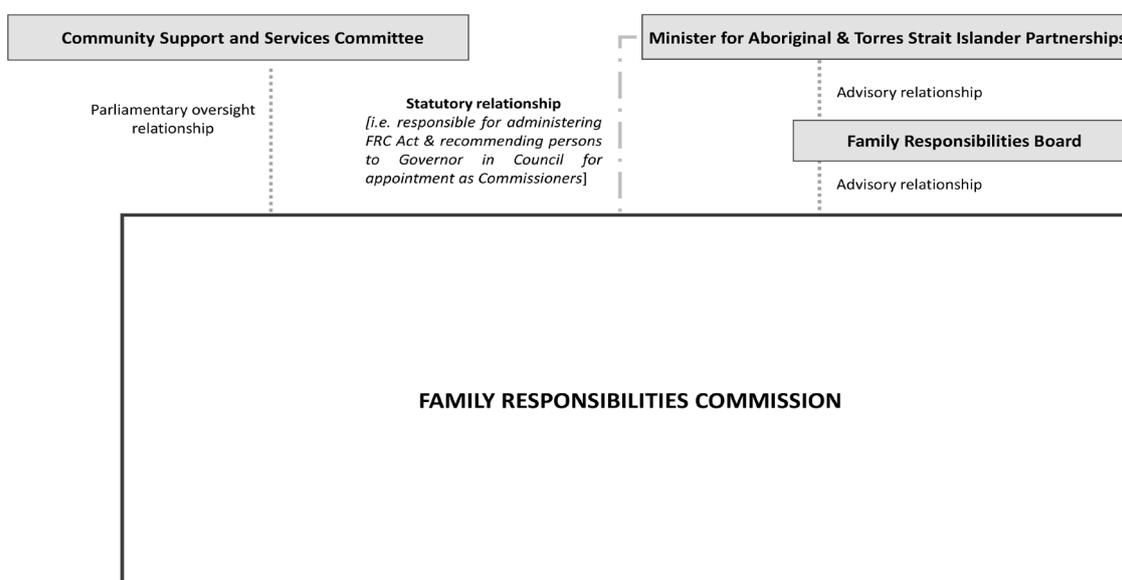




# Governance

## External governance

The FRC, as an independent statutory authority, falls under the umbrella of DSDSATSIP. The FRC Commissioner, Deputy Commissioner and Local Commissioners are appointed by the Governor in Council under recommendation by the Minister for Seniors and Disability Services and Minister for Aboriginal and Torres Strait Islander Partnerships. The Minister and FR Board have advisory relationships to the FRC Commissioner.



## Ministerial portfolio

For the period 1 July 2021 to 30 June 2022 the Minister responsible for administering the FRC Act was the Honourable Craig Crawford MP, Minister for Seniors and Disability Services and Minister for Aboriginal and Torres Strait Islander Partnerships.

## Family Responsibilities Board

Part 12 of the FRC Act provides for the establishment of the Family Responsibilities Board (FR Board). Under section 117 of the FRC Act, the FR Board has a mandate to: give advice and make recommendations to the State Minister about the operation of the Commission; if asked by the Commissioner, give advice and make recommendations to the Commission about the performance of its functions; and consider the reports submitted by the Commission.

The FR Board consists of one person nominated by the State Minister (chairperson of the FR Board), one person nominated by the Australian Government and one person nominated by the Cape York Institute. FR Board members are appointed by the Governor in Council for the term stated in the member's instrument of appointment.

# Governance



The FR Board members as at 30 June 2022 were:

Mr Bob Gee	Director-General, Department of Agriculture and Fisheries (DAF) as the Chair
Mr Ray Griggs	AO, CSC, CEO, National Indigenous Australians Agency (NIAA) until 21 July 2021, then Secretary to the Department of Social Services (DSS) from 22 July 2021.
Mr Noel Pearson	Founder, Cape York Partnership representing the Cape York Institute (CYI).

The FRC Act requires the FR Board to meet every six months. The meeting may be held by using any technology available which will allow for efficient and effective communication. The FR Board members must meet in person at least once a year. A quorum for the FR Board is comprised of two members. Meetings during the reporting period are reflected below.

Date of FR Board meeting	Venue	Attendees
4 November 2021	1 William Street, Brisbane	Mr Bob Gee (Chair), Director-General DAF; Mr Ray Griggs AO, CSC, Secretary, DSS; Mr Noel Pearson, Founder, CYI.
21 April 2022	1 William Street, Brisbane	Mr Bob Gee (Chair), Director-General DAF; Mr Ray Griggs AO, CSC, Secretary, DSS; Mr Noel Pearson, Founder, CYI.

## Executive management

The Commission's EMT is comprised of the Commissioner, the Deputy Commissioner, the Registrar, and the Executive Officer (Finance). The EMT plays a critical role in the corporate governance and service delivery of the Commission by:

- providing value-based leadership whilst being a role model for innovation, teamwork and problem solving
- demonstrating and incorporating high standards of integrity and ethical behaviour
- ensuring transparency and accountability through effective decision-making and communication with employees and service providers
- providing a clear future direction for the Commission and
- providing leadership and direction on:
  - issues relating to the ongoing financial and non-financial operations of the Commission and the performance of its governance structure and
  - the operation, performance and reporting of the Commission regarding its obligations under the FRC Act and other relevant legislation.



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Due to the small size of the Commission, the role of the EMT also encompasses the corporate stewardship functions associated with the Commission’s operational performance. In addition, the EMT oversees the operations of finance, information management, human resources and planning, audit, risk management, systems review and workload and performance management. The EMT met on a regular basis throughout the 2021-22 year.

## Queensland public service values

Customers first	Be courageous
 <ul style="list-style-type: none"> <li>• Know your customers</li> <li>• Deliver what matters</li> <li>• Make decisions with empathy</li> </ul>	 <ul style="list-style-type: none"> <li>• Own your actions, successes and mistakes</li> <li>• Take calculated risks</li> <li>• Act with transparency</li> </ul>
Ideas into action	Empower people
 <ul style="list-style-type: none"> <li>• Challenge the norm and suggest solutions</li> <li>• Encourage and embrace new ideas</li> <li>• Work across boundaries</li> </ul>	 <ul style="list-style-type: none"> <li>• Lead, empower and trust</li> <li>• Play to everyone's strengths</li> <li>• Develop yourself and those around you</li> </ul>
Unleash potential	
 <ul style="list-style-type: none"> <li>• Expect greatness</li> <li>• Lead and set clear expectations</li> <li>• Seek, provide and act on feedback</li> </ul>	

The Commission has structured its operations in accordance with the objects and principles of the FRC Act and the Queensland Public Service Values: customers first, ideas into action, unleash potential, be courageous and empower people. The Commission’s Service Charter pledges the best service we can provide and pledges to work with the Australian and Queensland Governments, stakeholders and clients to deliver outcomes for the welfare reform communities. In doing so the Commission nurtures a spirit of inquiry and innovation. Our Local Commissioners and registry staff know their customers and value the cultural needs and family connectedness of community members. Decisions are made with an understanding of where each client comes from and what has influenced their behaviour. The exercise of authority under the FRC Act is governed by this empathy. The Commissioners are challenging the negative social norms in their communities every day, encouraging clients to cross the boundaries of their inappropriate social behaviours. To do so requires courage from the Local Commissioners and registry staff and from Commission clients.



## Public sector ethics and Code of Conduct

Apart from the Family Responsibilities Commissioner, Deputy Commissioner, and the Local Commissioners – who are appointed by Governor in Council – staff of the Commission are employed under the *Public Service Act 2008*. Employees are made aware of their ongoing responsibilities, duty of care and requirements under the core legislation governing the Commission as published through Commission policies, protocols and guidelines which are readily available to employees on the intranet. Online Fraud and Corruption, Conflict of Interest and Code of Conduct training is included in induction processes for new employees and is completed by all employees on an annual basis. To further assist Commission employees with ethical decision-making and in understanding the Code of Conduct, the Commission has a supplementary policy document titled Workplace Policy. This policy presents a broad framework for ethical behaviour, supports the Code and is consistent with the requirements of the *Public Service Act 2008*, the *Public Sector Ethics Act 1994*, the FRC Act and relevant Public Service Commission (PSC) policies and directives. The Code of Conduct and Workplace Policy are both available in hard copy at all Commission premises.

The Local Registry Coordinators for the communities of Aurukun, Coen, Doomadgee, Hope Vale and Mossman Gorge conduct Code of Conduct training for the Local Commissioners on an annual basis and facilitated Code of Conduct training for the Local Commissioners in the first quarter of this financial year. Aside from the fundamental principles of the Queensland Public Service Code of Conduct which are strictly adhered to, the principles of natural justice, conflict of interest and confidentiality are established and strongly reinforced with Local Commissioners through the Local Commissioners' Handbook and the Local Commissioners' Conference Guidelines. Confidentiality is specifically legislated by section 147 'Preservation of confidentiality' in the FRC Act which stipulates that a Commission member, FR Board member, member of staff or a person engaged by a support service must not record, disclose or use confidential information gained through involvement in the administration of the FRC Act unless for lawful purposes as defined in the section.

Alignment with the ethics principles is further achieved through the Commission's Strategic Plan which incorporates objectives based on enhancing and strengthening socially responsible standards of behaviour both within the registry and in the five welfare reform communities. The Commission's Strategic Plan is under review and is to be informed and finalised following completion of the FRC Future Directions Review commissioned by DSDSATSIP. The FRC Future Directions Review report is expected to be provided to the Minister for Seniors and Disability Services and Aboriginal and Torres Strait Islander Partnerships early in July 2022.

## Human Rights

The *Human Rights Act 2019* came into effect on 1 January 2020. The Act is a framework for the Queensland public sector and places the human rights of individuals at the forefront of government and public sector service delivery. It is therefore clear that as employees in a public entity, and as employers, we must consider the impact of our decisions and actions on the human rights of those we serve.

The Commission is committed to building a culture that respects and promotes human rights. To build upon this commitment, all employees complete annual online training through iLearn, the Learning Management System for DSDSATSIP. In-house training to be delivered by the Queensland Human Rights Commission will be scheduled once the threat and impact of the



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COVID-19 pandemic has been lessened. Training regarding the legislative requirements of the *Human Rights Act 2019* is included as mandatory induction training.

The Commission has reviewed its complaints management policies to incorporate the need to identify and deal appropriately with a human rights complaint in a transparent process. The Commission has adopted the 'receive/assess/consider/resolve/respond/learn/report' methodology to handle human rights complaints. The policy states the Commission will act and make decisions in a way that is compatible with human rights and will properly consider human rights when making decisions regarding complaints. The Commission received no human rights complaints during the reporting period.

## Risk management

The Commission's risk management framework establishes a mechanism to identify, assess and manage real or potential risks. The framework supports a positive risk minimisation and management culture which focuses on:

- strategic risks – risks which present as challenges to the Commission's strategic direction and vision and
- operational risks – risks which present as challenges to the daily activities of the Commission in delivering its services.

In applying the risk management principles, the Commission has a Business Continuity Plan (BCP). The framework of this plan incorporates five key elements: prevention, preparedness, response, recovery and review. The plan states a shared legal responsibility and accountability between, and a commitment by, all employees to implement the BCP. Employees are individually responsible for contributing to the BCP and to the health and safety of others by reporting workplace injury, incidents, illness and hazards. Employees are also responsible for seeking to reduce the vulnerability of the Commission to internal and external events and influences that may impede achieving the goals of the Commission. The BCP commences with an integrated approach to managing all risks that may impact strategic and business objectives and moves to reviewing and re-evaluating identified risks and reporting to the EMT.

## Internal audit

The Commission is a small organisation, and as such a separate audit committee has not been established. Additionally, a specific internal audit function is not required unless directed by the Minister for Seniors and Disability Services and Minister for Aboriginal and Torres Strait Islander Partnerships. Responsibility for audit functions is included as part of the role of the EMT in the corporate governance and service delivery of the Commission.

The Executive Officer (Finance) is responsible for performing internal audits to ensure efficiency and economy of systems and to identify financial, operational and business continuity risks. Audit results are reported to the Commissioner and Registrar to determine whether remedial actions are required and to establish compliance with statutory requirements and best practice.

Throughout the reporting period, the EMT requested periodic audits of the Commission's Customer Relationship Management (CRM) system for quality assurance purposes. These audits were undertaken to assist in maintaining the integrity of our underlying data used for operational and statistical reporting purposes, as well as to ensure continuous improvement in delivering flexible, effective and efficient services.



The results of internal audits undertaken during the reporting period did not identify any significant deficiencies in internal control processes nor any operational or financial risks of a systemic nature that required external remedial action.

## External scrutiny

The Queensland Parliament's Community Support and Services Committee has oversight responsibility for the FRC, as established by Schedule 6 of the Standing Rules and Orders of the Queensland Legislative Assembly (Standing Orders).

Under the Standing Orders (SO194A), the committee's functions with respect to the FRC are to:

- monitor and review the FRC's performance of its functions;
- report to the Assembly on any matter concerning the FRC, its functions or the performance of its functions that the committee considers should be drawn to the Assembly's attention;
- examine each annual report tabled in the Assembly under the FRC Act and, if appropriate, comment on any aspect of the report; and
- report to the Assembly any changes to the functions, structures and procedures of the FRC that the committee considers desirable for the more effective operation of the FRC or of the FRC Act.

The committee does not have the power to reconsider a decision or finding of the FRC. The committee does not act as an appeal body in respect of decisions made by the FRC.

On 22 March 2022, by invitation, Commissioner Williams, Registrar Maxine McLeod and Executive Officer (Finance) Tracey Paterson appeared at a public briefing before the Community Support and Services Committee in Brisbane. The purpose of the briefing was to assist the Committee with its oversight of the functions and performance of the Commission. At the briefing Commissioner Williams provided an update on:

- the shared outcomes achieved with the support of our tripartite partnership and joint Australian and Queensland Government investment, highlighted in the Commission's Annual Report 2020-21 tabled in the Queensland Parliament on 1 February 2022
- the signing of an MoU for continued funding for the FRC to 30 June 2023
- the engagement of a consultant to undertake an independent review to inform the Queensland Government's decision-making on the future of the FRC commissioned by DSDSATSIP – the long history of external scrutiny and independent evaluative assessments of the FRC were outlined for the benefit of the Committee
- the Commission's data management systems, highlighting the limited nature of the system which was not established with the aim of providing accessible client-focused outcomes data, but rather to capture the process orientated functions of the registry showing high quality output, but not a system capable of tracking client data to demonstrate outcomes for individual clients and/or their children
- the relevant law and operational issues impacting the Commission's ability to receive notices from the Children's Court and



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- an exchange of information guideline between the FRC and DET to provide guidance in the principles that apply to information exchange regarding school attendance and enrolment information, and the method to be adopted in the exchange of information.

## Information systems and records governance

The Commission has a service level agreement with the Corporate Administration Agency (CAA) for the provision of information and communication technology services. This agreement ensures that the Commission complies with the *Information Privacy Act 2009*, whilst providing a high level of security and support. All information security implementation complies with the Australian Cyber Security Centre's 'essential eight cyber security strategies' and the Queensland Government Information Security Policy (IS18:2018), where the focus is primarily on the prevention of unauthorised access, non-compliance, leakage, data disclosure and damage caused through malware or virus infiltrations.

The Commission's Information and Communications Technology (ICT) system plays a vital role in supporting employees in the Cairns registry and regional offices. The Commission, in conjunction with CAA, has policies and protocols in place to ensure all employees have a clear understanding of their responsibilities regarding ethical information access, transference, usage and management. These systems capture and retain information, ensure reliable availability, preserve the integrity of information, and provide a high level of security and confidentiality. Commission employees are required to complete annual online information security training in order to protect the integrity of our systems.

Cyber security is paramount to the operations of the Commission staff, clients and stakeholders. To initiate a proactive approach to cyber security as a crucial defence in keeping the Commission's sensitive information safe, the Commission invited CAA to conduct cyber security training for all staff on 3 December 2021. The training assisted to boost the awareness of staff by informing on current cyber security trends and building the capability and resilience of the Commission against malicious cyber security threats.

The COVID-19 pandemic has changed the way people work around the world and accelerated digital adoption and transformation. The Commission has adapted to incorporate more flexible and resilient systems and processes to support staff working and collaborating remotely. Information security is paramount and was carefully considered through this implementation.

Various projects were undertaken by our ICT Administrator during the reporting period.

- Substantial additions and alterations were required to the Commission's CRM database to implement and support the functioning of the new ICM framework (see page 64 for details).
- Enhancement of the ICT system was undertaken to incorporate new end point management software. End point software improves real-time visibility and compliance of ICT devices within the Commission's network, whilst also migrating parts of the Commission's network to the Queensland Government Network. The migration will increase reliability and speed of access to support the delivery of services.
- Considerable data compilation and analysis was undertaken and reported in the Commission's submission titled '*The FRC: A Model of Self-Determination*' to the reviewer Abt Associates, engaged by DSDSATSIP to undertake the FRC Future Directions Review.

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The Commission can report that no breaches of information security have occurred to date, and no records have been lost due to disaster or other occurrences.

The Commission complies with recordkeeping practices in accordance with section 141 of the FRC Act, the *Public Records Act 2002* and sections 7, 22 and 23 of the *Financial and Performance Management Standard 2019*. Approximately 90 percent of Commission records are held in digital format.

As the Commission has been dependent upon funding commitments from the Queensland and Australian Governments on an annual basis, only those records which are identified as falling within section 141 of the FRC Act are destroyed. All other public records have been retained. No records have yet been transferred to the Queensland State Archives.

## Workforce profile

At 30 June 2022 the Commission had an employee establishment of 18 positions occupied by 16.9 full-time equivalent (FTE) staff members, and a permanent separation rate of 0 percent.

The Commission also employs Indigenous Local Commissioners on a fee for service basis under the remuneration procedures for part-time chairs and members of Queensland Government Bodies. On 30 May 2022, the Commission received advice from the Minister for Seniors and Disability Services and Minister for Aboriginal and Torres Strait Islander Partnerships that, in accordance with the FRC Act, 12 new Local Commissioners had been appointed by the Governor in Council effective from 5 May 2022. These new Local Commissioners will commence induction and training early in the 2022-23 financial year, bringing the total number of Local Commissioners as at 30 June 2022 to 38.

The Commission also employs a Deputy Commissioner who is engaged subject to a delegation from the FRC Commissioner to perform her functions under section 24 of the FRC Act as needed. The Deputy Commissioner is paid at an hourly rate commensurate with that of a Magistrate under the *Judicial Remuneration Act 2007* and may act as the Commissioner (if appointed under section 25 of the FRC Act) if the Commissioner is not available to perform the Commissioner's functions, or there is a vacancy in the office of the Commissioner. The figures in the workforce profile table are based on the public servant workforce profile of the Commission, including the FRC Commissioner as CEO, but excluding the Local Commissioners and Deputy Commissioner.

Workforce profile data	FTE
Total FTE for the Family Responsibilities Commission	16.9



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Target group data is reflected below.

Equality of Employment Opportunity (EEO) groups	Number (Headcount)	Percentage of total workforce (Calculated on headcount)
Women	15	83.33
Women in leadership roles	<5	11.11
Aboriginal Peoples and Torres Strait Islander Peoples	<5	16.67
People with disability	0	0
Culturally and Linguistically Diverse – Born overseas in a mainly non-English speaking country	<5	11.11
Culturally and Linguistically Diverse – Speak a language at home other than English including ATSI/ASSI languages	<5	11.11
Gender	Number (Headcount)	Percentage of total workforce (Calculated on headcount)
Man	<5	16.67
Woman	15	83.33
Non-binary	0	0

The Commission conducts all recruitment and selection processes in accordance with the requirements of the *Public Service Act 2008* and relevant PSC policies and directives. New employees are welcomed through the Commission's online induction process which provides information regarding the Commission and links to all human resource policies. Each is mentored by a staff member to assist them to become familiar with the Commission and what is expected of them in their role.

The Commission is committed to both maximising permanent employment as reflected in the *State Government Entities Certified Agreement 2019* and PSC Directive 09/20 Fixed term temporary employment, and maximising employment security as reflected in the whole of government Employment Security Policy. As a result, effective from 1 July 2021 three employees were transitioned to tenured positions from fixed term temporary contracts having met the required criteria of PSC Directive 09/20.

During the period 1 July 2021 to 30 June 2022 no redundancy, early retirement or retrenchment packages were paid.



## Performance management

To facilitate employee development, each manager is instructed to enter into a Performance and Development Agreement with the employees in their team. The Performance and Development Agreement is linked to the Commission's strategic objectives and forms part of a broad system of human resource management processes including induction and compulsory online training. The agreement sets out identified learning activities, supports the development of competencies, professional skills and personal attributes, and is designed to identify and record knowledge and skills gaps together with learning objectives.

## Flexible working arrangements and wellbeing

The Commission promotes policies and activities to support a healthy work-life balance. Flexible work arrangements are actively accessed, and employees are provided the opportunity to work from home where appropriate. Part-time or job share work opportunities exist, and hours of work arrangements including the opportunity for purchased leave are available. These flexible arrangements are also offered to assist in balancing work and carer roles where required. Employees are encouraged to use their annual leave.

To prevent the onset of desk-related neck, back, shoulder, elbow and wrist injuries, and to manage symptoms which may already exist, the Commission offers employees access to ergonomic specialist services.

Employees across the public service contributed to the COVID-19 pandemic response in a range of different ways. Commission employees contributed to this effort by continuing to deliver essential services. The Commission continued to focus on ensuring the health and safety of its employees by maintaining compliance with the directions of the State Chief Health Officer and by drafting a COVID-19 policy and safety plan in March of this reporting period. The policy outlines the general health and safety responsibilities of Commission managers, employees and other people at the workplace in relation to the COVID-19 pandemic. Employers have a duty under the model Work Health and Safety (WHS) laws to minimise the risks of COVID-19 in the workplace. Employers also have a duty to consult workers regarding COVID-19 risks and how these risks are to be managed. To meet this expectation and to minimise risks of COVID-19 in the workplace, the Commission has:

- undertaken a risk assessment of the current COVID-19 threat to employees, the safety measures implemented, and effectiveness of current control measures
- provided information and Directions from the Queensland Government to employees in regard to how to manage the risk of COVID-19 in the workplace to ensure the health and safety of employees at work and others interacting with employees in the course of their work
- consulted with staff to determine their views to inform the Commission's COVID-19 policy and safety plan and how to best support employees in the current COVID-19 environment and any possible future pandemic scenarios which may develop.



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In order to develop a comprehensive WHS management system in regard to COVID-19 the Commission has:

- established a written policy which meets best practice criteria
- established a process for effective consultation on WHS issues
- ensured that employees are informed in regard to leave provisions available in the event of a COVID-19 infection, and or the need to isolate due to Government directives
- established a risk register to inform on the potential impact of COVID-19 on Commission operations and employee health
- delegated a staff member to ensure legislative changes are complied with, managers are informed on WHS issues and consultation mechanisms are working and effective and
- established a system to review the effectiveness of the COVID-19 WHS management system on a regular basis for continuous improvement.

## Professional development

The Commission is committed to providing professional development to the Local Commissioners on an ongoing basis to ensure it actively works to restore local authority by:

- assisting the Local Commissioners to enhance and expand upon relationships with other Indigenous organisations, service providers, government departments and agencies
- assisting the Local Commissioners with the delivery of training modules on statutory interpretation and applying a decision-making framework consistent with the FRC Act
- conducting a training week during which the Local Commissioners received professional training in motivational interviewing techniques to assist clients to make positive behavioural change, information from experts in criminology and criminal justice studies addressing the over representation of Indigenous young people in the juvenile justice system and the problem of youth crime in North Queensland, and the impact of domestic and family violence on the community together with a review of the types of support services needed to address what is an increasing social problem
- conducting round table discussions to set strategic priorities, analyse unique challenges and develop a vision for the future
- conducting a review of operations via individual community dashboards through which statistics are presented and analysed, key performance indicators are set and assessed, and goals refreshed.

The broader focus of the Commission's professional development program for employees is on:

- promoting skills development, career enhancement, and supporting a culture of ongoing learning through participation in internal workshops
- on-the-job training and courses conducted by specialist external training providers
- ongoing in-house training delivered by the Commissioner on statutory interpretation and application of the FRC Act to registry practices and procedures

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- building a resilient workforce by providing online courses in Ethical Decision-Making, leadership and people management skills, Recognise, Respond, Refer – Domestic and Family Violence, Fraud and Corruption Control, Information Privacy, Conflict of Interest, Human Rights Act Public Entities Decision Making (online), Phishing – Information Security Awareness and Finance and Procurement Fundamentals
- promoting cultural capacity by providing Aboriginal and Torres Strait Islander Cultural Awareness training upon induction
- facilitating visits to welfare reform communities for new employees to increase their awareness of each unique community and enhance their understanding of the conferencing environment
- providing flexible work practices to enable employees to study whilst continuing to meet operational and client needs
- providing financial assistance and leave arrangements under the Commission's Study and Research Assistance Scheme.

In line with the above strategies and practices, employees are offered backfill roles in higher duty positions where available in order to ensure continuity of work processes, mitigate downtime, minimise disruption to workflows and enhance employee retention. Backfilling and cross-training safeguards employee expertise and corporate knowledge, whilst maximising succession planning.

During 2021-22 employee professional development, training, and workshops cost \$14,152 excluding travel costs. This investment provides a platform for the Commission to foster the development of new skills, monitor, evaluate and improve business processes and improve service delivery. Unfortunately, inhouse leadership training plans continued to be affected by COVID-19 safety limitations during this reporting period.

## Publication of information online

For information regarding right to information and information privacy refer to the Right to Information section on the Commission website. For Indigenous matters and complaints management, refer to the Additional Published Information under Right to Information on the Commission's website at <https://www.frcq.org.au>. For consultancies and overseas travel, refer to the Queensland Government Open Data website at <https://data.qld.gov.au>.

## Publications by the Commission during 2021-22

1. Annual Report 2020-2021
2. Quarterly Reports 52 - 55 (April 2021 to March 2022)

All publications are available on the FRC's website: <https://www.frcq.org.au>.