

Challenges and outlook



The Commission's operational agility was tested commencing from January 2020 with both the 'Aurukun crisis' and the advent of the COVID-19 pandemic.

Aurukun response project

Following a murder in Aurukun on 1 January 2020 major community unrest occurred which was of such significance that a large portion of the community fled, fearing for their lives, to other centres including Coen and Cairns. The Commission worked through complex legal issues and logistics to present a coordinated response to this crisis and identified the need for an elevated FRC presence in both Aurukun and Coen. Anne Crampton was appointed as the temporary fulltime 'special lead' from the Cairns registry. Her role as the Senior Community Coordinator was to coordinate the Aurukun/Coen/Cairns response and to work in conjunction with both the Coen and Aurukun Local Registry Coordinators and the Queensland and Australian Governments.

The FRC's presence in Coen was increased in response to the anticipated elevated needs of the displaced Aurukun clients. Additional conferences were held for Aurukun clients resident in Coen and Cairns to support them in ensuring children were enrolled in and attending school, counselling was provided for mental health needs, practical solutions were sourced in relation to displacement and possible homelessness, and income management agreements/orders were reviewed to promote financial security. Allowances were also made during this difficult period to use technology to conduct conferences over the phone as permitted under section 56 of the FRC Act.

The FRC's response to the troubled situation in Aurukun was initiated to ensure the Commission could continue to fulfil its mandate of restoring social responsibility whilst upholding local leadership in a time of crisis. The Commission identified that a targeted response and increased presence in community was vital to source support systems for displaced FRC clients and send the clear message that not being present in community did not remove FRC clients from obligations of socially responsible behaviour, particularly in relation to the care of children.

Whilst the primary aim of the crisis response project was to ensure continued engagement with and support for FRC clients, an unexpected positive outcome was a change in the perception of the FRC from a punitive measure to an agency for support. The FRC's response to the Aurukun crisis was efficient and targeted. It demonstrated the Commission's commitment to maintaining relevance to community members. Aurukun clients in Cairns and Coen were keen to engage with the Commissioners, and respect for their leadership was apparent in the higher rate of attendance at conference with 8.6 percent more conferences attended than those who conferenced in Aurukun.

Conducting conference outside of Aurukun demonstrated the Commission's commitment to providing support for clients in challenging circumstances, a situation which inadvertently served as a forerunner for continuing to function as an essential service during the subsequent crisis brought about by the outbreak of COVID-19. Aurukun Local Commissioners throughout this period demonstrated great strength and resilience, setting aside family and community conflicts to work as a united team in conference to support the needs of our clients.



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COVID-19 pandemic response

The declared COVID-19 pandemic further challenged operations as indeed it has for the rest of Australia. The first case of COVID-19 was confirmed to have reached Australia in January 2020 and on March 11 COVID-19 was declared a global pandemic by the World Health Organisation.

In balancing the Commission's business continuity with community vulnerabilities, the Executive Management Team (EMT) adopted a Preparedness and Alert Framework and decided unanimously to suspend all non-essential travel to the FRC communities. The decision was not made lightly. Several factors were taken into consideration such as the vulnerability of children whose parents had received trigger notices, balanced against the need to ensure the ongoing safety of staff, Local Commissioners and community members. The limited remote community access to acute health care in critical situations was of major concern.

During this period, the Commission was (and remains today) concerned to continue meeting its obligations as an essential service. This concern was heightened with the increase of welfare payments within community and the potential increase in domestic and family violence, ongoing concerns of child safety and the general additional pressures placed on families who had restricted movement between households in the communities.

In ceasing travel to the communities, the EMT determined it was particularly important that conferencing continue whilst the communities were COVID-19 free by maximising the Commission's locally based resources. This modified approach to the FRC's operations also included the utilisation of remote technology linking Local Commissioners sitting in conference with the FRC Commissioner and members of the Cairns based registry team. Local Commissioners were asked to play a greater administrative role on behalf of the Cairns registry. Their strict sessional conferencing duties were voluntarily extended to undertake some of the Local Registry Coordinator's functions in community, along with the support of clients outside the conferencing environment (including liaising with support services). This arrangement has provided an opportunity to build the capabilities of the Local Commissioners, whilst also providing remuneration during this difficult time. Throughout this period, the registry team continued to work closely with Local Commissioners to support them in this new working environment. The Commission identified priority clients who required assistance based on child safety and domestic family violence risks and priority was given to clients with amend or end applications and voluntary income management clients whose agreements were due to expire. Bearing in mind the prescriptive nature of the FRC Act in regard to the number of Commissioners required to make decisions, and the need to reduce physical contact, clients were encouraged to use teleconference in the first instance, where appropriate.

A key strategy to assist in managing the COVID-19 operational challenge was the temporary appointment of a Community Coordinator (COVID-19 Response) position. The role of this position was performed by Local Registry Coordinator Sandra Rye, and was primarily to: manage, coordinate and monitor conferencing capability in the FRC communities; initiate and maintain client case management links with service providers; coordinate the support of Local Commissioners during conferencing; and provide advice to the EMT on strategic implementation options and risks. The Commission can report that from 17 March to 30 June 2020, 535 conferences were conducted across the five communities with 127 referrals made to service providers to support FRC client needs.

The FRC's COVID-19 response has been necessary and proportionate. We have, and will, continue to ensure that our response is consistent with government protocols in relation to the pandemic whilst maintaining the objects of the FRC Act in providing support to FRC communities.

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Staffing

The Commission works in dynamic and remote environments with community members who have multifaceted needs. The Local Commissioners and Local Registry Coordinators are required to perform tasks which often stretch their resources and their resilience. The resourcing levels across the communities continues to remain a priority for the Commission to ensure their health and safety, and to bolster their agility in delivering services for the community.

This year has seen events which have required the EMT to actively review its work health and safety arrangements and obligations in the Cairns registry and across the communities. The continued safety of our personnel working remotely, and our resourcing levels to mitigate the potential COVID-19 impact and community unrest experienced has required the appointment of 'special leads' from our existing establishment and the redistribution of duties and responsibilities across our organisation.

A review of the FRC's conferencing and case management model commenced this year to better reflect the intent of the FRC Act and to provide evidence of value in terms of social responsibility and organisational level benefits to community members. The work is compatible with the broader efforts of the Queensland Government to address a range of issues related to providing access to services and supports for those most in need. To enable our renewed focus, we have re-aligned our registry structure to create two frontline workgroups: Coordination, and Case Management and Monitoring (refer page 14). It is forecast that our re-aligned operations will increase current workloads and necessitate growth in our establishment.

The Commission's internal review has seen a significant increase in referrals to service providers and clients case-managed, and has resulted in Commissioner Williams travelling extensively, supported on an intermittent consultancy basis by Rod Curtin to assist with the increased workload. The FRC has had a Deputy Commissioner since 2010, however, from 1 January 2019 to 30 June 2020 no Deputy Commissioner was appointed. The FRC Commissioner role is essential to the functioning of the FRC. The operational model of employing one FRC Commissioner and no Deputy Commissioner for this reporting period has been risky, and coupled with existing workload, not sustainable. It is anticipated that the appointment of a part-time Deputy Commissioner commencing in the next financial year will assist the FRC's frontline operational focus and enable it to better respond to emerging trends and the evolving needs of the communities it serves. In the interests of business continuity and succession planning an ongoing appointed position of Deputy Commissioner is considered critical.

As stated in our Review of financial performance (page 31), the largest allocation of FRC expenses is in relation to community operations conducted in our five communities. Travel is a major component of this expenditure. The Commission's extensive travel and accommodation needs are ably managed internally by Monica Vella who performs the dual role of Finance Officer and Travel Officer. This is a specialised area of operations owing to limited travel and accommodation options, the high cost of travelling to remote centres and the need to plan logistically for unforeseen events. Owing to the size of the FRC's FTE establishment, many employees perform various functions outside of their substantive roles to ensure continuity and efficiency of operations.



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Legislative and operational reviews

The Commission has been afforded opportunities throughout the year to provide advice to government and Parliamentary stakeholders about matters relevant to the broader administration and objects of the FRC Act. The provision of this advice was carefully considered and sculpted from internal review work commenced in late 2019 (detailed below) aimed at improving efficiencies of operation and service provider delivery and accountability.

An internal legislative review was undertaken by the Commissioner and members of the EMT with external advice sought from former FRC Deputy Commissioner and Barrister, Rod Curtin. The review considered two streams:

- recommended amendments to the FRC Act to improve efficiencies of operation and
- developing strategies to enhance existing approaches to service provider delivery and accountability that is client-focussed, enhances interaction between the FRC and service providers, supports better exchange of information, and improves accountability of service providers in their interactions with the Commission.

In undertaking this review, particular consideration was given to the FRC Act, the Queensland Productivity Commission's Report on Service Delivery in Remote and Discrete Aboriginal and Torres Strait Islander Communities, the Commission's submission to the Senate Standing Committee on the Social Security (Administration) Amendment (Income Management to Cashless Debit Card) Bill 2019, an internal framing document to support the consideration of possible legal products and proposals to enhance the FRC model, and the Commission's Annual Report 2018-19.

Findings from the internal review have been shared with staff and Local Commissioners throughout the year and has formed the basis of the structural and procedural changes implemented by Commissioner Williams and EMT to the Commission's operations. Details about these changes and outcomes are summarised in the FRC registry section (page 13).

A review of the FRC Act was later initiated by members of the FR Board and Commission, resulting in a small officer level working group being formed – the 'Legislative Review Working Group' (LRWG). The Commission's advice to this working group was derived from the findings of its own complementary internal review. The LRWG functioned collaboratively throughout the 2019-20 reporting period identifying possible legislative amendments to achieve better alignment with the broader policy reform objectives of the Australian and Queensland Governments and CYP (whilst preserving the integrity of the legislation and underlying purpose of the FRC Act). Work of the LRWG remains ongoing with a view to progressing proposed legislative amendments to the FR Board for endorsement following in principle agreement.

In March 2020 the Department of Justice and Attorney-General coordinated a whole of government omnibus Bill to respond to the COVID-19 health emergency. Proposed amendments were sought from each department for inclusion in the COVID-19 Emergency Response Bill 2020 which had a clear nexus and rationale to assist in dealing with the declared public health emergency. The Commission was pleased to accept an invitation from DATSIP to make a submission outlining relevant legislative issues, proposed resolutions, risks and other policy considerations with respect to the operation of the FRC Act and the proposed Bill. The Bill was passed in Parliament on 22 April 2020 with some proposed amendments to be made under regulation.

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Financial considerations

Although COVID-19 presented operational challenges for the Commission, it also highlighted some opportunities. The Commission continued functioning as an essential service, and the restrictions on travel to our communities highlighted the need to source alternative communication strategies. One such strategy is to establish video conferencing capability in each community to assist with continuity of conferencing and support for the Local Commissioners. This capability would deliver greater flexibility generally for conferencing operations and may deliver cost savings in travel. The second challenge/opportunity that arose is in relation to service provider reporting. Without the ability to meet face to face with service providers for case plan updates, we identified the need to enhance our reporting portal to allow more frequent and enhanced remote reporting. These projects will be scoped and costed later in the year due to the current government freeze on expenditure for Information and Communications Technology (ICT) projects.