

2016

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**STANDING COMMITTEE ON PUBLIC ACCOUNTS REPORT NO 15 -
REVIEW OF AUDITOR-GENERAL'S REPORT NO. 1 OF 2013: CARE AND
PROTECTION SYSTEM**

GOVERNMENT RESPONSE

**Chris Bourke MLA
Minister for Children and Young People**

Standing Committee on Public Accounts Report No 15 - Review of Auditor-General's Report No. 1 of 2013: Care and Protection System

Recommendations	Proposed Government Response
<p><u>Recommendation 1</u></p> <p>3.14 The Committee recommends that the ACT Government devise, in consultation with statutory office-holders, and implement a new model for funding inquiries into systemic matters by statutory office-holders.</p>	<p>Noted</p> <p>After comprehensive consultation, the ACT Government has decided to introduce a new rights protection framework that will strengthen the leadership, governance, and coordination of the operations of these key rights protection services.</p> <p>The Human Rights Commission will consist of a president and three commissioners. All existing commissioner titles will be retained and shared between the three commissioners.</p> <p>The president will be responsible for the financial management and administration of the Commission. They will be required to develop an agreed governance and corporate support protocol between the Commission and JACS, rather than the administrative arrangements previously in place. The protocol will deal with agreed performance indicators and processes for resolving disputes about the president's allocation of resources between the commissioners and for reporting on and auditing of Commission performance. It will also set out a process for requesting supplementary and special project funding.</p>
<p><u>Recommendation 2</u></p> <p>3.17 The Committee recommends that the ACT Government introduce in the ACT Legislative Assembly—legislative amendments which, if passed, would provide reliable and constructive definitions for 'consideration' and 'systemic matters' for the purposes of subsection 11(2) of the <i>Public Advocate Act 2005</i>.</p>	<p>Noted</p> <p>The specific issue of the definitions for 'consideration' and 'systemic matters' for the purposes of section 11(2) of the <i>Public Advocate Act 2005</i> will be mitigated by the move of the advocacy functions of the Public Advocate into the Human Rights Commission minimising the risk of confusion about what constitutes a systemic matter, and who has responsibility for dealing with systemic matters.</p>

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<p><u>Recommendation 3</u></p> <p>3.28 The Committee recommends that the ACT Government table in the ACT Legislative Assembly, within 90 days of the tabling of this report, a comprehensive description of the Integrated Management System, specifying to what extent it is an administrative, training and/or software system.</p>	<p>Agreed</p> <p>A comprehensive description of the Integrated Management System is at <u>Attachment 1</u>.</p>
<p><u>Recommendation 4</u></p> <p>3.32 The Committee recommends that the ACT Government report to the ACT Legislative Assembly, by the first sitting day in 2016, on the progress and effectiveness of the Government's implementation of the recommendations, made in Auditor-General's Report No. 1 of 2013: <i>Care and Protection System</i>, that have been accepted either in-whole or in-part. This should include: (i) a summary of action to date, either completed or in progress (including milestones completed); and (ii) the proposed action (including timetable), for implementing recommendations (or parts thereof), where action has not yet commenced.</p>	<p>Agreed</p> <p>The Community Services Directorate has undertaken a significant project of reform since the Auditor-General's review of Care and Protection Services. The Auditor-General's recommendations have been integrated into these reforms.</p> <p>A summary of proposed action for implementing outstanding recommendations and the effectiveness of the Community Service Directorate's reform agenda in relation to the Auditor-General's recommendations is at <u>Attachment 2</u>.</p> <p>The Minister for Children and Young People will table the report on progress and effectiveness of implementation in the Assembly during the February 2016 sitting period.</p>

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Recommendations	Proposed Government Response
<p><u>Recommendation 5</u></p> <p>3.39 The Committee recommends that the ACT Auditor-General conduct a performance audit of statutory office-holders in the ACT within two years of the tabling of this report, examining: (i) transparency of financial information; (ii) performance and accountability indicators; (iii) protocols between statutory office-holders and host agencies; and (iv) effectiveness of governance frameworks and enabling legislation.</p>	<p>Noted</p> <p>The Standing Committee on Public Accounts may wish to discuss this recommendation directly with the Auditor-General as she determines her forward agenda.</p>
<p><u>Recommendation 6</u></p> <p>3.46 The Committee recommends that ACT Government directorates and agencies should regularly monitor and review core governance elements that underpin good public administration to make sure that any shortcomings are promptly and appropriately addressed.</p>	<p>Noted</p> <p>The ACT Public Service has sound governance frameworks and procedures in place, and is committed to continuous improvement in all elements of public administration.</p>