

Department of Health and Human Services Tasmania
Commissioner for Children and Young People
Information Package

August 2017

Title: Commissioner for Children and Young People (511783)

Location: Hobart

Job Status: Five year, Fixed-term Contract

Remuneration: Salary Range \$179,691 to \$197,658 plus 9.25% super, plus car. Access to a special salary point may be negotiated commensurate with the skills and experience of the successful applicant.

RATIONALE FOR THE ROLE

The Commissioner for Children and Young People provides a voice for children and young people in Tasmania about the matters that are important to them, and advocates for respect of their rights, particularly for those who are most vulnerable.

The Commissioner's role provides a voice for children and young people, to communicate and advocate across very diverse sectors of government and non-government, and have influence at executive level on legislation, policies and programs.

The Commissioner for Children and Young People is a central part of the Tasmanian Government's commitment to ensuring that all children have every opportunity to be healthy, happy and well-educated in order to grow, thrive, live, work and raise their own families in Tasmania.

RECENT STRENGTHENING OF COMMISSIONER'S ROLE

Arising from a review of advocacy services for Tasmanian children and young people in 2013, significant reforms were recommended for the role and governance of the Commissioner for Children and Young People. The Advocacy for Children in Tasmania Committee Report is available [here](http://www.dhhs.tas.gov.au) at www.dhhs.tas.gov.au.

The *Commissioner for Children and Young People Act 2016* reflects one of the recommendations arising from the ACTC's Report; that is for the Commissioner to provide a greater oversight role.

The legislation has increased the independence of the Commissioner for Children and Young People by having the statutory position report to the Parliament, rather than the Minister, and lengthening the period of appointment to up to five years.

The Commissioner is now also able to undertake own motion inquiries, with significant discretion in how inquiries are conducted, including the use of public hearings and calls for submissions. The Commissioner also produces an Annual Report for tabling in Parliament.

The functions of the Commissioner have also been clarified in relation to the *Youth Justice Act 1997* so that the Commissioner for Children and Young People can act as an advocate for detainees and the systemic needs of young people in detention; whilst allowing the Ombudsman to deal with individual complaints and concerns.

I. Statutory Functions

The statutory role of the Commissioner is focused, first and foremost, on the wellbeing and best interests of children and young people. The Act also recognises the United Nations Convention on the Rights of the Child as a guiding principle. The functions of the Commissioner for Children and Young People are currently established and set out under section 8 to section 13 of the [Commissioner for Children and Young People Act 2016](#) (the Act).

In accordance with the Act, the Commissioner currently has the following functions:

- *Systemic advocacy for children in Tasmania;*
- *Advocating for detainees under the Youth Justice Act 1997;*
- *Researching, investigating and influencing policy development into matters relating to children and young people generally;*
- *Only if requested to do so by the Minister, the Commissioner can investigate some matters relating to the circumstances of individual children.*
- *Promoting, monitoring and reviewing the wellbeing of children and young people generally;*
- *Promoting and empowering the participation of children and young people in the making of decisions, or the expressing of opinions on matters, that may affect their lives;*
- *Assisting in ensuring the State satisfies its national and international obligations in respect of children and young people generally;*
- *Encouraging and promoting the establishment by organisations of appropriate and accessible mechanisms for the participation of children and young people in matters that may affect them;*
- *The Commissioner can undertake their own motion enquiries relevant to the functions of the position and can share information with other statutory offices, such as the Ombudsman, Tasmania Police, Integrity Commission and the Anti-Discrimination Commissioner.*
- *The power to Report publicly on the wellbeing of children and young people in the State.*

2. Primary Tasks

Undertake the functions of Commissioner in accordance with section 8 to section 13 of the [Commissioner for Children and Young People Act 2016](#)

- Understand and support the development of an integrated range of advocacy services for children and young people within and between the domains of government and non-government services.
- Monitor and comment on the effectiveness and availability of advocacy services relating to children.

- Establish and maintain the Children and Young Persons Advisory Council, the Children and Young Persons Consultative Council and any other appropriate committees, to assist the Commissioner in the performance and exercise of his or her functions and powers under the Act, or any other Act.
- Provide independent advocacy for children and young people in the public arena.
- Within 3 months after the end of the financial year, provide a report on the performance and exercise of the Commissioner's functions and powers during that financial year to the Minister and the Secretary, for tabling before each House of Parliament.
- Encourage the development, within Government and non-Government agencies, of policies and services designed to promote the health, welfare, care, protection and development of children.
- If requested to do so by the Minister, investigate matters relating to the circumstances of individual children.
- Encourage the development of priorities in research and publications related to the health, welfare, care, protection and development of children.
- Provide a research base for and advice to Government on policies and practices important for the wellbeing of children and young people, based on sound evidence.
- Provide well researched public commentary aimed at raising the profile of children and young people that identifies the matters impacting their wellbeing.
- Maintain an awareness of international and national instruments, policies and developments concerning the health and wellbeing and rights of children.
- Manage the human, financial and physical resources assigned to the Commissioner.

Anticipated Outcomes

The Commissioner for Children and Young People, in partnership with Government, government agencies and the community sector, plays a key role in strengthening the voice of Tasmanian children and young people, and in the improvement of outcomes for their safety and wellbeing.

Some of the outcomes identified which will be achieved through this role include:

- Establishing effective communication and participation mechanisms for children and young people to enable their participation in broader government policy discussions.
- Assessing any gaps in availability or accessibility of advocacy services.
- Strengthening collaboration with the Office of the Ombudsman, ensuring systemic issues facing young people, including those in out of home care and youth detention, are known and can be effectively monitored.
- Ensuring complaints mechanisms are accessible to children and young people and their families.

- Enhancing the achievement of systemic advocacy through access to relevant data, enabling the functions of evidence-based advocacy.
- Facilitating the understanding of the profile of needs and the status of children and young people.
- Establishing strong relationships at high levels of government in order to have an influence in relevant forums.
- Delivering on negotiated outcomes with government across a range of activities within the portfolio.
- Working in partnership with Government, departments and other stakeholders in strengthening the role of the Commissioner for Children across a number of proposed areas for development.

4. Pre-employment Conditions

Note: Registration/licences that are essential requirements of this role must remain current and valid at all times whilst in this role and the status of these may be checked at any time during employment. It is the employee's responsibility to ensure that registration/licences remain current and to advise the Employer if their circumstances change. This includes notifying the Employer of any new criminal convictions and/or if a registration/licence is revoked, cancelled or has its conditions altered.

Essential Requirements:

Current Tasmanian Working with Children Registration

Pre-Employment Checks:

The person nominated for this position is to satisfy pre-employment checks before taking up the appointment, promotion or transfer. The following checks are to be conducted:

- Conviction checks in the following areas:
 1. Crimes of Violence
 2. Sex Related Offences
 3. Serious Drug Offences
 4. Crimes Involving Dishonesty
- Identification checks
- Disciplinary action in previous employment check

5. Further Information

Further information regarding the Office and role of the Commissioner for Children and Young People can be accessed on the Commissioner's website at: www.childcomm.tas.gov.au

6. Selection Criteria:

In considering a nomination for the office of Commissioner for Children and Young People, the Minister for Human Services will take account of the demonstrated skills, experience and commitment of the nominee to children and young people, including relevant tertiary or professional qualifications.

It is therefore suggested that the following criteria provides a guide to any prospective applicant in writing an application for the position.

1. An extensive and demonstrated professional involvement with, and an understanding and sensitivity to the health and wellbeing, needs and desires, of children and young people, particularly vulnerable children and young people.
2. High level communication and interpersonal skills including the ability to negotiate, consult and resolve conflict over complex personal, interpersonal and organisational issues with children, young people and their families, and with a diverse range of community and government representatives, demonstrating political impartiality, and an understanding of the balance and sensitivity required in engaging with multiple stakeholders, including children and young people, government, and the broader community.
3. Demonstrated high level knowledge of, and commitment to, the rights of children, young people and their families, advocacy practice and the principles of empowerment.
4. High level discretion and credibility in managing highly confidential and sensitive issues and materials; in establishing priorities, researching and analysing complex issues; and in speaking publicly and providing leadership to issues on the basis of evidence.
5. Demonstrated high level knowledge of state and federal legislation pertaining to children and young people.
6. An outcomes focus with a demonstrated high level ability to work in partnership with government to manage change, and achieve positive results, with state-wide impact in an environment of competing priorities and fiscal challenges.
7. Sophisticated knowledge of, and experience in, government processes and procedures, particularly regarding policy development, policy analysis and evaluation of service quality.

Working Environment:

The Tasmanian State Service values and encourages diversity at all levels of employment, and flexible & contemporary working arrangements are offered to support this.

The Department of Health and Human Services (DHHS) is committed to improving the health and wellbeing of patients, clients and the Tasmanian community through a sustainable, high quality and safe health and human services system, and values leading with purpose, being creative and innovative, acting with integrity, being accountable and being collegial. Officers and employees of the Department of Health and Human Services are responsible and accountable for making proper records. Confidentiality must be maintained at all times and information must not be accessed or destroyed without proper authority. DHHS is a smoke free work environment. Smoking is prohibited in all State Government workplaces including vehicles and vessels.

Any Questions?

If you wish to discuss any aspect of the process or the position, please contact Michael Pervan, Secretary, Department of Health and Human Services, on 6166 3530 or at michael.pervan@dhhs.tas.gov.au

How to apply:

To apply, please provide a copy of your CV with two referees and a one page summary outlining why you are the best person for the job.

Online applications are preferred and you can apply online at www.jobs.tas.gov.au (if you apply online you do not need to send a hard copy application as well and you do not need to upload an Application for Employment form.)

- OR -

Complete the Application for Employment form and post your application to us at:

Recruitment Services - Human Resources

Department of Health and Human Services

GPO Box 125

HOBART TAS 7001

Closing Date for Applications:

Applications close at midnight on Sunday 10th September 2017.

The appointment will be for a five year term.