



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2023-2024

Mr Mark Parton MLA (Chair), Ms Jo Clay MLA (Deputy Chair),
Mr Michael Pettersson MLA

ANSWER TO QUESTION ON NOTICE

MS JO CLAY MLA : To ask the Minister for Families and Community Services

Hearing Date: 28 July 2023

In relation to: CYPS reports and rights to appeal to Ombudsman

When someone makes a report to Child Youth and Protection Services, are they informed at the time of their complaint rights if their report to CYPS is not appraised or investigated?

If so, what advice are they given about these complaint rights?

If not, why not?

MINISTER STEPHEN-SMITH: The answer to the Member's question is as follows: –

The Director-General, Community Services Directorate (CSD), is required to carry out an assessment of all Child Concern Reports made to Child and Youth Protection Services (CYPS) under s360(2) of the *Children and Young People Act 2008* (the Act). The Act also states that the Director-General *must* take the action that the Director-General considers appropriate in relation to the assessment.

CYPS does not inform reporters of any complaint rights about whether a report is assessed or not at the time an individual makes a report as CYPS is required to assess every Child Concern Report.

Chapter 25 of the *Children and Young Person Act 2008* classifies reporting and appraisal information as protected information, and prohibits the divulging of this information if it is not in exercise of a function of the Act. As a result, the Director-General cannot inform a reporter whether a report or appraisal has progressed through the intake process, therefore a reporter would be unable to make a complaint about the Director-General's decision to progress a report to assessment or appraisal.

The CSD has a comprehensive Complaints Handling and Management Policy that sets out how the Directorate responds to complaints, feedback and compliments and covers all areas of the Directorate, with details of how to make a complaint on the CSD website.

Approved for circulation to the Select Committee on Estimates 2023-2024

Signature:

A handwritten signature in blue ink, appearing to be "RSC", written over a horizontal line.

Date:

16/8/23

By the Minister for Families and Community Services, Rachel Stephen-Smith MLA