

# Aboriginal Outcomes Strategy focus area 2 (out-of-home care) – were the targets achieved?

A special report under Section 31 of the *Ombudsman Act 1974*.

28 February 2023

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President  
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SYDNEY NSW 2000

The Hon. Jonathan O’Dea MP  
Speaker  
Legislative Assembly  
Parliament House  
SYDNEY NSW 2000

Dear Mr President and Mr Speaker

Pursuant to section 31 of the *Ombudsman Act 1974*, I am providing you with a report titled *Aboriginal Outcomes Strategy focus area 2 (out-of-home care) – were the targets achieved?*

I draw your attention to the provision of s 31AA of the *Ombudsman Act 1974* in relation to the tabling of this report and request that you make the report public forthwith.

Yours sincerely



Paul Miller  
**NSW Ombudsman**

28 February 2023



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## Foreword

In 2017, the NSW Department of Family & Community Services (now the Department of Communities & Justice (DCJ)) launched a new Aboriginal Outcomes Strategy 2017-2021 (AOS).

The strategy aimed to improve outcomes for Aboriginal people in New South Wales in five areas, including a goal to reduce the long-term and continued over-representation of Aboriginal children in out-of-home care (OOHC).

In this report, we do not examine whether the AOS strategy was a good strategy, whether its goal or targets were appropriate, or what DCJ should have done in seeking to meet those targets and reach its goal.

Rather, our concern has been the failure of DCJ itself to report transparently on what it did to implement the strategy, and its failure to publicly report on the outcomes of the AOS, including whether and the extent to which the OOHC goal and its four associated targets were achieved.

It was apparent to us that at some point within its five-year timeframe, DCJ effectively abandoned the AOS. DCJ did not report on what had been achieved by the AOS in the time it was operating, and nor did it announce that the strategy was being abandoned or why.

In the absence of such reporting by the department itself, we set out to independently assess and report on what was done to achieve the AOS's goal of reducing Aboriginal over-representation in OOHC, and the extent to which the targets were achieved. We have relied primarily on data we have sourced from DCJ itself.

As our report shows, the AOS did not achieve its goal of reducing Aboriginal over-representation in OOHC.

Agencies should not be criticised for setting ambitious but realistic targets. Nor should they necessarily be criticised even if they do not fully achieve those targets, provided the targets genuinely prompt and guide appropriate action, and where there is significant progress made toward them.

However, when a strategy is launched and targets are set, at the very least the strategy should be delivered with appropriate governance and reporting against those targets.

When we gave our draft report to DCJ, DCJ responded by noting a range of other "competing" strategies and plans that had been developed to reduce the over-representation of Aboriginal children in child protection. We have attached DCJ's statement to this report.

Even if DCJ considered that the AOS had been superseded by various other strategies and plans, any decision to abandon the AOS in favour of those other strategies and plans should have been made explicitly and transparently.

# 1. Executive summary

In 2017 the NSW Government launched a strategy that aimed to improve outcomes for Aboriginal people, in five areas. These were:

1. Increase access to early intervention for Aboriginal families.
2. **Reduce the over-representation of Aboriginal children and young people<sup>1</sup> in out-of-home care.**
3. Improve economic and social outcomes for Aboriginal social housing clients.
4. Increase the number of Aboriginal staff in FACS<sup>2</sup>.
5. Increase engagement with disability services.

As part of the Ombudsman's monitoring of the child protection system, we reviewed the second goal to reduce the over-representation of Aboriginal children and young people in out-of-home care (OOHC).

To achieve that goal, the *Aboriginal Outcomes Strategy 2017 to 2021* (AOS)<sup>3</sup> set four targets:

1. 10% reduction in the number of Aboriginal children in OOHC by 30 June 2020.
2. Over 5 years, reduce the number of Aboriginal children entering OOHC by 20%.
3. Over 5 years, transition 1,200 Aboriginal children from OOHC to guardianship orders.
4. Over 5 years, restore 1,500 Aboriginal children from OOHC to their families.

This report is about how the AOS was implemented and whether it achieved its OOHC targets. Two of those targets were expressed as a percentage of Aboriginal children in and entering OOHC (1 and 2) and two as the number of Aboriginal children leaving OOHC (3 and 4). This report considers results for both measures.

We also take account of information about the rate of Aboriginal children in OOHC, that is the number of these children in OOHC per 1,000 Aboriginal children aged 0-17 in NSW. We also have considered changes during the AOS in the proportion of Aboriginal children in OOHC relative to non-Aboriginal children in OOHC.

## The starting point and baselines

As of 30 June 2017, the total number of children in OOHC was 17,803. Aboriginal children comprised 38.4% of that total (6,839 children)<sup>4</sup>.

- 
1. Section 3 of the *Children and Young Persons (Care and Protection) Act 1998* defines a child as a person who is under the age of 16 and young person as a person who is aged 16 years or above but who is under the age of 18. For simplicity in this report, we use the term "children" to refer generally to people aged 0 to 17.
  2. FACS – the former Department of Family and Community Services, replaced by the Department of Communities and Justice (DCJ) in 2019.
  3. At the time of providing our draft report to DCJ, the AOS was available on the DCJ website. At the time of tabling this report in Parliament, the AOS was no longer available on DCJ's website. A copy of the website version of the document is at Appendix 2.
  4. In 2017-18, the national counting rules for children entering and in OOHC changed. The main change is that the national rules exclude certain placement types, including supported accommodation, youth justice centres, boarding schools, hospitals, children who have self-restored to their family, or are absent and unable to be located. The result of recalculation is therefore a decrease in the number of children in OOHC. This change meant that data reported for 2016-17 and previous years was not directly comparable to data for 2017-18 onwards. To account for this, DCJ gave us adjusted data. We use this adjusted data throughout the report. The effect of this adjustment was that the target 1 baseline changed from 7,152 to 6,839 Aboriginal children in OOHC and the target 2 baseline changed from 1,058 to 1,133 Aboriginal children entering OOHC.

The starting points for the AOS baselines for each of the OOHC targets were:

- 6,839 Aboriginal children were in OOHC as of 30 June 2017
- 1,133 Aboriginal children entered care in 2016-17
- 103 Aboriginal children were transitioned to guardianship orders in 2016-17
- 256 Aboriginal children were restored to their families in 2016-17.

### **The goal, targets, and timeframes**

The OOHC focus of the AOS was based on one overarching goal, to reduce the over-representation of Aboriginal children in OOHC. While it set four sub-targets, the strategy did not set any overall target for the goal. Nor did the AOS explain how the sub-targets had been determined.

The AOS timeframes were unclear. Apart from Target 1 (to reduce the Aboriginal OOHC population), the strategy was stated to run for “5 years” and from “2017 to 2021”. However, the AOS used financial year baselines (year ending 30 June 2017), which would suggest that the “five year” targets should have ended in June 2022.<sup>5</sup>

The AOS did not explain why it used a three-year period for Target 1.

### **AOS implementation and progress tracking**

We found that much of what was planned did not occur. Executive monitoring and quarterly progress reports ceased in mid-2019, well before the end of the strategy. Less than half the districts put in place required local plans, while some other districts did not know about the requirement.

Two of three planned evaluations of the AOS were not done.

### **Public reporting**

Although DCJ publishes some information relating to the targets in its annual statistical reports, there has been no public reporting about the results of the AOS for Aboriginal children in OOHC. This is despite plans for an annual stocktake to be released publicly on delivery of the AOS and achievement of targets.<sup>6</sup> The department’s annual reports for 2017-18 and 2018-19 referred briefly to the AOS as a reform initiative but provided no detail or progress reporting. Subsequent years’ annual reports did not report on or even refer to the AOS.

### **Results of the AOS**

The AOS did not define a specific measure and target for its overarching goal of reducing the over-representation of Aboriginal children in OOHC. It is evident that, on any reasonable measure, the goal was not achieved.

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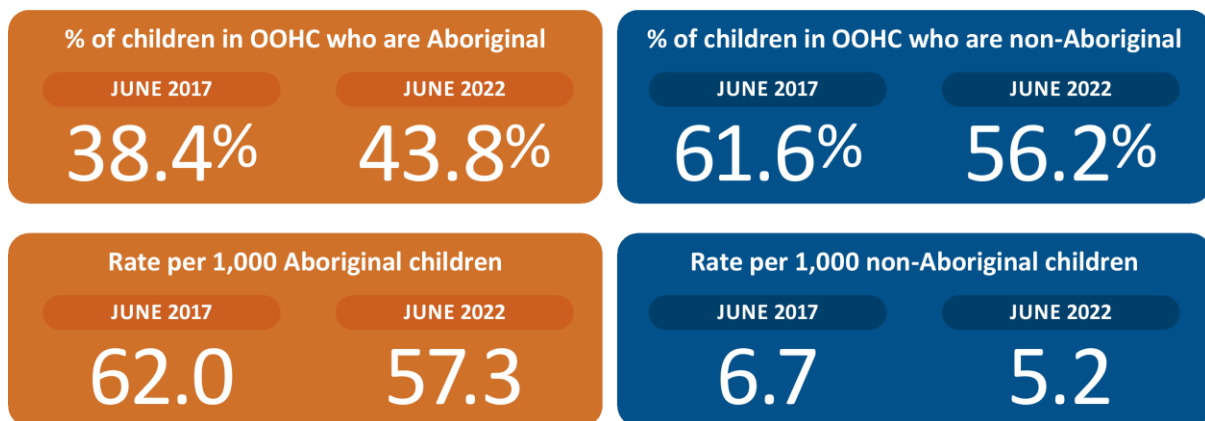
5. In this report, we have assumed that the end date for the five-year targets is 30 June 2022. However, given the ambiguity, we also considered whether the targets would have been met had the end date been 30 June 2021. As explained below, the targets were not met irrespective of which date is chosen, although one target was almost met.

6. The Department of Communities and Justice annual statistical reports include data on children entering and in OOHC, exits to guardianship and restorations. See for example [Statistical Report 2020-21 | Family & Community Services \(nsw.gov.au\)](#) This data is not available for all years and does not track achievements against the AOS OOHC targets.

The proportion of children in OOHC who are Aboriginal increased during the AOS period from 38.4% to 43.8%.<sup>7</sup>

The rate of Aboriginal children in OOHC reduced slightly, from 62.0 to 57.3 per 1,000 Aboriginal children. However, in terms of over-representation, there was a proportionately greater reduction in the rate of non-Aboriginal children in OOHC (from 6.7 to 5.2 per 1,000 non-Aboriginal children).

While the ‘gap’ between those rates nominally declined from 55.3 in 2017 to 52.1 in 2022, the **rate ratio** worsened. In 2017, Aboriginal children were 9.3 times more likely to be in OOHC than non-Aboriginal children; by 2022, Aboriginal children were 11 times more likely to be in OOHC than non-Aboriginal children.<sup>8</sup>



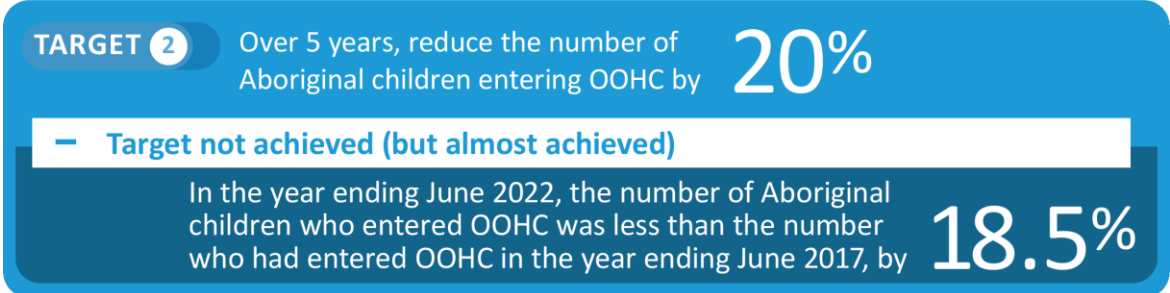
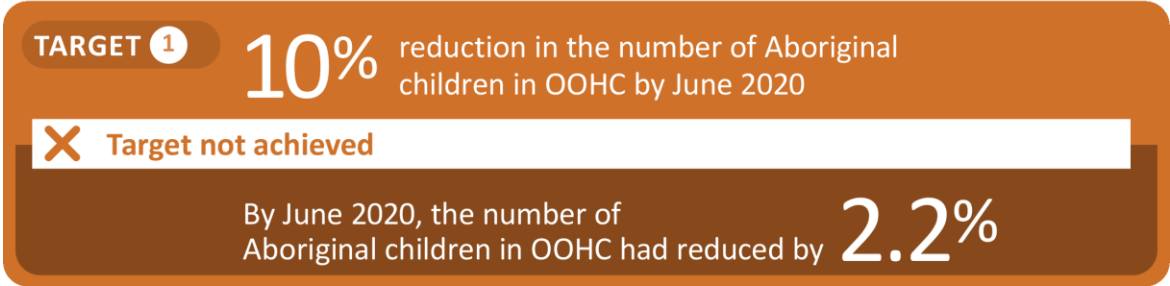
As to the four individual targets, none were achieved.

There was some progress toward each target and DCJ came close to achieving target 2 – with the number of Aboriginal children entering OOHC in 2022 lower by 18.5% than the number of Aboriginal children who entered OOHC in 2017, just short of the 20% target. For non-Aboriginal children, the number entering OOHC in 2022 was 38.9% lower than in 2017.

7. The proportion of all children in NSW who were Aboriginal also increased between 2017 and 2022 (from 6.3% to 6.5%). Even when that population change is taken into account, the **disproportionality ratio** (calculated by dividing the proportion of children in OOHC who are Aboriginal, by the proportion of all children in the population who are Aboriginal) shows an increase during the AOS period (from 6.1 to 6.7).

8. 55.3 gap between the rates (62.0-6.7) in 2017 to 52.1 gap between the rates (that is, 57.3-5.2) in 2022





**Submission by the Department of Communities and Justice**

We gave the Department (DCJ) a draft version of this report for comment. We considered its comments when finalising this report.

**Conclusion**

The AOS did not achieve its OOHC targets. While there was a small reduction in the rate of Aboriginal children in OOHC per 1,000 Aboriginal children in the population, Aboriginal children remain highly over-represented in OOHC. It appears that DCJ effectively abandoned the AOS at some point, without

either reporting on what it had or had not achieved and without announcing it had been abandoned (and if so why).

DCJ's statement in response to this report is set out in Appendix 1.

DCJ says that it remains committed to reducing the over-representation of Aboriginal children and young people in OOHC, and has strategies, projects, and programs in place to demonstrate this commitment, including via the current Closing the Gap target.<sup>9</sup> DCJ also says that governance, data analysis, performance measures and regular reporting ensure Closing the Gap and other initiatives are being tracked and monitored for achievement against this target.

DCJ also advised that COVID-19 impacted service delivery, particularly in relation to restoration and guardianship activities relating to targets 3 and 4, and that there was an indirect impact on target 1 (number of Aboriginal children in OOHC).

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9. Closing the Gap Socio-economic target 12: By 2031, reduce the rate of over-representation of Aboriginal and Torres Strait Islander children in out-of-home care by 45 per cent, [Closing the Gap targets and outcomes](#) | [Closing the Gap](#)

## 2. Introduction

### 2.1 The Aboriginal Outcomes Strategy (AOS)

The AOS was a five-year strategy (2017-2021). There is currently no public information about when it was launched or announced.

The AOS<sup>10</sup> outlined what it called a “bold new approach for delivering quality outcomes for Aboriginal people over the next five years”, an approach it said was:

“[...] focussed on reversing the poor outcomes experienced by Aboriginal clients by setting clear expectations and specifying priorities, goals, targets, timeframes and accountability to provide a transparent and cohesive response to FACS efforts to deliver better outcomes and client experience for Aboriginal children, families and communities.”

### 2.2 The OOHC targets

The AOS presented the baselines and targets to reduce over-representation of Aboriginal children in OOHC as follows<sup>11</sup>:

**Target 1:**

**10%** reduction in the number of Aboriginal children in OOHC by 30 June 2020  
Baseline: **6,839** Aboriginal children and young people were in OOHC as at 30 June 2017

**Target 2:**

Over 5 years, reduce the number of Aboriginal children entering OOHC by **20%**  
Baseline: **1,133** Aboriginal children and young people entered care in 2016-17

**Target 3:**

Over 5 years, transition **1,200** Aboriginal children to guardianship orders  
Baseline: **103** Aboriginal children were transitioned to guardianship orders in 2016-17

**Target 4:**

Over 5 years, restore **1,500** Aboriginal children to their families  
Baseline: **256** Aboriginal children and young people were restored to their families in 2016-17.

10. See Appendix 2 FACS Aboriginal Outcomes Strategy 2017-2021 p 4

11. Target 1 and target 2 are adjusted figures. Refer to footnote 4.

## 2.3 Governance and monitoring

The AOS document stated that the strategy would be led from the top, with senior executives monitoring progress and driving accountability for organisational performance. In turn, each of the department's districts would be responsible for a portion of the targets.

The AOS stated that:

- Delivery plans for each target focus area had been developed centrally, outlining a range of overarching initiatives to meet the organisational targets.
- Districts were to develop local implementation plans and district-level targets.
- An executive board was to drive accountability for performance against the targets.
- A sub-committee of executives chaired by a Deputy Secretary was to monitor progress, with reports to the board every quarter.
- An Aboriginal Outcomes Evaluation Framework was being developed to evaluate the impact of reform on achieving Aboriginal outcomes.
- There would be feedback and consultation with Aboriginal communities and stakeholders, including "getting out into communities regularly, and listening and talking to the Aboriginal community" and developing and conducting client satisfaction surveys to assess "how Aboriginal clients feel about the services FACS provide".

DCJ produced an internal implementation plan<sup>12</sup> dated October 2018. This contained a detailed account of principles and processes for governance and monitoring of progress toward AOS targets. It did not include information about any specific actions to achieve each of the OOHC targets.

In early 2020, consultants prepared an evaluation framework for DCJ.<sup>13</sup> This proposed a three-phase approach to assessing implementation and outcomes of the AOS. A first evaluation was intended to cover early implementation and process outcomes. Phase 2 (late 2020-2021) would assess medium-term outcomes and phase 3 (2021-2022) would assess longer term outcomes.

## 3. Measures, targets, and timing

The OOHC focus of the AOS was directed toward achieving one overarching goal (reducing the over-representation of Aboriginal children). While it set four sub-targets, the strategy did not set any target for the overarching goal.

In assessing whether the overarching goal has been achieved, we have considered the rate of Aboriginal children in OOHC – that is the number of these children in OOHC per 1,000 Aboriginal children aged 0-17 in NSW. We have used rates because this allows for comparison between Aboriginal and non-Aboriginal children in OOHC and is consistent with other national reporting of OOHC population statistics.<sup>14</sup>

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12. DCJ gave us a copy of the Monitoring and Achieving the FACS Aboriginal Outcomes Strategy Targets Implementation Plan (11 October 2018)

13. DCJ also gave us a copy of the *Aboriginal Outcomes Strategy, Evaluation Framework* (April 2020) that was prepared by a consultant.

14. For example, [Child protection Australia 2020–21, How many children were in out-of-home care? - Australian Institute of Health and Welfare \(aihw.gov.au\)](https://www.aihw.gov.au)

We have also considered changes during the AOS in the overall proportion of Aboriginal children relative to non-Aboriginal children in OOHC, because this is another accepted definition of over-representation.<sup>15</sup>

The AOS provided no information to explain how the four specific targets were determined or defined.

The AOS also did not state how the targets apply to the two types of OOHC provided for under the *Children and Young Persons (Care and Protection) Act 1998* – statutory OOHC and supported OOHC.<sup>16</sup>

Consistent with DCJ’s practice, we have assumed that the reference to “OOHC” in the AOS referred to *both* statutory and supported OOHC. Statutory OOHC requires a Children’s Court care order (children who enter guardianship or are adopted are not counted as being in OOHC). Supported OOHC provides either temporary or longer-term support without the need for the care order.

The AOS provided no rationale for the selection of timeframes for targets. Target 1 was to be achieved in 2020 (3 years) and the other three targets were to be met in 2021 (5 years). The strategy was described as a “5-year” plan from 2017 to 2021, which seemed to indicate its basis was in calendar years. However, its use of financial year baselines for 2016-17 suggested otherwise, and in that case the end date (for the “5- year” targets) should have been June 2022.

## 4. Implementing and tracking progress

Information provided by DCJ shows that initially, internal monitoring of progress towards the AOS targets proceeded with the use of quarterly dashboards and meetings of a departmental sub-committee comprising senior executives. The dashboards contained data reports and analysis about trends and achievements. The dashboards were not published. This monitoring occurred only during the first two years of the strategy.

Information in the 2018-19 December quarter dashboard showed that the OOHC targets were at that time under review:

“Targets related to all OOHC measures are currently under review and will be revised when available.”

This dashboard provided no information about reasons for the review. A subsequent dashboard – for the June quarter 2018-19 – stated that the review was still ongoing and that the executive sub-committee had also discussed revising language used in the AOS:

“The term 'target' used in this dashboard in the past was suggested, in the previous AOS Subcommittee meeting, to be replaced by 'indicator' to avoid negative connotations and perverse outcomes. FACSIA<sup>17</sup> reviewed the appropriateness of this and recommended 'commitment' as the interim solution. All measures and commitments in the Aboriginal Outcomes Strategy are currently under review, FACSIA will continue to work with Aboriginal Outcomes team to support this. Until the review is completed, this dashboard will continue to use the existing measures and commitments.”

The 2019 June quarter dashboard also reported analysis showing that the AOS was not on track to reduce over-representation of Aboriginal children in OOHC:

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15. Productivity Commission Closing the Gap Information Repository [Proportion of children in out-of-home care \(0-17 years old\) that are Aboriginal and Torres Strait Islander - Dashboard](#) | [Closing the Gap Information Repository - Productivity Commission \(pc.gov.au\)](#)

16. Section 135 *Children and Young Persons (Care and Protection) Act 1998*

17. Family and Community Services Insights, Analysis and Research

“Preliminary data show that the number of Aboriginal CYP [children and young people] in OOHC increased slightly by 0.5% over the year to June 2019. During the same period, the total (Aboriginal and non-Aboriginal) number of CYP in OOHC decreased by 2.8% and this led to a slight increase in the share of Aboriginal CYP in OOHC from 38.9% in June 2018 to 40.2% in June 2019.”

On 1 July 2019 FACS was abolished and replaced by the Department of Communities and Justice (DCJ) as part of machinery of government changes. Almost the entire FACS staff transferred to the new department. DCJ told us that these changes affected ongoing implementation of the AOS and the evaluation process:

“Due to the machinery of government changes and the merger of the former Department of Family and Community Services with the former Department of Justice, to form the Department of Communities and Justice as of 1 July 2019, the AOS Subcommittee overseeing implementation of the AOS did not meet after June 2019. As such, initiatives such as the Phase 2 and Phase 3 evaluations and developing an implementation plan for the last 18 months of the AOS did not progress.”

DCJ provided further information in its response to our draft report:

“The AOS was well-intended and the DCJ established a board sub-committee to oversee the AOS. A Machinery of Government Change in 2019 resulted in the chair of the sub-committee moving to another agency and continuity was lost. At the same time multiple reviews of Aboriginal over-representation in child protection resulted in a range of competing strategies and plans. Without clear governance, the projects all continued but were disconnected from each other.”<sup>18</sup>

The AOS was an important and significant strategy that committed DCJ to delivering better outcomes for Aboriginal people. It's continued implementation and oversight should not have depended on any single individual, and nor should its prioritisation have been vulnerable to 'competing' strategies. Effective governance should have been put in place to support the commitments made.

In November 2020, independent consultants provided DCJ their Phase 1 Evaluation.<sup>19</sup>

In relation to the AOS commitment to consult with Aboriginal stakeholders and communities, the evaluators reported that:

“District Aboriginal staff, clients and communities had limited to no input into the design of the AOS.”

To address this for the remainder of the strategy, the consultants wrote:

“There is a clear opportunity for DCJ to consult broadly, earlier and more often for the next iteration of the AOS or the development of future related strategies. The State ARG [Aboriginal Reference Group for the AOS] preference is for early and continuous involvement in design processes. Regular consultation, through an iterative process, at perhaps monthly intervals, would ensure collective input, time to consult with communities and generate ownership by communities who are impacted by the Strategy, and greater opportunity for the State ARG or other networks to add value.”

The evaluators reported that work by FACS (now DCJ) head office to develop plans to meet the targets was never completed:

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18. Correspondence from Secretary DCJ, 22 February 2022, Appendix 1

19. Aboriginal Outcomes Strategy Phase 1 Evaluation Final Report 26 November 2020

“Business areas within DCJ were assigned as the ‘target owners’ for each of the AOS organisational targets. The intention was to centrally develop action plans for each target priority area, outlining a range of overarching initiatives to meet the organisational targets. However, it does not seem that this task was completed.”

They also reported that governance arrangements were not being implemented:

“The evidence suggests that monitoring of the AOS implementation and progress by senior management has stalled, despite the AOS remaining active. Continued reporting of progress could have been completed to keep the AOS in focus.”

The evaluators recommended that DCJ:

“Reinstate and strengthen the Governance group for the AOS. This includes regular monitoring and reporting on progress and strengthening connections between central and district offices. For example, include a standing agenda item on meetings between central and district executives.”

Among other things, the evaluators also recommended that:

- “DCJ develop an implementation strategy and communication plan for the remainder of the AOS and any future strategies, so that Head Office Divisions and Districts are clear on their development and implementation roles.
- All Districts must develop and refresh local Implementation Plans as needed, including an Aboriginal Impact Statement, if required.
- DCJ provide a basic template for the District Implementation Plans to clarify what the plan should cover. This template could be tailored at the district level accordingly.”

The evaluation showed how the districts were progressing against the targets as of the June quarter 2018-19. Overall, districts were not on track:

- “10% reduce OOHC numbers by 30 June 2020 – 9 districts on track, 6 not on track
- 20% reduce entries by 2021 – 7 on track, 8 not on track
- Restore 1,500 to families by 2021 – 2 on track, 13 not on track
- Transition 1200 to guardianship by 2021 – 1 on track, 14 not on track.”

The AOS required Districts to “develop local implementation plans that identify a range of actions to be undertaken to meet their local targets”. The AOS noted that these would vary by District, to reflect local needs. We asked DCJ to give us a copy of the local AOS plan for each of the 15 districts across NSW. DCJ advised that 7 districts had a plan, and 6 did not. DCJ provided no information about 2 districts: New England and Mid North Coast.

The districts with a plan were Sydney, Southeast Sydney, North Sydney, Western Sydney, Illawarra/Shoalhaven, Southern NSW, and Western Sydney/Nepean Blue Mountains.

We asked DCJ why the other districts had not established and implemented their plans as required. DCJ advised that:

- \* **Southwestern Sydney (SWS) district** “did not establish a specific Aboriginal Outcomes Strategy (AOS) implementation plan because the District was already in the process of updating and finalising a comprehensive and collaborative ‘SWS District Aboriginal Initiatives Plan’, with priorities/goals developed and agreed by local Aboriginal community members via the

Aboriginal Community Consultation Group across all district program areas. The SWS District approach is to have one plan that achieves alignment and congruence with all other initiatives across the Department, as multiple plans and initiatives have been ineffective. The priorities and goals highlighted in the SWS Aboriginal Initiatives Plan align with the targets and goals of the AOS.”

- \* **Murrumbidgee and Far West districts** “has no record of the district being requested to develop district- based AOS Implementation Plans, noting this Strategy was 2017 to 2021. Since that time, there have been a number of additional strategic documents including the Family Is Culture Report, Doing What Matters DCJ Aboriginal Strategic Directions 2021-2024, Aboriginal Case Management Policy and implementation of Aboriginal Knowledge Circles.”
- \* **Hunter and Central Coast Districts**
  - “There is no record of an Aboriginal Outcomes Strategy Implementation Plan being developed.
  - There have been a number of changes in the district management structure (Directors Community Services, Executive Officer and Executive District Director) since the 2017 request and current executive were not in the district at this time.
  - There also appears to have been no effective overarching governance system in place to detect and flag the absence of a plan.”
- \* **Northern NSW** “Although Northern have not implemented a plan, the district aims to meet the objective of the Aboriginal Outcome Strategy to achieve a reduction in the number of Aboriginal children entering OOHC. This is achieved through [a list of identified] initiatives.”

### Impact of COVID-19

DCJ told us that the COVID-19 pandemic impacted service delivery, particularly in relation to restoration and guardianship activities relating to targets 3 and 4, and that there was an indirect impact on target 1 (number of Aboriginal children in OOHC).

DCJ also referred to an acknowledgement by the Productivity Commission in the Report on Government Services of the possible impact of the pandemic on service delivery from 2020 to 2022 – as reflected in data results - and on the ability of data providers to collect and process data during that period.

## 5. Public reporting on the AOS

The published AOS included a commitment to ongoing feedback and consultation with Aboriginal communities and stakeholders about progress and achievements. The extent to which this occurred is unclear but evidence from the Phase 1 evaluation report indicates that engagement with Aboriginal people was not satisfactory. The evaluators recommended for the remainder of the AOS that DCJ:

“Ensure Aboriginal voices guide the design of future strategies and District Action Plans.”

DCJ told us that it did not act on the evaluators’ recommendation to develop a new implementation plan.



The original internal implementation plan – published internally in October 2018 – did refer to client and stakeholder feedback about AOS achievements and to planned public reporting by way of an annual stocktake, described in these terms:

“The Stocktake is a publicly available account of FACS’ progress towards meeting the AOS targets. It addresses FACS’ obligation to ensure stakeholders (internal and external) and clients are kept informed and engaged in the delivery of the AOS and achievement of its targets.”

This public reporting also did not occur.

DCJ does publish annual statistical reports, including a dashboard presenting numbers of Aboriginal and non-Aboriginal children entering and in OOHC; placements with relatives or Aboriginal caregivers; exits to guardianship; and restorations. While this data shows percentage trends in comparison to previous annual statistical reports, it is not available for all years and does not track achievements against the AOS plan and its OOHC targets.<sup>20</sup>

The department’s annual reports for 2017-18 and 2018-19 made brief references to the AOS as a reform initiative but provided no other information about goals, targets, or progress. Annual reports since then have been silent on the AOS.

DCJ did not complete the AOS. It did not formally bring an end to the AOS. It did not announce that the strategy had been abandoned, or why. It did not report on whether the strategy achieved what it set out to achieve.

## 6. Were the goal and targets achieved?

Below is our analysis of DCJ’s achievements over the life of the AOS.

### Reducing over-representation of Aboriginal children in OOHC

The AOS did not define a specific measure or target for its overarching goal of reducing the over-representation of Aboriginal children in OOHC. In our view, on any reasonable measure, the goal was not achieved.

We examined over-representation by rate per 1,000 Aboriginal children aged 0-17 in NSW and by proportion of children in OOHC who are Aboriginal.

The proportion of children in OOHC who are Aboriginal increased during the AOS period from 38.4% to 43.8%.<sup>21</sup>

The rate of Aboriginal children in OOHC reduced slightly, from 62.0 to 57.3 per 1,000 Aboriginal children. However, in terms of over-representation, there was a proportionately greater reduction in the rate of non-Aboriginal children in OOHC (from 6.7 to 5.2 per 1,000 non-Aboriginal children).

While the ‘gap’ between those rates nominally declined from 55.3 in 2017 to 52.1 in 2022, the **rate ratio** worsened. In 2017, Aboriginal children were 9.3 times more likely to be in OOHC than non-Aboriginal

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20. <https://www.facs.nsw.gov.au/resources/statistics/statistical-report-2020-21>

21. See footnote 7 for analysis of disproportionality ratio

children; by 2022, Aboriginal children were 11 times more likely to be in OOHC than non-Aboriginal children.<sup>22</sup>

### The targets

DCJ achieved none of the AOS OOHC targets, although it got close to one of them.

**Note:** DCJ introduced revised counting rules in 2017-18 to align NSW OOHC data to national data. The new counting rules did not affect data on restoration and guardianship because children on guardianship orders or who have been restored are not included in the OOHC population.

### Target 1: 10% reduction in the number of Aboriginal children in OOHC by 30 June 2020

**Baseline data:** 6,839 Aboriginal children and young people were in OOHC on 30 June 2017.

The target of a 10% reduction in the number of Aboriginal children in OOHC was not met by the target date of 30 June 2020.

By 30 June 2022, the target was still not met, although there had been a reduction in the number of Aboriginal children in OOHC.

The number of Aboriginal children in OOHC on 30 June 2022 was 2.6% lower than the number of Aboriginal children in OOHC at the start of the AOS. However, the reduction in the number of Aboriginal children in OOHC was significantly lower than the decrease in the number of non-Aboriginal children in OOHC (2.6% compared to 21.9%).

Table 1: Number of Aboriginal children in OOHC by year and % change from 30 June 2017 baseline

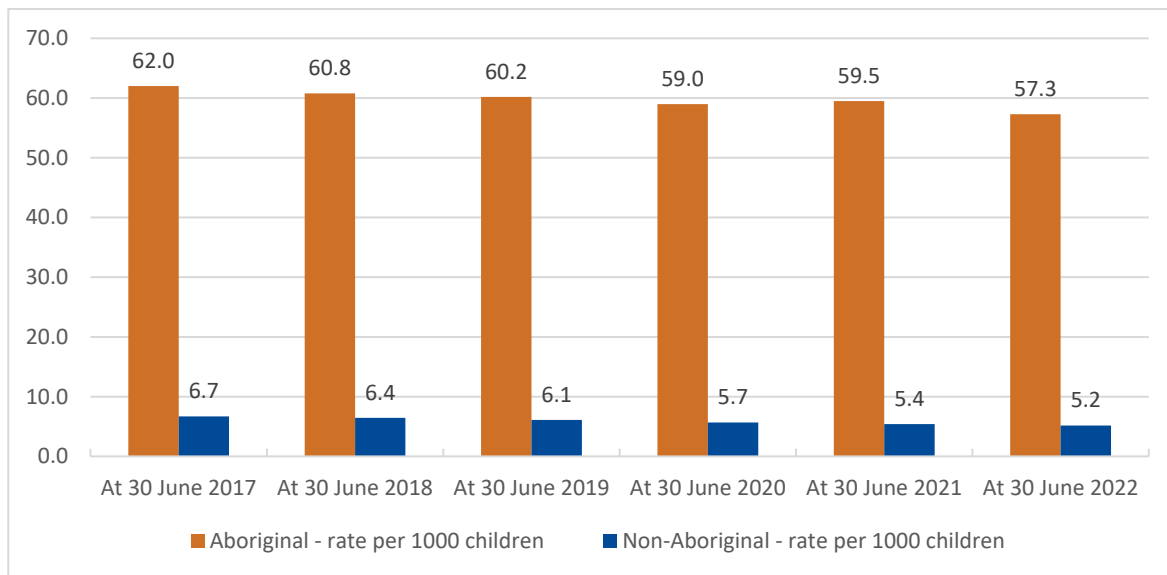
Baseline year 30 June 2017	30 June 2018	30 June 2019	30 June 2020 (Target date)	30 June 2021	30 June 2022
<b>Number</b>					
6,839	6,766	6,754	6,688	6,829	6,661
<b>% Change from baseline</b>					
-	-1.1%	-1.2%	-2.2%	-0.1%	-2.6%
<b>Rate per 1,000 Aboriginal children</b>					
62.0	60.8	60.2	59.0	59.5	57.3

As of 30 June 2017, the *rate* of Aboriginal children in OOHC was 62.0 per 1,000 Aboriginal children aged 0-17 in the NSW population. On 30 June 2020, the rate decreased to 59.0 and then a year later increased slightly to 59.5. By 30 June 2022, the rate dropped to 57.3 – a 7.6% decrease over five years, representing the lowest rate of Aboriginal children in OOHC since the start of the AOS. In contrast, the rate for non-Aboriginal children decreased over the same period from 6.7 to 5.2 per 1000 non-Aboriginal children – a much larger decrease of 22.4%.

Despite the decline since 2017, the rate of Aboriginal children in OOHC is still a substantial over-representation, and 11 times higher than the rate for non-Aboriginal children.

22. Refer to footnote 8.

Figure 1: Children in OOHC 30 June 2017 to 30 June 2022, rate per 1,000 children



**Target 2: Over 5 years, reduce the number of Aboriginal children entering OOHC by 20%**

**Baseline data:** 1,133 Aboriginal children and young people entered OOHC in 2016-17.<sup>23</sup>

The target to reduce the number of Aboriginal children entering OOHC by 20% was almost met with a reduction of 18.5%.

In the same five-year period the number of non-Aboriginal children entering OOHC also reduced and by a much greater amount: 38.9%.

Table 2: Number and rate of Aboriginal children entering OOHC, and % change from baseline.

Baseline year						
2016-17		2017-18	2018-19	2019-20	2020-21	2021-22
Number of Aboriginal children						
1,133		817	928	952	1,111	923
% Change from baseline						
		-27.9%	-18.1%	-16%	-1.9%	-18.5%
Rate per 1,000 Aboriginal children						
10.3		7.3	8.3	8.4	9.7	7.9

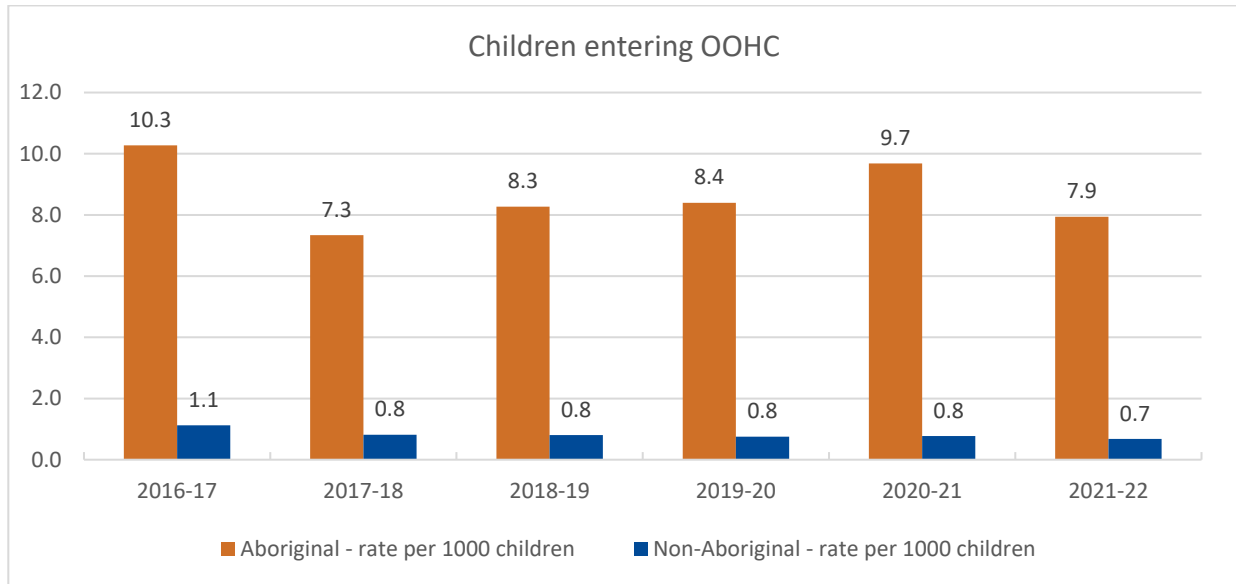
The *rate* of Aboriginal children entering OOHC has declined from 10.3 per 1,000 Aboriginal children aged 0-17 in NSW in 2016-17 to 7.9 in 2021-22 – a 23.3% decrease over five years.

Over the same period, the rate for non-Aboriginal children reduced from 1.1 per 1,000 to 0.7 per 1,000 – a 36.36% decrease over the same five-year period.

23. The unadjusted figure in the AOS and the DCJ Annual Statistical Report for Aboriginal children entering OOHC in 2016-17 is 1,058. This is 75 less children than the recalculated figure.

In 2016-17, the entry rate for Aboriginal children was nine times higher than for non-Aboriginal children (10.3 compared to 1.1). By 2021-22, the rate for Aboriginal children was 11 times higher than the rate for non-Aboriginal children.

Figure 2: Children entering OOHC 2016-17 to 2021-22 – rate per 1,000 children



### Target 3: Over 5 years, transition 1,200 Aboriginal children to guardianship orders

**Note:** In 2014, new legislation added guardianship to placement options for children in OOHC. Guardianship requires an order of the Children’s Court to place a child in the care of a guardian until the child turns 18. Children who exit OOHC for guardianship are not counted as being in OOHC.

**Baseline data:** 103 Aboriginal children transitioned to guardianship orders in 2016-17.

The target to transition 1200 Aboriginal children in OOHC to guardianship orders was not reached.

A total of 704 Aboriginal children in OOHC exited to guardianship in the five years to 30 June 2022. This is 59% of the AOS target.

Table 3: Number of Aboriginal children exiting OOHC to guardianship orders, 2016-17 to 2021-22

Baseline year	2017-18	2018-19	2019-20	2020-21	2021-22
<b>2016-17</b>					
<b>Number</b>					
103	84	127	172	179	142
<b>Cumulative total</b>					
-	84	211	383	562	704
<b>% of target reached</b>					
-	7%	17.6%	31.9%	46.8%	58.7%

**Target 4: Over 5 years, restore 1,500 Aboriginal children to their families**

**Baseline data:** 256 Aboriginal children were restored to their families in 2016-17.

The target to restore 1,500 Aboriginal children in OOHC to their families over five years was not reached.

999 Aboriginal children were restored to their families during the AOS. This is 66.6% of the AOS target.

In 2021-22, 157 Aboriginal children were restored to their families. This is fewer than the number of Aboriginal children restored to their families in any of the previous five years, including the AOS baseline year of 2016-17.

Table 4: Number of Aboriginal children in OOHC restored to their families, 2016-17 to 2021-22

Baseline year					
2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
<b>Number</b>					
256	215*	202	244	181	157
<b>Cumulative total</b>					
-	215	417	661	842	999
<b>% of target reached</b>					
-	14.3%	27.8%	44.1%	56.1%	66.6%

\* Restoration data for 2017-18 is not published in the DCJ Annual Statistical report, which states that the data is not available. The source for 2017-18 data in the table above is the unpublished DCJ AOS Operational Performance Supporting Dashboard, Quarter 4, 2018-19. The notes in the dashboard state that issues in DCJ’s Childstory database relating to 2017-18 restoration data have been resolved.

# Appendices

## **Appendix 1 -**

### **Department of Communities and Justice response to NSW Ombudsman draft report**



Ms Monica Wolf  
Chief Deputy Ombudsman  
Level 24, 580 George Street  
SYDNEY NSW 2000

Via: [REDACTED]

Dear Ms Wolf,

### **Ombudsman's Review of Aboriginal Outcomes Strategy**

I write in response to your letter dated 1 February 2023, concerning the NSW Ombudsman's review of the Department of Communities and Justice (DCJ) implementation of the Aboriginal Outcomes Strategy (AOS), and whether it achieved the second goal of the AOS, to reduce the overrepresentation of Aboriginal children in out-of-home care (OOHC). Thank you for providing DCJ with the opportunity to review the draft report and comment on any factual errors or inaccuracies.

The AOS was well-intended and the DCJ established a board sub-committee to oversee the AOS. A Machinery of Government Change in 2019 resulted in the chair of the sub-committee moving to another agency and continuity was lost. At the same time multiple reviews of Aboriginal over-representation in child protection resulted in a range of competing strategies and plans. Without clear governance, the projects all continued but were disconnected from each other.

I can report that DCJ continued to work on the OOHC targets through the Premier's Priority and other initiatives detailed below.

#### *Initiatives to reduce overrepresentation of Aboriginal children in out-of-home care*

Since the expiration of the AOS in 2021, DCJ has made changes to its monitoring, oversight, and governance arrangements and continues to implement strategies, projects, and programs to fulfill its commitment to reducing the over-representation of Aboriginal children and young people in OOHC. A central component of this is the work DCJ is leading to progress its commitments under the [National Agreement on Closing the Gap](#) (the National Agreement) to reduce the rate Aboriginal and Torres Strait Islander children in out-of-home care by 45 per cent by 2031. Strengthened governance, performance monitoring and regular reporting ensure initiatives committed to under the [2022-24 NSW Implementation Plan for Closing the Gap](#) are being tracked for achievement against Target 12. DCJ's Executive Board oversees strategies and issues that relate to Aboriginal people and services via its Aboriginal Service Delivery Sub-Committee, which meets quarterly. The Aboriginal Service Delivery Sub-Committees tracks and measures progress towards reducing Aboriginal over-representation in child protection system. The Child Safety Plan Governance Group, attended by senior leadership across DCJ, meets monthly and reports to the Aboriginal Service Delivery Sub-Committee on progress against Target 12.

This is complemented by the NSW Government's commitments under [Safe and Supported: the National Framework for Protecting Australia's Children 2021-2031](#), Australia's framework to reduce child abuse and neglect and its intergenerational impacts, and the [Safe and Supported: Aboriginal and Torres Strait Islander First Action Plan 2023-2026](#). The latter sets out actions



and activities to address the over-representation of Aboriginal and Torres Strait Islander children in child protection systems and respond to Closing the Gap Target 12.

The NSW Government has committed to implement the findings of the landmark independent, Aboriginal-led [Family is Culture: Independent Review into Aboriginal and Torres Strait Islander Children and Young People in Out-of-Home Care in New South Wales](#) report (Family is Culture report), in partnership with communities and aligned with the overall intent of the review by 2024 under the *2022-24 NSW Implementation Plan for Closing the Gap*.

The [Children and Young Persons \(Care and Protection\) Amendment \(Family is Culture\) Act 2022](#) passed Parliament last year and represents the first phase of legislative changes to give effect to 15 recommendations of the Family is Culture report recommending legislative reform, including the requirement to make active efforts to prevent children entering out-of-home care and restore children to their parents or place them with family, kin or community.

DCJ has established a Steering Committee to lead the implementation of these changes, which has representation from AbSec, Aboriginal Legal Service (NSW/ACT) (ALS), the Children's Court of NSW, and Legal Aid NSW. This work will ensure that legislative changes are reflected in changes to casework culture and practice. Further consultations to progress Family is Culture recommendations about changes to laws and oversight of the out-of-home care system, including options to progress self-determination, will occur in 2023 with Aboriginal communities and other stakeholders.

The NSW Government is progressing transitioning the case management of Aboriginal children and young people in out-of-home care to Aboriginal Community Controlled Organisations and the state-wide implementation of the Aboriginal Case Management Policy, and placing greater focus on restoration. There is also work being done to strengthen oversight of decision making, so decisions are culturally informed and meet statutory requirements; the needs and experiences of families, children and young people are at the centre of discussions and decision making; and there is a continuous improvement approach to decision making for Aboriginal children and young people.

#### *Investment in early intervention and family capacity building*

There is a suite of NSW Government initiatives to connect families with culturally appropriate services and supports, and shift investment to early intervention and family capacity building, including:

- an additional \$98.7 million to establish six new Aboriginal Child and Family Centres and expand nine existing centres providing culturally safe, integrated health and early childhood services,
- \$38.6 million for state-wide expansion of the Pregnancy Family Conferencing program, delivered jointly by DCJ and the Ministry of Health to help families get the support they need before the birth of a child,
- diverting up to \$11 million per year of family preservation funding to Aboriginal Community Controlled Organisations by June 2024, to support around 300 more Aboriginal children and young people each year,
- the co-design of an Aboriginal Family Preservation (AFP) Framework with AbSec, providers and community that will support family preservation recommissioning and service delivery from 2024,
- \$3.9 million over four years to develop an Aboriginal-led commissioning model that involves Aboriginal communities in the design, delivery and monitoring of programs and services for Aboriginal families,
- \$8.6 million over four years to support local community-determined consultation mechanisms across NSW under the *Strong Families, Our Way: NSW Aboriginal Child and Family Self-Determination Project*, delivered by AbSec, and
- \$9.9 million over four years for families at risk of having their children removed to access legal advocacy support delivered by the Aboriginal Legal Service (NSW/ACT).

Where funding becomes available, DCJ is re-redirecting and re-prioritising funds to deliver on its commitment to invest 30% of early intervention programs funding into Aboriginal Community

Controlled Organisations. DCJ has recently redirected 50% of funding in the early intervention Youth Frontiers program to Aboriginal Community Controlled Organisations to divert young people from the justice and child protection systems. Investment in early intervention Aboriginal Community Controlled Organisations in 2021-22 was \$17.98 million or 9.27% of total funding in early intervention programs. New funding in the Aboriginal Child and Family Centres program, through NSW Brighter Beginnings strategy, is forecasted to see DCJ's annual investment in Aboriginal organisations delivering early intervention services increase to 20.51% of total funding in early intervention programs by 2025-26.

*Reduction in number of Aboriginal children entering out of home care*

Finally, the decrease in the number of children in OOHC at 30 June 2022, while still modest, is the biggest decrease in 5 years relative to the 30 June 2017 baseline.

**Attached** is a list of suggested amendments that DCJ believes will more accurately reflect the way data are used and reported, as well as the operating context.

DCJ also requests that the report be **amended** to reflect that while progress against the targets was not explicitly reported as part of AOS reporting, there was transparency about progress/lack of progress as all four sub measures are reported annually in DCJ's Annual Statistical Report (<https://www.facs.nsw.gov.au/resources/statistics/statistical-report-2020-21>).

Brendan Thomas, Deputy Secretary, Transforming Aboriginal Outcomes, is the current contact within DCJ for matters relating to your review. Mr Thomas can be contacted by email at

[REDACTED]

Yours sincerely,

[REDACTED]

**Michael Tidball**  
**Secretary**

22 February 2023

**Appendix 2 -**

**Aboriginal Outcomes Strategy 2017 – 2021**

# Aboriginal **Outcomes** Strategy



2017 to 2021

Family and  
Community  
Services

**We acknowledge Aboriginal people as the First Nations people of New South Wales and pay our respects to Elders past and present. We acknowledge the ongoing connection Aboriginal people have to this land and recognise Aboriginal people as the original custodians of this land.**





## Secretary's message

The Aboriginal Outcomes Strategy sets out a bold new approach for delivering quality outcomes for Aboriginal people over the next five years.

This strategy is part of the FACS wide delivery plan for how we're creating the futures our clients and staff want.

We recognise the work we do often has a significant, but not always the best impact, on Aboriginal lives. To put it simply, we want our actions at FACS to mean Aboriginal children, families and communities have a better life.

This strategy sets out how we'll do this.

We've developed bold targets to strengthen our accountability to delivering outcomes across the FACS cluster, including early intervention, out of home care, social housing, workforce, and disability inclusion.

The FACS Cultural Capability Framework and Aboriginal Impact Statements will support this work, improve our cultural capability and improve the experience Aboriginal clients have with FACS.

We're committed to working in partnership with Aboriginal people, communities and staff to ensure that our actions meet diverse needs and aspirations in a culturally sensitive way.

Implementing the Aboriginal Outcomes Strategy won't be easy but we're committed to making this work and seeing positive changes and improved and quality outcomes for all Aboriginal people.

**Michael Coutts-Trotter**  
Secretary

### About the artwork

The artwork on this Strategy was created by Aboriginal artist and Wonaruah woman Saretta Fielding. The artwork represents FACS services and strategies that target Aboriginal clients.

## A new approach

### Better outcomes for Aboriginal families and communities

Many Aboriginal people are living fulfilling lives however there is still a high number of Aboriginal children, families and communities who do not share the same life outcomes as the broader Australian community. Many of these Aboriginal people are Department of Family and Community Services (FACS) clients.

Aboriginal people are overrepresented across all FACS service streams and a significant number of Aboriginal people are multi-service FACS clients. The evidence tells us that if we continue along the same path, life outcomes for Aboriginal people will continue to worsen. The target established in the Premier's Priorities identifies commitment from the NSW government to strive for better outcomes for Aboriginal people. This new approach to have targets for achieving Aboriginal outcomes over the next five years represents the contribution of FACS towards this commitment.

The Aboriginal Outcomes Strategy (AOS) endorsed by the FACS Executive Board represents a bold new approach that FACS will embrace over five years to improve its performance in delivering better outcomes for Aboriginal people and measure our efforts where it counts. The Strategy, to be implemented from 2017 to 2021, will ensure transparency and accountability across the organisation in how we are working to make a positive difference to the lives of Aboriginal people in NSW.

## Changing our focus

### Priority areas

The AOS is focussed on reversing the poor outcomes experienced by Aboriginal clients by setting clear expectations and specifying priorities, goals, targets, timeframes and accountability to provide a transparent and cohesive response to FACS efforts to deliver better outcomes and client experience for Aboriginal children, families and communities.

FACS has committed to organisational targets across five key priority focus areas over five years (from 2017 to 2021) to:

1. Increase access to early intervention for Aboriginal families.
2. Reduce the overrepresentation of Aboriginal children and young people in out-of-home-care.
3. Improve economic and social outcomes for Aboriginal social housing clients.
4. Increase the number of Aboriginal staff in FACS.
5. Increase engagement with disability services.



## Targets

### Organisational targets

Over the next five years FACS will work with Aboriginal communities to meet the following targets:

### District targets

The organisational targets have been broken down into district targets. This allocates responsibility for a portion of the targets to each District. These lower level district targets together will contribute to achieving the overall organisational targets.

	Focus areas	Targets			
1	<p><b>Increase access to early intervention for Aboriginal families</b></p>	<p><b>30%</b> of Targeted Early Intervention Reform funding committed for Aboriginal families by <b>2021</b></p>	<p><b>50%</b> of additional <b>900</b> preservation and restoration places for Aboriginal families</p>		
2	<p><b>Reduce the overrepresentation of Aboriginal children and young people in out-of-home-care</b></p>	<p><b>Eliminate</b> the over-representation of Aboriginal and Torres Strait Islander children in out-of-home-care by <b>2040</b>. (<i>Family Matters target</i>)</p>	<p>Over the next five years FACS will:</p> <ul style="list-style-type: none"> <li>• <b>Reduce</b> the number of Aboriginal children and young people <b>entering OOHc by 20%</b></li> <li>• <b>Transition 1200</b> Aboriginal children and young people to <b>guardianship</b> orders</li> <li>• <b>Restore 1500</b> Aboriginal children and young people to their families</li> </ul>	<p><b>10% reduction</b> in the number of Aboriginal children and young people in OOHc by <b>30 June 2020</b></p>	
3	<p><b>Improve economic and social outcomes for Aboriginal social housing clients</b></p>	<p><b>20% increase</b> in positive exits from social housing by <b>2021</b></p>	<p><b>20% reduction</b> in negative exits for social housing tenants by <b>2019</b></p>	<p><b>Increase</b> level of priority Aboriginal public housing tenancies sustained for at least 12 months to <b>85%</b> by <b>2019</b></p>	
4	<p><b>Increase the number of Aboriginal staff in FACS</b></p>	<p><b>7.5%</b> Aboriginal employment across FACS by <b>2018</b></p>	<p><b>Double</b> the current number (as at 2017) of Aboriginal people in senior leadership roles by <b>2020</b></p>	<p><b>Benchmark</b> Aboriginal staff engagement and establish year on year improvements.</p>	
5	<p><b>Increase engagement with disability services</b></p>	<ul style="list-style-type: none"> <li>• <b>Increase</b> the percentage of Aboriginal people with a disability who achieve an outcome through Ability Links to <b>25%</b> by <b>2017/18</b></li> </ul>			



## Where we are now

### Baseline

Focus areas	Baseline
Increase access to early intervention for Aboriginal families	<b>14.05%</b> of TEI was invested in Aboriginal service delivery as at <b>May 2017</b>
Reduce the overrepresentation of Aboriginal children and young people in out-of-home-care	<b>1058</b> Aboriginal children and young people entered care in <b>2016/17</b>
	<b>103</b> Aboriginal children were transitioned to guardianship orders in <b>2016/17</b>
	<b>256</b> Aboriginal children and young people were restored to their families in <b>2016/17</b>
	<b>7152</b> Aboriginal children and young people were in OOHC as at <b>30 June 2017</b>
Improve economic and social outcomes for Aboriginal social housing clients	<b>258</b> Aboriginal households had a positive exit from social housing in <b>2016/17</b>
	<b>214</b> Aboriginal households had a negative exit from social housing in <b>2016/17</b>
	<b>83%</b> of priority Aboriginal public housing tenancies were sustained for at least 12 months in <b>2016/17</b>
Increase the number of Aboriginal staff in FACS	<b>6.2%</b> of FACS non-disability workforce identified as Aboriginal as at <b>June 2017</b>
	<b>6</b> Aboriginal people were in senior leadership roles as at <b>June 2017</b>
	2017 People Matter Employee Survey results indicated that respondents who identified as Aboriginal (6%) had an engagement score of <b>62%</b>
Increase engagement with disability services	<b>22.8%</b> of Aboriginal people with a disability achieved an outcome through Ability Links during <b>Quarter 4, 2016/17</b>

## **Guiding Principles FACS Executive Board Commitment**

The FACS Executive Board will be guided by a set of principles developed by and for FACS senior executives:

*“These have been developed to strengthen our leadership, culture and commitment to deliver on key priorities and embed consideration of outcomes in everyday business for our primary clients - Aboriginal children, families and communities. It outlines the behaviours that are critical to strengthen our leadership culture and position the department so that we:*

- 1. Are bold in our approach to achieving outcomes for Aboriginal clients*
- 2. Practice informed decision-making that delivers a positive impact and outcomes for Aboriginal clients*
- 3. Are aware of the historical and present day impact of our work on Aboriginal children, families and communities*
- 4. Provide, enable and facilitate Aboriginal people’s rights to self-determination*
- 5. Are united as a leadership team and willing to make the hard decisions and ask the difficult questions*
- 6. Show a commitment to an organisational culture that values Aboriginal clients and the contribution of Aboriginal staff*
- 7. Build genuine partnership with Aboriginal people and doing it right with Aboriginal people.”*

**FACS Executive Board**



## ***Building Blocks - Family Matters Campaign***

In addition to the FACS Executive Board principles the AOS will be guided by the four Building Blocks of the national **Family Matters** campaign:

- 1.** All families enjoy access to quality, culturally safe, universal and targeted services necessary for Aboriginal and Torres Strait Islander children to thrive.
- 2.** Aboriginal and Torres Strait Islander people and organisations participate in and have control over decisions that affect their children.
- 3.** Law, policy and practice in child and family welfare are culturally safe and responsive.
- 4.** Governments and services are accountable to Aboriginal and Torres Strait Islander people.

## ***Guiding Principles for strengthening the participation of local Aboriginal community in child protection decision making***

The **Guiding Principles for strengthening the participation of local Aboriginal community in child protection decision making** inform collaboration and cooperation between FACS and Aboriginal communities on child protection matters. They highlight the role of Local Advisory Groups through which local Aboriginal communities can participate in decision making regarding the care and protection of Aboriginal children.

The Principles were developed by the Grandmothers Against Removal (GMAR) with the New England FACS District Office and the NSW Ombudsman's Office.

## **Actions to achieve targets Working with Aboriginal people to achieve goals**

Delivery plans for each target focus area have been developed centrally outlining a range of overarching initiatives to meet the organisational targets. Districts will develop local implementation plans that identify a range of actions to be undertaken to meet their local targets. These will vary from district to district to best reflect local community needs.

In determining the best actions to meet these targets FACS is committed to working in partnership with Aboriginal people and ensuring Aboriginal voices guide what needs to be done and what needs to improve or change.

While the AOS supersedes the Aboriginal Cultural Inclusion Framework (ACIF) the foundations set by the framework will continue to underpin the implementation of the AOS.

Building relationships and working with Aboriginal communities in districts and centrally are priority principles of the FACS Executive Board, ACIF, the **Family Matters** campaign and the **Guiding Principles for strengthening the participation of local Aboriginal community in child protection decision making**. Adhering to these principles is key to the successful development and implementation of actions to achieve targets at a local and organisational level.

## **Governance and accountability Responsibility for monitoring progress**

The Aboriginal Outcomes Strategy is being led from the top with the FACS Executive Board driving accountability for organisational performance against the five target areas.

The Board has established the Aboriginal Outcomes Strategy Sub Committee to monitor progress and report to the Board. The Committee is chaired by a Deputy Secretary and membership includes senior executives from across FACS including Executive Directors responsible for each target.

Reports detailing performance against targets at the organisational level and the District level will be provided to the FACS Executive Board every quarter. The Committee Chair will report to the Board regularly on AOS progress and the work of the Committee.

## **Aboriginal led evaluation How will we know we are making a difference?**

While the targets send a clear message about FACS expectations and what we need to do to deliver outcomes for Aboriginal people, it is equally as important to know how our efforts are making a difference where it is needed most.

An Aboriginal Outcomes Evaluation Framework is being developed and will be used to evaluate the impact of FACS reform on achieving Aboriginal outcomes.

Initiatives identified in the delivery plans for each target will be audited against Aboriginal Impact Statements to identify where we could do better in working with the Aboriginal community and sector.

The results of the evaluation process will be used to directly inform the commissioning of services and programs so that meaningful outcomes are achieved for Aboriginal clients.

## **Community feedback Listening to the community**

The FACS Executive Board, senior executive and staff are committed to getting this right. To do this we will be getting out into communities regularly, and listening and talking to the Aboriginal community about:

- What we're trying to do.
- How we are progressing.
- Whether we are focussed on the right things.
- What is and isn't working.
- What we need to change.
- What else we could do.

## **Aboriginal client satisfaction How do Aboriginal clients feel about the services FACS provide?**

In moving towards being a client focussed organisation, it is important to recognise and understand not only the outcomes people achieve, but also the service they experience. Client satisfaction for Aboriginal people and families is important to us and will help influence how we can continuously improve our services to meet Aboriginal community needs and deliver better outcomes. Developing and conducting client satisfaction surveys is central to the success of the strategy.

## Initiatives to support implementation

### Building FACS cultural capability

FACS recognises that it will take more than targets and goodwill to achieve outcomes. Supporting staff to build their cultural capability is central to building meaningful relationships with Aboriginal families and communities and ensuring long term change.

The Aboriginal Cultural Capability Framework and Aboriginal Impact Statement are initiatives aimed at building the cultural capability of individuals and FACS as an organisation. These initiatives will support the implementation of the AOS.

#### *Aboriginal Cultural Capability Framework*

The Aboriginal Cultural Capability Framework was developed with the advice of Aboriginal staff in FACS, other state and federal agencies, Aboriginal and Torres Strait Islander organisations and Aboriginal people in the wider community and will be implemented from 2017 to 2021.

FACS Aboriginal clients face additional challenges and barriers to effective service delivery, often due to cultural misconceptions and misunderstandings. To address this the Aboriginal Cultural Capability Framework has been developed to facilitate FACS staff to better develop their understanding of Aboriginal cultures and assist staff to build strong relationships with Aboriginal people, organisations and communities in their districts.

- The FACS Board agreed that this will be led from the top with clear accountabilities throughout the organisation.
- A mandatory program of online and localised face-to-face Aboriginal cultural capability training for staff across FACS.
- A mobile app to share resources and facilitate staff engagement and relationship building with Aboriginal people and communities.
- Measures to increase Aboriginal staff in FACS, improve Aboriginal staff retention and make FACS a culturally safe place for Aboriginal people to work.

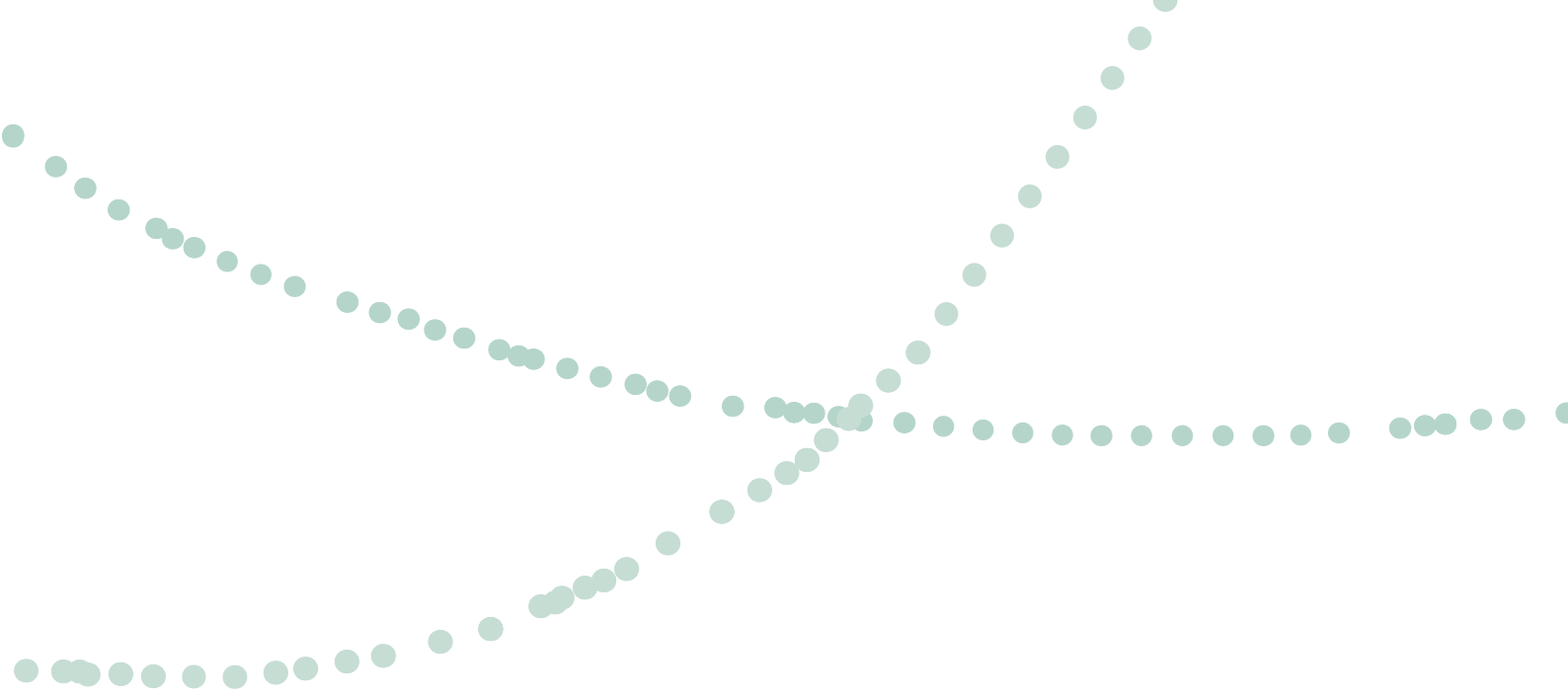


#### *Aboriginal Impact Statement (AIS)*

The AIS promotes advanced thinking about how FACS initiatives being developed or revised give consideration to:

- Understanding the diversity of needs and issues experienced by Aboriginal people.
- Engagement and participation of Aboriginal people.
- Impacts on Aboriginal people.

An AIS must be completed for any proposal that is expected to have significant impact on Aboriginal people, families and communities and for all Cabinet Submissions.



**Delivering better outcomes for Aboriginal families and communities is the number one priority for all of FACS.**



**FACS contact details**

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