

How the Ombudsman audits agencies that provide services for children

Why does the Ombudsman audit agencies?

Under s.25B of the *Ombudsman Act 1974*, the Ombudsman is required to keep under scrutiny the systems that agencies have in place for preventing reportable conduct, as well as the systems for handling and responding to reportable allegations, (including allegations which are exempt from notification), and convictions, involving employees of designated government or non-government agencies, or other public authorities. Audits are one way for the Ombudsman to review such systems. Audits of agencies may be conducted independently of the investigation and monitoring role of the Ombudsman.

The purpose of an audit is to assist an agency to improve its systems and practices for providing safe environments for children in its care. It is also to identify and promote good practice across agencies. The Ombudsman does this by assessing the policies and practices within an agency, and providing it with advice about the good practices we identify and areas for improvement.

What happens during an audit?

When auditing the child protection systems of designated agencies and public authorities, the Ombudsman will request information from the head of agency about those systems and how they operate. Ombudsman staff will review relevant agency documentation (such as codes of conduct, policies, and procedures). We review our history of contact with the agency, and also obtain information for the audit from other agencies and online sources. We usually visit an agency during the audit, and speak with its staff and sometimes its clients, as well as conducting other onsite reviews of agency records and program areas.

We give agencies advance notice about our intention to audit, including the proposed visit and an outline of the audit process. The audit usually consists of three stages:

1. Review of the agency prior to site visit

Before we visit an agency, we usually review its website for information about its roles and responsibilities regarding children. We also review our previous contact with the agency, including any history of notifications, complaints and enquiries.

We ask agencies to provide us with certain policies to review, including its:

- child protection policy (including procedures for responding to allegations of a child protection nature against employees)
- critical incidents reporting policy
- behaviour management policy and/or student discipline policy
- complaint handling and grievance management policies
- code/s of conduct for staff
- IT and staff use of electronic equipment policy
- staff induction policy, and
- staff discipline or dismissal policy.

Note: If the agency does not have these documents or policies at the time of our request, it is not required that the agency develop them in order to comply with the request.

2. Visit to the agency

We generally meet first with the head of agency and other key management staff to explain the Ombudsman's child protection role and the audit process. We will respond to any issues that management may wish to discuss. We then meet with other agency staff to explain the audit process and answer any questions about the role of the Ombudsman and the purpose of our reviews.

Where appropriate, we may invite clients, parents or carers to talk to us. These voluntary interviews enable us to assess how the agency puts its policies and procedures into practice, how effective they are and whether there are any areas that could be improved to ensure that children are protected in the workplace. Staff, parents and clients are often in the best position to know what works well in an agency, and to identify what can be improved. In some cases, we may also talk to children and young people who use the service, particularly about their understanding of how to raise concerns and what supports are in place for them.

In the interviews we ask questions about:

- the agency's practices for providing safe environments for children in its care, particularly its approach to prevention
- policies and procedures for recording and responding to allegations of a child protection nature against employees
- the support provided for the employee and the child/ren who have been involved in the investigation of an allegation
- behaviour management strategies, and
- staff recruitment, development and training.

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Information about the Ombudsman's role and relevant legislation is provided during the interviews. The site visit is also an opportunity for staff to raise any concerns or questions with us. In addition, we are available to answer any questions staff may have at any stage during the audit process.

During the site visit we also review case files and how the agency handles documentation and record-keeping. Sometimes we request further information to assist us during our visit.

3. Written feedback to the agency

Feedback to the agency is an ongoing process. At the end of a visit, we discuss our provisional findings and propose some initial recommendations with the head of agency and/or other senior managers. We then provide the agency with a report detailing the provisional findings and provisional recommendations, and invite it to comment. After considering any comments or amendments made by the agency, we provide the head of the agency with a final report. This details our findings, highlighting good practice and any areas that could be improved. It may also include a number of recommendations for the agency to implement.

In addition to identifying an agency's individual strengths and weaknesses, audits can identify issues across agencies or sectors. Depending on whether we have issued recommendations, the Ombudsman usually commences a period of monitoring compliance to ensure that the agency implements the recommendations.

We sometimes provide advice about the outcomes of our audits to other regulatory bodies, such as the Office of the Children's Guardian.

Contacting us

We are always keen to improve the way we work with agencies and welcome feedback about what worked well in an audit as well as suggestions for improvements or changes we could make. For more information, please refer to the Ombudsman's website at www.ombo.nsw.gov.au.

Contact us for more information

Our business hours are: Monday to Friday, 9am–5pm (*Inquiries section closes at 4pm*).

If you wish to visit us, we prefer you make an appointment. Please call us first to ensure your complaint is within our jurisdiction and our staff are available to see you.

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Telephone Interpreter Service (TIS): 131 450

We can arrange an interpreter through TIS or you can contact TIS yourself before speaking to us.

