values and understands the benefits of a diverse workforce that is reflective of the wider community.

To increase and maintain awareness and engagement with our First Nations peoples and with our community engagement work with our First Nations stakeholders, all employees are required to complete Aboriginal cultural competency training ‘Everyone’s Business’. This has been incorporated into our new employee’s mandatory training.

We support diversity, equity and inclusion in the workplace through various activities and events through the year, driven by the People and Culture team and the employee-led Diversity and Inclusion Working Group. A range of diversity and inclusion initiatives to promote inclusion and support diversity in 2023–24 included:

- reviewing the existing First Nations Cadet Program offerings and recommending improvements to strengthen and broaden the program
- ongoing promotion of myDiversity, a new tool promoting diversity, inclusion and belonging in the workplace
- attending a Young Professionals event with IPAA and sharing supporting materials
- continuing our membership with the Australian Network on Disability to build awareness of programs and support
- allocating an available prayer and meditation room to reflect the diversity of our workforce.

Throughout the year, OCG has acknowledged and celebrated Diversity and Inclusion initiatives, tied to various community events such as International Women’s Day, Harmony Week, NAIDOC week, Pride Month, Reconciliation Week, RU OK Day. As well, culturally diverse and significant dates such as Chinese New Year, Easter, Diwali, Ramadan were marked. During these periods, learning and development activities were undertaken to increase awareness, engagement, and celebration of the community of NSW and our workforce.

Next year we will focus on developing new overarching multicultural and disability action plans.



Table 36: Workforce diversity groups (shown as percentages)*

Workforce diversity group	Benchmark	2021–22	2022–23	2023–24
Women	50.0	67.6	72.3	76.4
Aboriginal people and Torres Strait Islander people	3.3	6.4	5.5	3.1
People whose first language spoken as a child was not English	23.2	22.3	23.5	22.6
People with a disability	5.6	1.7	1.4	1.4
People with a disability requiring work-related adjustment	N/A	0.6	0.5	0.5

*Data provided by the Public Service Commission.

NOTES:

The benchmark of 50% for representation of women across the sector is intended to reflect the gender composition of the NSW community.

The NSW Public Sector Aboriginal Employment Strategy 2014–17 introduced an aspirational target of 1.8% by 2021 for each of the sector’s salary bands. If the aspirational target of 1.8% is achieved in salary bands not currently at or above 1.8%, the cumulative representation of Aboriginal employees in the sector is expected to reach 3.3%.

A benchmark from the Australian Bureau of Statistics Census of Population and Housing has been included for People whose first language spoken as a child was not English. The ABS Census does not provide information about first language but does provide information about country of birth. The benchmark of 23.2% is the percentage of the NSW general population born in a country where English is not the predominant language.

In December 2017 the NSW Government announced the target of doubling the representation of people with disability in the NSW public sector from an estimated 2.7% to 5.6% by 2027. The benchmark for ‘People with disability requiring workplace adjustment’ was not updated. More information can be found at: Jobs for People with Disability: A plan for the NSW public sector. The benchmark for ‘People with Disability Requiring Work-Related Adjustment’ was not updated.

Table 37: Distribution index for workforce diversity groups*

Workforce diversity group	Benchmark	2021–22	2022–23	2023–24
Women	100	101	98	101
Aboriginal people and Torres Strait Islander people	100	N/A	N/A	N/A
People whose first language spoken as a child was not English	100	92	94	93
People with a disability	100	N/A	N/A	N/A
People with a disability requiring work-related adjustment	100	N/A	N/A	N/A

*Data provided by the Public Service Commission.

NOTES:

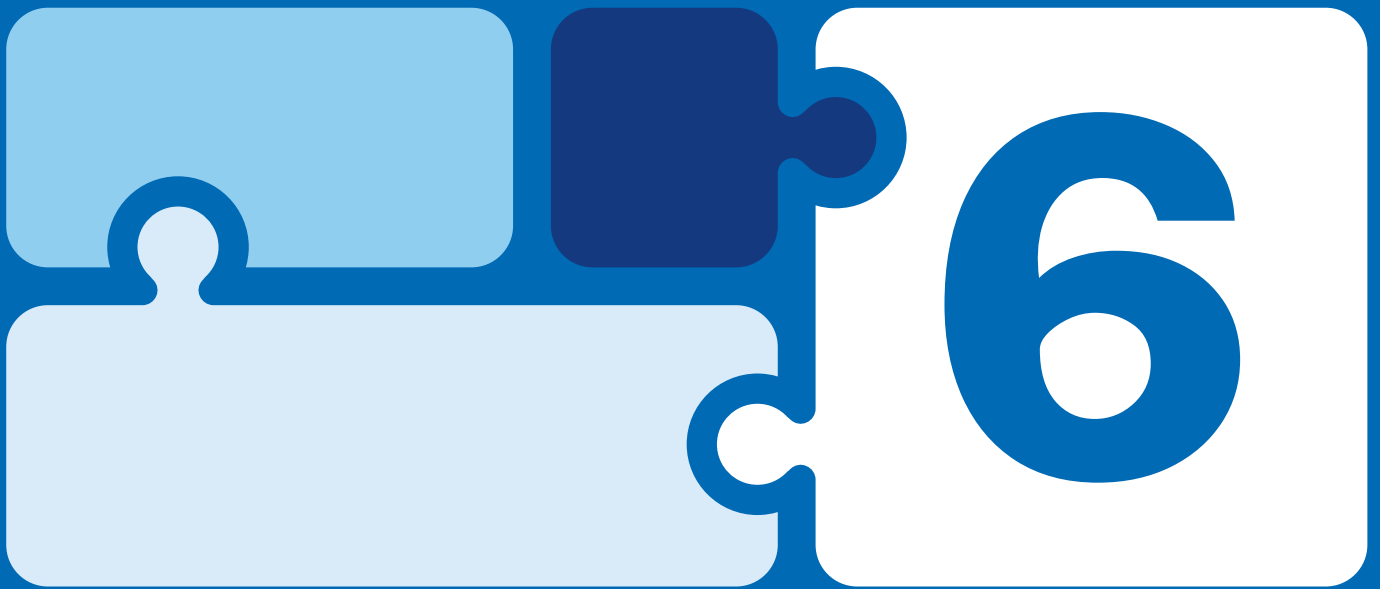
A Distribution Index score of 100 indicates that the distribution of members of the Workforce Diversity group across salary bands is equivalent to that of the rest of the workforce. A score less than 100 means that members of the Workforce Diversity group tend to be more concentrated at lower salary bands than is the case for other staff. The more pronounced this tendency is, the lower the score will be. In some cases, the index may be more than 100, indicating that members of the Workforce Diversity group tend to be more concentrated at higher salary bands than is the case for other staff.

The Distribution Index is not calculated when the number of employees in the Workforce Diversity group is less than 20 or when the number of other employees is less than 20.

Modern Slavery Act 2018 (NSW)

No issues were raised by the Anti-slavery Commissioner during the financial year. We continue to monitor and assess modern slavery risks as part of ongoing day-to-day processes.

We aim to use NSW procurement approved providers wherever possible to ensure that goods and services procured by and for the OCG were not the product of modern slavery within the meaning of the *Modern Slavery Act 2018*.



Financial Performance

Financial statements for the
period ended 30 June 2024.

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INDEPENDENT AUDITOR'S REPORT

Office of the Children's Guardian

To Members of the New South Wales Parliament

Opinion

I have audited the accompanying financial statements of the Office of the Children's Guardian (the Office), which comprise the Statement by the Accountable Authority, the Statement of Comprehensive Income for the year ended 30 June 2024, the Statement of Financial Position as at 30 June 2024, the Statement of Changes in Equity and the Statement of Cash Flows for the year then ended, notes comprising a Statement of Material Accounting Policies and other explanatory information.

In my opinion, the financial statements:

- have been prepared in accordance with Australian Accounting Standards and the applicable financial reporting requirements of the *Government Sector Finance Act 2018* (GSF Act), the *Government Sector Finance Regulation 2024* (GSF Regulation) and the Treasurer's Directions
- presents fairly the Office's financial position, financial performance and cash flows.

My opinion should be read in conjunction with the rest of this report.

Basis for Opinion

I conducted my audit in accordance with Australian Auditing Standards. My responsibilities under the standards are described in the 'Auditor's Responsibilities for the Audit of the Financial Statements' section of my report.

I am independent of the Office in accordance with the requirements of the:

- Australian Auditing Standards
- Accounting Professional and Ethical Standards Board's APES 110 'Code of Ethics for Professional Accountants (including Independence Standards)' (APES 110).

Parliament promotes independence by ensuring the Auditor-General and the Audit Office of New South Wales are not compromised in their roles by:

- providing that only Parliament, and not the executive government, can remove an Auditor-General
- mandating the Auditor-General as auditor of public sector agencies
- precluding the Auditor-General from providing non-audit services.

I have fulfilled my other ethical responsibilities in accordance with APES 110.

I believe the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

The Children's Guardian's Responsibilities for the Financial Statements

The Children's Guardian is responsible for the preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards and the GSF Act, GSF Regulation and Treasurer's Directions. The Children's Guardian's responsibility also includes such internal control as the Children's Guardian determines is necessary to enable the preparation and fair presentation of the financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Children's Guardian is responsible for assessing the ability of the Office to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting.

Auditor's Responsibilities for the Audit of the Financial Statements

My objectives are to:

- obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error
- issue an Independent Auditor's Report including my opinion.

Reasonable assurance is a high level of assurance, but does not guarantee an audit conducted in accordance with Australian Auditing Standards will always detect material misstatements. Misstatements can arise from fraud or error. Misstatements are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions users take based on the financial statements.

A description of my responsibilities for the audit of the financial statements is located at the Auditing and Assurance Standards Board website at: www.auasb.gov.au/auditors_responsibilities/ar3.pdf. The description forms part of my auditor's report.

The scope of my audit does not include, nor provide assurance:

- that the Office carried out their activities effectively, efficiently and economically
- about the assumptions used in formulating the budget figures disclosed in the financial statements
- about the security and controls over the electronic publication of the audited financial statements on any website where it may be presented
- about any other information which may have been hyperlinked to/from the financial statements.



Susan Prichard
Director, Financial Audit

Delegate of the Auditor-General for New South Wales

25 September 2024
SYDNEY

Statement by the Children's Guardian



Pursuant to Division 7.2, section 7.6(4) of the *Government Sector Finance Act 2018* (GSF Act), I state that to the best of my knowledge and belief:

- (a) the accompanying financial statements in respect of the period ended 30 June 2024 have been prepared in accordance with applicable Australian Accounting Standards (which include Australian Accounting Interpretations), the *Government Sector Finance Act 2018*, Government Sector Finance Regulation 2024 and mandatory NSW Treasury accounting publications or the Treasurer's directions.
- (b) the financial statements present fairly the financial position, financial performance and cash flows of the Office.

Steve Kinmond OAM
Children's Guardian
25 September 2024

Statement of comprehensive income

for the period ended 30 June 2024

	Notes	Budget 2024 \$'000	Actual 2024 \$'000	Actual 2023 \$'000
Continuing operations				
Expenses excluding losses				
Employee related expenses	2(a)	41,564	38,006	33,360
Other operating expenses	2(b)	18,124	27,914	25,403
Depreciation and amortisation expenses	2(c)	1,915	1,746	1,714
Grants and subsidies	2(d)	1,074	1,003	1,204
Finance costs		-	20	3
Total expenses excluding losses		62,677	68,689	61,684
Revenue				
Appropriation	3(a)	30,680	27,321	31,697
Sale of goods and services from contracts with customers	3(b)	22,087	33,750	30,515
Grants and contributions income	3(c)	317	217	931
Acceptance by the Crown of employee benefits and other liabilities		1,101	1,480	1,094
Total revenue		54,185	62,768	64,237
Operating result		(8,492)	(5,921)	2,553
Losses on disposal		-	(5)	(4)
Net result from continuing operations		(8,492)	(5,926)	2,549
TOTAL COMPREHENSIVE INCOME/(LOSS)		(8,492)	(5,926)	2,549

The accompanying notes form part of these financial statements.

Statement of financial position



as at 30 June 2024

	Notes	Budget 2024 \$'000	Actual 2024 \$'000	Actual 2023 \$'000
ASSETS				
Current assets				
Cash and cash equivalents	4	2,861	8,806	10,876
Receivables	5	3,400	2,814	3,399
Total current assets		6,261	11,620	14,275
Non-current assets				
Property, plant and equipment				
• Plant and equipment	6	389	368	410
• Office fixtures and fittings	6	-	21	28
Total property, plant and equipment		389	389	438
Intangible assets	7	3,228	2,065	3,655
Total non-current assets		3,617	2,454	4,093
Total assets		9,878	14,074	18,368
LIABILITIES				
Current liabilities				
Payables	8	4,498	4,014	4,317
Provisions	9	4,322	5,226	4,502
Contract liabilities and deferred revenue	10	37	1,282	37
Total current liabilities		8,857	10,522	8,856
Non-current liabilities				
Provisions	9	588	554	588
Total non-current liabilities		588	554	588
Total liabilities		9,445	11,076	9,444
Net assets		433	2,998	8,924
EQUITY				
Accumulated funds		433	2,998	8,924
Total equity		433	2,998	8,924

The accompanying notes form part of these financial statements.

Statement of changes in equity

for the period ended 30 June 2024

	Notes	Accumulated Funds \$'000	Total \$'000
Balance at 1 July 2023		8,924	8,924
Net result for the year		(5,926)	(5,926)
Total comprehensive loss for the year		(5,926)	(5,926)
Balance at 30 June 2024		2,998	2,998
Balance at 1 July 2022		6,375	6,375
Net result for the year		2,549	2,549
Total comprehensive income for the year		2,549	2,549
Balance at 30 June 2023		8,924	8,924

The accompanying notes form part of these financial statements.

Statement of cash flows



for the period ended 30 June 2024

	Notes	Budget 2024 \$'000	Actual 2024 \$'000	Actual 2023 \$'000
CASH FLOWS FROM OPERATING ACTIVITIES				
Payments				
Employee related		(40,463)	(35,656)	(31,591)
Other operating expenses		(18,124)	(29,954)	(25,802)
Grant and subsidies		(1,074)	(1,003)	(1,204)
Finance costs		-	(20)	-
Total payments		(59,661)	(66,633)	(58,597)
Receipts				
Appropriations		30,681	28,571	31,697
Sale of goods and services		22,087	33,647	30,293
Grants and contributions		317	217	931
Other		-	2,241	1,116
Total receipts		53,085	64,676	64,037
NET CASH FLOWS FROM/(TO) OPERATING ACTIVITIES	12	(6,576)	(1,957)	5,440
CASH FLOWS FROM INVESTING ACTIVITIES				
Purchases of plant and equipment		(189)	(107)	(194)
Purchases of office fixtures and fittings		-	-	(35)
Purchases of intangible assets		(1,250)	(6)	(18)
NET CASH FLOWS FROM/(TO) INVESTING ACTIVITIES		(1,439)	(113)	(247)
NET INCREASE/(DECREASE) IN CASH AND CASH EQUIVALENTS		(8,015)	(2,070)	5,193
Opening cash and cash equivalents		10,876	10,876	5,683
CLOSING CASH AND CASH EQUIVALENTS	4	2,861	8,806	10,876

The accompanying notes form part of these financial statements.

Notes to the financial statements

for the period ended 30 June 2024

1. Statement of Material Accounting Policy Information

(a) Reporting entity

The Office of the Children's Guardian (the Office), is a NSW government entity and is controlled by the State of New South Wales, which is the ultimate parent. The Office is a not-for-profit entity (as profit is not its principal objective) and it has no cash generating units.

Schedule 1 of the *Government Sector Employment Act 2013* (GSE Act) establishes the Office as a separate agency. The Office is responsible to the Minister for Families and Communities, and Minister for Disability Inclusion, and the Joint Parliamentary Committee on Children and Young People.

The financial statements for the period ended 30 June 2024 have been authorised for issue by the Children's Guardian and signed as per the Statement by the Children's Guardian.

(b) Basis of preparation

The Office's financial statements are general purpose financial statements which have been prepared on an accrual basis in accordance with:

- applicable Australian Accounting Standards (AAS) (which include Australian Accounting interpretations)
- the requirements of the *Government Sector Finance Act 2018* (GSF Act) and *Government Sector Finance Regulation 2018*
- Treasurer's Directions issued under the GSF Act.

Financial statement line items are prepared in accordance with the historical cost convention except where specified otherwise.

Judgements, key assumptions and estimations management has made are disclosed in the relevant notes to the financial statements.

All amounts are rounded to the nearest one thousand dollars and are expressed in Australian currency, which is the entity's presentation and functional currency.

(c) Statement of compliance

The financial statements and notes comply with Australian Accounting Standards, which include Australian Accounting Interpretations.

(d) Accounting for the Goods and Services Tax (GST)

Income, expenses and assets are recognised net of the amount of goods and services tax (GST), except that the:

- The amount of GST incurred by the Office as a purchaser that is not recoverable from the Australian Taxation Office (ATO) is recognised as part of an asset's cost of acquisition or as part of an item of expense and
- Receivables and payables are stated with the amount of GST included.

Cash flows are included in the Statement of Cash Flows on a gross basis. However, the GST components of cash flows arising from investing and financing activities which are recoverable from, or payable to, the Australian Taxation Office are classified as operating cash flows.



1. Statement of Material Accounting Policy Information (cont'd)

(e) Equity

Accumulated Funds includes all current and prior year retained funds.

(f) Comparative information

Except when an Australian Accounting Standard permits or requires otherwise, comparative information is presented in respect of the previous period for all amounts reported in the financial statements.

Where required, comparative information has been reclassified to align with the current.

(g) Budgeted amounts

The budgeted amounts are drawn from the original budgeted financial statements presented to Parliament in respect of the reporting period. Subsequent amendments to the original budget (e.g. adjustment for transfer of functions between entities as a result of Administrative Arrangements Orders) are not reflected in the budgeted amounts. Major variances between the original budgeted amounts and the actual amounts disclosed in the primary financial statements are explained in Note 13.

(h) Changes in accounting policies, including new or revised AAS

(i) Effective for the first time in 2023–24

The accounting policies applied in 2023–24 are consistent with those of the previous financial year except as a result of the following new or revised AAS that have been applied for the first time in 2023–24.

AASB 2021-2 Amendments to Australian Accounting Standards – Disclosure of Accounting Policies and Definition of Accounting Estimates is effective for the first time in financial year 2023–24. Accordingly, the Office has revised financial statement information to disclose only material policy information.

No other new accounting standards or interpretations that applied to the Office for the first time in 2023–24 had any material impact on the recognition and measurement of financial statement transactions and balances for the year ended 30 June 2024.

(ii) Issued but not yet effective

New South Wales public sector entities are not permitted to early adopt new Australian Accounting Standards unless NSW Treasury determines otherwise, in accordance with NSW Treasury mandate (NSW Treasury Policy and Guidelines TPG24-06). There are no issued but not yet effective AASs that are likely to have a material impact on the financial statements in the period of their initial application.

(i) Impact of Climate-related matters on Financial Reporting for 2023–24

The Office has not been materially affected by any climate change related events. Therefore, no adjustments to the carrying value of assets or liabilities were recognised during the financial year as a result of climate-related risks impacting current accounting estimates and judgments. Furthermore, no other transactions have been recognised during the financial year specifically due to climate-related risks impacting the Office.

2. Expenses excluding losses

	2024 \$'000	2023 \$'000
(a) Employee related expenses		
Salaries and wages (including annual leave)	30,922	27,747
Superannuation – defined benefits plans	1	59
Superannuation – defined contributions plans	3,087	2,618
Long service leave	1,618	1,105
Workers' compensation insurance	172	134
Payroll tax and fringe benefits tax	1,937	1,695
Redundancy payments	-	2
Paid parental leave	269	-
	38,006	33,360

Nil employee related costs have been capitalised as an asset, and therefore excluded from the above (2023: Nil). Refer to Note 9 for further details on recognition and measurement of employee related expenses.



2. Expenses excluding losses (cont'd)

	2024 \$'000	2023 \$'000
(b) Other operating expenses		
Employment screening*	18,927	17,417
Building occupancy arrangement	1,013	1,015
Corporate and shared services	2,162	1,642
Contractors	1,143	1,420
Consultancy costs	305	94
Telephony	60	78
Printing and program costs	218	298
Information and technology costs	2,642	1,729
Travel	260	261
Auditor's remuneration – audit of the financial statements	66	63
Community education	107	81
Committee meetings	37	39
Motor vehicle	2	1
Training	338	254
Electricity and cleaning	66	60
Maintenance expenses	27	13
Other	541	938
Total other operating expenses	27,914	25,403

*Employee screening: This is the cost incurred for the services provided by Service NSW and Australian Criminal Intelligence Commission for Working with Children Check and NDIS Worker Check applications.

Notes to the financial statements

for the period ended 30 June 2024

Recognition and measurement

Lease expense

The Office does not have any contractual agreements that meet the definition of a lease for AASB 16 Leases accounting purposes.

Building occupancy expenditure consists of payments for office accommodation under non-lease arrangements with Property NSW who has retained substantive substitution rights over the assets used under this agreement. Payments are expensed as incurred and categorised within the building occupancy arrangement expense line item.

	2024 \$'000	2023 \$'000
(c) Depreciation and amortisation expense		
Depreciation		
Office equipment	23	7
Computer hardware	120	129
Office fixtures and fittings	7	7
	150	143
Amortisation		
Intangibles	1,596	1,571
Total depreciation and amortisation	1,746	1,714

Refer to Note 6 Property, plant and equipment and Note 7 Intangible assets for recognition and measurement policies on depreciation and amortisation.

	2024 \$'000	2023 \$'000
(d) Grants and subsidies		
Grants		
Australian Criminal Intelligence Commission (Commonwealth)	117	108
NSW Department of Communities and Justice	669	665
Department of Social Services (Commonwealth)	217	431
	1,003	1,204



3. Revenue

Recognition and measurement

Income recognition

Income is recognised in accordance with the requirements of AASB 15 Revenue from Contracts with Customers or AASB 1058 Income of Not-for-Profit Entities, dependent on whether there is a contract with a customer defined by AASB 15 Revenue from Contracts with Customers. Comments regarding the accounting policies for the recognition of income are discussed below.

(a) Appropriations and transfers to the Crown

	2024 \$'000	2023 \$'000
Summary of compliance		
Amount Appropriated per Appropriation Act	30,680	31,721
Variations made to the appropriations during the financial year		
Other – changes of appropriations budget approved throughout the year	(2,109)	(24)
Total spending authority from parliamentary appropriations, other than deemed appropriations	28,571	31,697
Add:		
The spending authority from deemed appropriations during the current year	36,105	32,340
The unutilised spending authority from deemed appropriations from prior years	10,876	5,683
Total	75,552	69,720
Less: total expenditure out of Consolidated Fund	(66,746)	(58,844)
Variance	8,806	10,876
Less:		
The spending authority from appropriations lapsed at 30 June	–	–
Deemed appropriations balance carried forward to following years	8,806	10,876

Notes to the financial statements

for the period ended 30 June 2024

Parliamentary appropriations other than deemed appropriations

The *Appropriation Act 2023* (Appropriations Act) appropriates the sum of \$ 30.7m to the Minister for Families and Communities, and Disability Services out of the Consolidated Fund for the services of the Office for the year 2023–24.

As a result, the lead Minister for the Office, being the Minister for Families and Communities, and Disability Services is taken to have been given an appropriation out of the Consolidated Fund under the authority of section 4.7 of the GSF Act, at the time the Office receives or recovers any deemed appropriation money, for an amount equivalent to the money that is received or recovered by the Office. These deemed appropriations are taken to have been given for the services of the Office.

In addition, government money that the Office receives or recovers, from another GSF agency, of a kind prescribed by the GSF regulation that forms part of the Consolidated Fund, is now capable of giving rise to deemed appropriations.

The spending authority of the Minister for Families and Communities, and Disability Services for the services of the Office, from the Appropriations Act and deemed appropriation money, has been delegated/ sub-delegated to officers of the Office.

The summary of compliance has been prepared by aggregating the spending authorities for the Minister for Families and Communities, and Disability Services for the services of the Office. It reflects the status at the point in time this disclosure statement is being made.

Recognition and measurement

Income from appropriations, other than deemed appropriations does not contain enforceable and sufficiently specific performance obligations as defined by AASB15. Except as specified below, appropriations (other than deemed appropriations) are recognised as income when the Office obtains control over the assets comprising the appropriations. Control over appropriations is normally obtained upon the receipt of cash.

Deemed appropriations

Deemed appropriations is a legal concept under the GSF Act, that does not have a corresponding financial statement line item. Instead, deemed appropriations may come from various sources of the Office, such as rendering of sales, and the corresponding revenue is disclosed in the relevant sections of these items in the financial statements.

The summary of compliance includes deemed appropriations. It is based on the assumption that annual appropriations monies are spent first (except where otherwise identified or prescribed).



3. Revenue (cont'd)

(b) Sale of goods and services from contracts with customers/ Sale of goods and services

	2024 \$'000	2023 \$'000
Rendering of services		
• Working With Children Check fee	27,366	23,055
• NDIS Worker Check fee	5,885	6,826
• Children's employment authority fee	401	375
• Recoveries	–	155
• Other	98	104
	33,750	30,515

Recognition and measurement

Rendering of services

Revenue from the rendering of services is recognised as or when the Office satisfies the performance obligation by transferring the promised services. The majority of the revenue comes from the paid applications for the Working with Children Check (WWCC) and the National Disability Insurance Scheme (NDIS) worker check. Both license meets the definition of a low value license. Therefore, the Office has elected to recognise the revenue when the applicant pays for their application rather than when the license is issued. This is not expected to lead to any material differences as all applications for paid applicants are processed within 30 days.

(c) Grants and contributions income

	2024 \$'000	2023 \$'000
Other grants without sufficiently specific performance obligations		
• The Crown in right of the State of New South Wales	217	431
Grants with sufficiently specific performance obligations		
• Department of Education	–	500
	217	931

Recognition and measurement

Revenue is recognised in accordance with the requirements of AASB 1058 Income of Not-for-Profit Entities.

Revenue from grants without sufficiently specific performance obligations is recognised when the Office obtains control over the granted assets (e.g. cash).

Revenue from grants with sufficiently specific performance obligations are recognised as and when the Office satisfies a performance obligation by transferring the promised goods. In 2023, the Office recognised grant revenue from NSW Department of Education upon completion of contractual performance obligations being the development of the Child Safe Self-Assessment Tool.

4. Current assets – cash and cash equivalents

	2024 \$'000	2023 \$'000
Cash at bank and on hand	8,806	10,876
	8,806	10,876

For the purposes of the Statement of Cash Flows, cash and cash equivalents include cash at bank and cash on hand as per the Statement of Financial Position.

Refer Note 14 for details regarding credit risk and market risk arising from financial instruments.

5. Current assets – receivables

	2024 \$'000	2023 \$'000
Current receivables		
GST receivable	201	476
Trade receivables from contracts with customers	2,249	2,527
Prepayments	342	326
Other receivables	22	70
	2,814	3,399

Details regarding credit risk of trade receivables that are neither past due nor impaired are disclosed in Note 14(b).

Recognition and measurement

Receivables are initially recognised at fair value plus any directly attributable transaction costs. Receivables that do not contain a significant financing component are measured at the transaction price.

Short-term receivables with no stated interest rate are measured at the original invoice amount where the effect of discounting is immaterial.

Impairment

The Office has not recognised an allowance for expected credit losses for receivables as at the reporting date (2023: \$0m) as the balance primarily relates to working with children and NDIS worker check collected fees to be transferred from other State Government collection agencies to the Office.



6. Non-current assets – property, plant and equipment

	Plant and equipment \$'000	Fixtures and fittings \$'000	Total \$'000
At 1 July 2022 – fair value			
Gross carrying amount	795	2,710	3,505
Less: Accumulated depreciation and impairment	(440)	(2,710)	(3,150)
Net carrying amount	355	-	355
Year ended 30 June 2023			
Net carrying amount at beginning of year	355	-	355
Additions	195	35	230
Disposals	(4)	-	(4)
Other movement (retirements)	-	-	-
Depreciation expense	(136)	(7)	(143)
Net carrying amount at end of year	410	28	438
At 1 July 2023 – fair value			
Gross carrying amount	941	2,115	3,056
Less: Accumulated depreciation and impairment	(531)	(2,087)	(2,618)
Net carrying amount	410	28	438
Period ended 30 June 2024			
Net carrying amount at beginning of year	410	28	438
Additions	107	-	107
Disposals	(6)	-	(6)
Depreciation expense	(143)	(7)	(150)
Net carrying amount at end of year	368	21	389
At 30 June 2024 – fair value			
Gross carrying amount	1,016	2,115	3,131
Less: Accumulated depreciation and impairment	(648)	(2,094)	(2,742)
Net carrying amount	368	21	389

Recognition and measurement

(i) Acquisitions of property, plant and equipment

Property, plant and equipment acquired are initially measured at cost and subsequently revalued at fair value less accumulated depreciation and impairment. Cost is the amount of cash or cash equivalents paid or the fair value of the other consideration given to acquire the asset at the time of its acquisition or construction or, where applicable, the amount attributed to that asset when initially recognised in accordance with the requirements of other Australian Accounting Standards.

The Office's property, plant and equipment are non-specialised assets with short useful lives. Accordingly, they are subsequently measured at depreciated historical cost, as an approximation of fair value. The Office has assessed that any difference between fair value and depreciated historical cost is unlikely to be material.

Assets acquired at no cost, or for nominal consideration, are initially recognised at their fair value at the date of acquisition.

(ii) Capitalisation thresholds

Property, plant and equipment and intangible assets costing \$5,000 and above individually (or forming part of a network costing more than \$5,000) are capitalised.

(iii) Impairment of property, plant and equipment

As a not-for-profit entity with no cash generating units, impairment under AASB 136 Impairment of Assets is unlikely to arise. As plant and equipment is carried at fair value, impairment can only arise in the rare circumstances where the costs of disposal are material. Specifically, impairment is unlikely for not-for-profit entities given that AASB 136 modifies the recoverable amount test for non-cash generating assets of not-for-profit entities to the higher of fair value less costs of disposal and depreciated replacement cost, where depreciated replacement cost is also fair value.

The Office assesses at each reporting date, whether there is an indication that an asset may be impaired. If any indication exists, or when annual impairment testing for an asset is required, the entity estimates the asset's recoverable amount. When the carrying amount of an asset exceeds its recoverable amount, the asset is considered impaired and is written down to its recoverable amount.



6. Non-current assets – property, plant and equipment (cont'd)

(iv) Depreciation of property, plant and equipment

Depreciation is provided for on a straight-line basis for all depreciable assets so as to write off the depreciable amount of each asset as it is consumed over its useful life to the Office.

Depreciation rates of the various categories of non-current assets is as follows:

Depreciation Rates	% Rate 2024	% Rate 2023
Plant & Equipment		
Office fixtures and fittings	14–20	14–20
Plant and equipment	25	25

(v) Restoration costs

The present value of the expected cost for the restoration or cost of dismantling of an asset after its use is included in the cost of the respective asset if the recognition criteria for a provision are met.

7. Intangible assets

	Software \$'000
At 1 July 2022	
Cost (gross carrying amount)	7,852
Accumulated amortisation and impairment	(2,643)
Net carrying amount	5,209
Year ended 30 June 2023	
Net carrying amount at beginning of year	5,209
Additions	17
Amortisation (recognised in 'depreciation and amortisation')	(1,571)
Net carrying amount at end of year	3,655
At 1 July 2023	
Cost (gross carrying amount)	6,971
Accumulated amortisation and impairment	(3,316)
Net carrying amount	3,655
Period ended 30 June 2024	
Net carrying amount at beginning of year	3,655
Additions	6
Amortisation (recognised in 'depreciation and amortisation')	(1,596)
Net carrying amount at end of year	2,065
At 30 June 2024	
Cost (gross carrying amount)	6,977
Accumulated amortisation and impairment	(4,912)
Net carrying amount	2,065



7. Intangible assets (cont'd)

Recognition and measurement

The Office recognises intangible assets only if it is probable that future economic benefits will flow to the Office and the cost of the asset can be measured reliably. Intangible assets are measured initially at cost. Where an asset is acquired at no or nominal cost, the cost is its fair value as at the date of acquisition. Following initial recognition, intangible assets are subsequently measured at fair value only if there is an active market. As there is no active market for the Office's Intangible assets, the assets are carried at cost less any accumulated amortisation and impairment losses.

All research costs are expensed. Development costs are only capitalized when certain criteria are met.

The Office's Intangible assets (computer software) are amortised using the straight-line method within a period of 4 years. The amortisation period and the amortisation method for an intangible asset with a finite life are reviewed at the end of each reporting period.

Impairment

Intangible assets are tested for impairment where an indicator of impairment exists. The indicators considered by the Office include technical obsolescence and any plans to discontinue the use of intangible assets. If the recoverable amount is less than its carrying amount, the carrying amount is reduced to recoverable amount and the reduction is recognised as an impairment loss.

8. Current liabilities – payables

	2024 \$'000	2023 \$'000
Payables		
Accrued salaries, wages and on costs	691	575
Creditors	3,323	3,742
	4,014	4,317

Recognition and measurement

Payables represent liabilities for goods and services provided to the Office and other amounts. Payables are recognised initially at fair value, usually based on the transaction cost or face value. Subsequent measurement is at amortised cost using the effective interest method.

Short term payables with no stated interest rate are measured at the original invoice amount where the effect of discounting is immaterial.

Details regarding credit risk, liquidity risk and market risk, including a maturity analysis of the above payables are disclosed in Note 14.

9. Current/non-current liabilities – provisions

	2024 \$'000	2023 \$'000
Employee benefits and related on-costs		
Current employee benefits and related on-costs		
Annual leave	3,540	3,278
Long service leave	695	575
Paid Parental Leave	269	-
Payroll tax	725	648
Fringe benefits tax	(3)	1
Total	5,226	4,502
Non-current employee benefits and related on-costs		
Long service leave	77	57
Payroll tax	40	30
	117	87
Other provisions		
Restoration costs	437	501
Total	554	588
Aggregate employee benefits and related on costs		
Provisions – current	5,226	4,502
Provisions – non-current	117	87
Accrued salaries, wages and on-costs (Note 8)	691	575
	6,034	5,164

Movements in provisions (other than employee benefits)

Movements in restoration provision are set out below:

Carrying amount at 1 July 2023	501
Unwinding/change in the discount rate	(64)
Carrying amount at 30 June 2024	437



9. Current/non-current liabilities – provisions (cont'd)

Recognition and measurement

(a) Employee benefits and related on-costs

(i) Salaries and wages, annual leave, sick leave and parental leave

Salaries and wages (including non-monetary benefits), parental leave and paid sick leave that are expected to be settled wholly within 12 months after the end of the period in which the employees render the service are recognised and measured at the undiscounted amounts of the benefits.

Annual leave is not expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service. As such, it is required to be measured at present value in accordance with AASB 119 Employee Benefits (although short cut methods are permitted). Actuarial advice obtained by Treasury has confirmed that the use of a nominal approach plus the annual leave on annual leave liability (using 8.4% of the nominal value of annual leave) can be used to approximate the present value of the annual leave liability. The Office has assessed the actuarial advice based on the Office's circumstances and has determined that the effect of discounting is immaterial to annual leave.

All annual leave is classified as a current liability even where the Office does not expect to settle the liability within 12 months as the entity does not have an unconditional right to defer settlement.

Unused non vesting sick leave does not give rise to a liability as it is not considered probable that sick leave taken in the future will be greater than the benefits accrued in the future.

In accordance Section 52(1) Determination No 4 2022 under the *Government Sector Employment Act 2013*, from 1st October 2022 onwards, OCG staff who have provided 40 weeks of continuous service are eligible for a total of 16 weeks of paid parental leave. Staff are also eligible to utilise this leave period flexibly within 24 months from the child's birth date.

The parental leave provision is measured by reflecting the present value of unused parental leave entitlements by staff who has applied and took leave or notified OCG an intent to take leave in the next 12 months. Unused leave entitlements are calculated based on the difference of staff entitlement less the parental leave already taken.

(ii) Long service leave and superannuation

The Office's liabilities for long service leave and defined benefit superannuation are assumed by the Crown in right of the State of New South Wales (Crown). The Office accounts for the liability as having been extinguished, resulting in the amount assumed being shown as part of the non-monetary revenue item described as 'Acceptance by the Crown of employee benefits and other liabilities'.

Long service leave is measured at the present value of expected future payments (in accordance with AASB 119 Employee Benefits) to be made in respect of services provided up to the reporting date. Consideration is given to certain factors based on actuarial review, including expected future wage and salary levels, experience of employee departures, and periods of service. Expected future payments are discounted using Commonwealth government bond rate at the reporting date.

The superannuation expense for the financial year is determined by using the formulae specified in the Treasurer's Directions. The expense for certain superannuation schemes (i.e., Basic Benefit and First State Super) is calculated as a percentage of the employees' salary. For other superannuation schemes (i.e., State Superannuation Scheme and State Authorities Superannuation Scheme), the expense is calculated as a multiple of the employees' superannuation contributions.

Notes to the financial statements

for the period ended 30 June 2024

(a) Employee benefits and other provisions (cont'd)

(iii) Consequential on-costs

Consequential costs to employment are recognised as liabilities and expenses where the employee benefits to which they relate have been recognised. This includes outstanding amounts of payroll tax, worker's compensation insurance premiums and fringe benefits tax.

(b) Other provisions

Provisions are recognised when: the Office has a present legal or constructive obligation as a result of a past event; it is probable that an outflow of resources will be required to settle the obligation; and a reliable estimate can be made of the amount of obligation. When the Office expects some or all of the provision to be reimbursed, for example, under an insurance contract, the reimbursement is recognised as a separate asset, but only when the reimbursement is virtually certain. The expense relating to a provision is presented net of any reimbursement in the 'Statement of Comprehensive Income.

(c) Superannuation annual leaving loading

The Office determined that it is not probable a liability arises to pay superannuation on annual leave loading. This position has been formed based on current inquiries, other information currently available to management, and after considering the facts from a decision in the Federal Court of Australia: Finance Sector Union of Australia v Commonwealth Bank of Australia [2022] FedCFamC2G 409. That decision confirmed that, in relation to the industrial agreement considered in that case, annual leave loading did not form part of ordinary time earnings and therefore, did not require superannuation contributions to be made under superannuation guarantee legislation because the obligation to pay annual leave loading was not referable to ordinary hours of work or to ordinary rates of pay. Rather, it was paid by reference to the period of annual leave, and for the purpose of compensating employees for their loss of opportunity to work additional hours at higher rates during this period.

This position will be re-assessed in future reporting periods as new information comes to light on this matter.



10. Contract assets/liabilities and deferred revenue

	2024 \$'000	2023 \$'000
Contract liabilities – current	32	37
Deferred Revenue	1,250	–
	1,282	37

Recognition and measurement

Contract liabilities relate to consideration received in advance from customers. The balance of contract liabilities at reporting date mainly consists of fee for service contract agreements with other government agency which the Office have yet to deliver the services.

The contract liability is recognised based on completion of milestones as per the service contract. When the milestones are completed, this will be recognised as revenue as the performance obligations are satisfied.

During FY24, OCG was funded \$1.25M for a capital project to develop a Residential Care Workers Register. The project was delayed.

11. Contingent liabilities & contingent assets

The Office is not aware of any contingent liabilities and/or assets associated with its operations.

12. Reconciliation of cash flows from operating activities to net result

	2024 \$'000	2023 \$'000
Net cash used on operating activities	(1,957)	5,440
Depreciation and amortisation	(1,746)	(1,714)
Decrease/(increase) in provisions	(690)	(624)
Increase/(decrease) in receivables and other assets	(585)	880
Decrease/(increase) in payables	302	(1,392)
Other gains/(losses)	(5)	(4)
Decrease/(increase) in contract liabilities	(1,245)	(37)
Net result	(5,926)	2,549

13. Budget review

The Budget amounts are drawn from the original financial statements presented to Parliament in respect of the reporting period. Subsequent amendments to the original budget (e.g. adjustment for transfer of functions between entities as a result of Administrative Arrangements Orders) are not reflected in the budgeted amounts. Major variances between the original budgeted amount and the actual amounts disclosed in the financial statements are explained below:

Net Result

Net Result was a deficit of \$5,926k compared to the original budgeted deficit of \$8,492k. This is a favourable variance of \$2,566k arising from the following items:

Expenses

Total expenses excluding losses were \$68,689k compared to a budget of \$62,677k. This was \$6,012k higher than budget due to higher other operating expenses of \$9,790k. This was predominately driven by higher employee screening expenses as a result of higher application volumes. These higher volumes also generated additional revenue as noted below. The higher Other operating costs were also offset by underspend in employee related expenditure of \$3,558k because of employee vacancies and delay in recruitment plans.

Revenue

Sale of goods and services from contracts with customers was \$33,750k against a budget of \$22,087k. This was in excess of budget by \$11,663k due to higher Working with Children Check volumes and revenue. The actual volumes for the year were significantly higher compared to the budgeted volume by approximately 144,000 checks. This difference in volume has been due to OCG's budget traditionally assuming a more conservative volume.

Recurrent appropriation received was \$27,321k compared to a budget of \$30,680k. The \$3,359k variance mostly relates to reduction in appropriation due to budget carry forward proposals of \$2,000k and recognition of unearned revenue for capital appropriations of \$1,250k.



13. Budget review (cont'd)

Assets and liabilities

Net assets were \$2,998k compared to a budget of \$433k. The major variances arising on the statement of financial position are noted below:

Assets

Total Assets were \$14,074k which is higher than budget by \$4,196k. Cash and cash equivalents were \$8,806k compared to a budget of \$2,861k. The favourable cash variances are driven by the additional revenue from the Working with Children Check. This is \$5,945k higher than budget. Receivables were \$2,814k compared to budget of \$3,400k. This is \$586k lower than budget. The receivable variance is lower than budgeted balance due to timing of receipts for the digital renewal Working With Children checks. Other movements that have contributed to a lower receivable balance to budget is due to reduction in GST receivable as a result of lower supplier payment activities in FY 24.

Liabilities

Total Liabilities were \$11,076k which is higher than budget by \$1,631k. Payables were \$4,014k compared to a budget of \$4,498k. This is due to timely invoicing and payment to suppliers for the reporting period. Provisions were \$5,226k compared to budget of \$4,322k, this is predominately driven by recognition of paid parental leave liabilities and higher recreation leave provisions. Contract liabilities is \$1,245k higher than budget as OCG deferred revenue recognition of \$1.25k of capital appropriation from Treasury.

Cash Flow Statement

Net cashflows from operating activities were a deficit \$1,957k compared to a budget of \$6,576k. The favourable variance of \$4,619k was mostly driven by higher cashflow receipts.

Total operating cash payments were \$66,633k compared to the budget of \$59,661k, this was higher than budget by \$6,972k as a result of the higher other operating expenses predominately driven by higher volumes of employment screening costs.

Total operating receipts were \$64,676k compared to the budget of \$53,085k, this was favourable to budget by \$11,591k as a result of additional revenue from working with children checks. Appropriations were lower than budget due to approved carry forwards of \$2,000k.

Net cashflows from investing activities were a deficit of \$113k compared to a budgeted deficit of \$1,439k as funding was received by OCG but the work was deferred.

Notes to the financial statements

for the period ended 30 June 2024

14. Financial instruments

The Office's principal financial instruments are outlined below. The financial instruments arise directly from the Office's operations and are required to finance the Office's operations. The Office does not enter into or trade financial instruments, including derivative financial instruments, for speculative purposes.

The Office's main risks arising from the financial instruments are outlined below, together with the Office's objectives, policies and processes for measuring and managing risk. Further quantitative and qualitative disclosures are included throughout these financial statements.

The Guardian has overall responsibility for the establishment and oversight of risk management and reviews and agrees on policies for managing each of these risks. Risk management policies are established to identify and analyse the risks faced by the Office, to set risk limits and controls and monitor risks. Compliance with policies is reviewed by the Office, to set risk limits and controls and to monitor risks. Compliance with policies is reviewed by the internal auditors on a continuous basis.

(a) Financial instrument categories

Class:	Note	Category	Carrying amount	Carrying amount
Financial assets			2024	2023
			\$'000	\$'000
Cash and cash equivalents	4	Amortised cost	8,806	10,876
Receivables ¹	5	Amortised cost	2,271	2,597
Financial liabilities	Note	Category	Carrying amount	Carrying amount
			2024	2023
			\$'000	\$'000
Payables ²	8	Financial liabilities measured at amortised cost	3,323	3,742

1. Excludes statutory receivables and prepayments (i.e., not within scope of AASB 7)

2. Excludes statutory payables and unearned revenue (i.e., not within scope of AASB 7)



14. Financial instruments (cont'd)

(b) Financial risks

(i) Credit risk

Credit risk arises when there is the possibility of the Office's debtors defaulting on their contractual obligations, resulting in a financial loss to the office. The maximum exposure to credit risk is generally represented by the carrying amount of the financial assets (net of any allowance for impairment).

Credit risk arises from the financial assets of the Office, including cash and receivables. No collateral is held by the office. The Office has not granted any financial guarantees.

Credit risk associated with the Office's financial assets, other than receivables, is managed through the selection of counterparties and establishment of minimum credit rating standards.

Cash and cash equivalents

Cash comprises cash on hand and bank balances within the NSW Treasury Banking System. The Office does not have any interest income as it is adjusted to offset against management fee charged for banking services.

Receivables – trade debtors

All trade debtors are recognised as amounts receivable at balance date. Collectability of trade debtors is reviewed on an ongoing basis. Procedures as established in the Treasurer's Directions are followed to recover outstanding amounts, including letters of demand. Debts which are known to be uncollectible are written off. An allowance for impairment is raised when there is objective evidence that the entity will not be able to collect all amounts due. This evidence includes past experience, and current and forward-looking information on changes in economic conditions and debtor credit ratings. No interest is earned on trade debtors. Sales are made on 30-day terms.

There were no aged debtors at the end of the financial year.

(ii) Liquidity risk

Liquidity risk is the risk that the Office will be unable to meet its payment obligations when they fall due. The Office continuously manages risk through monitoring future cash flows and ensuring adequate holdings of cash and cash equivalents.

The Office's exposure to liquidity risk is deemed insignificant based on prior periods' data and current assessment of risk. The Office has Corporate Credit cards with a monthly credit limit of \$40,000.

The liabilities are recognised for amounts due to be paid in the future for goods or services received, whether or not invoiced. Amounts owing to suppliers (which are unsecured) are settled in accordance with the policy set out in NSW TC 11/12. Under the Faster Payment Terms Policy, registered small businesses will be paid within 5 business days of receipt of a correctly rendered invoice. For other suppliers, if trade terms are not specified, payment is made no later than the end of the month following the month in which an invoice or a statement is received. For late payments to registered small businesses, interest payments are no longer applicable but are at the discretion of agencies to pay. For late payments to other suppliers, the Head of an authority (or a person appointed by the Head of an authority) may automatically pay the supplier simple interest. There was no interest paid during the year 2023–24 (2022–23: nil).

Notes to the financial statements

for the period ended 30 June 2024

The table below summarises the maturity profile of the Office's financial liabilities, together with the interest rate exposure.

Maturity analysis and interest rate exposure of financial liabilities

Financial liabilities	Interest rate exposure			Maturity dates			
	Weighted average effective int. rate	Nominal amount	Variable interest rate	Non-interest bearing	< 1 year	1–5 years	> 5 years
\$'000							
2024							
<i>Payables:</i>							
Creditors ¹		3,323	-	3,323	3,323	-	-
		3,323	-	3,323	3,323	-	-
2023							
<i>Payables:</i>							
Creditors ¹		3,742	-	3,742	3,742	-	-
		3,742	-	3,742	3,742	-	-

Notes:

1. The amounts disclosed are the contractual undiscounted cash flows based on the earliest date on which the Office can be required to pay.

(iii) Market risk

Market risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market prices.

The Office is not subject to interest rate risk. The Office does not hold any interest-bearing assets or liabilities. Any associated interest on Treasury Banking System cash balances is withheld from the Office and accounted for by NSW Treasury.

The Office also has no exposure to foreign currency risk and does not enter into commodity contracts.

(c) Fair value compared to carrying amount

The amortised cost of financial instruments recognised in the statement of financial position approximates the fair value, because of the short-term nature of all the financial instruments.



15. Related party disclosures

The below table contains the remuneration paid to Key management personnel. The amounts paid in FY 22-23 comprises of 3 different staff holding the KMP role throughout the year.

	2024 \$'000	2023 \$'000
Short-term employee benefits:		
Salaries	388	411
Other long-term employee benefits	-	14
Post-employment benefits	27	-
Total Remuneration	415	425

The Office did not enter into any other transactions with key management personnel, their close family members and controlled or jointly controlled entities thereof.

In addition, during the year, the Office entered into transactions with other entities that are controlled/ jointly controlled/significantly influenced by the NSW government. These transactions include:

	2024 \$'000		2023 \$'000	
	Transaction value	Net receivable/ payable	Transaction value	Net receivable/ payable
Appropriations, sale of services and other receipts	29,113	1,928	32,966	2,508
Purchase of goods/services and other payments	(13,122)	(2,211)	(12,562)	(2,252)
	15,991	(283)	20,404	256

15. Related party disclosures (cont'd)

In addition, in FY 23/24, OCG has collected a total \$33.25M (2023: \$29.526M) of paid application checks from both Working with Children Check and National Disability Insurance Scheme Check through Service NSW.

Other related parties' transactions include:

- Insurance under Treasury Managed Fund Scheme
- Long Service Leave and Defined Benefit Superannuation assumed by the Crown
- Appropriations (and subsequent adjustments to appropriations)
- Agreement with Service NSW for Working with Children Check services and National Disability Insurance Scheme Check
- Corporate shared services with Department of Customer Service
- Service agreement with the Department of Communities and Justice
- Payment for the audit of our financial statement to Audit Office of NSW
- Accommodation arrangement with Property NSW
- Legal services received from Crown Solicitors Office
- Grant funding from the Department of Education (in 2023 only).

16. Major activity group

The Office of the Children's Guardian has one major activity group which supports the State Outcome to protect children and families. This State Outcome is about supporting the safety and wellbeing of vulnerable children, young people and families, and protecting them from the risk of harm, abuse and neglect.

20. Events after the reporting period

There are no events subsequent to balance date which affect the financial statements.

End of audited financial statements.



Key achievements, facts and figures about the Office of the Children's Guardian's work for 2023–24.

This report is available on our website: ocg.nsw.gov.au

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