

Child Death Review Board

Queensland **Family & Child** Commission

Procedural Guidelines

This document is subject to ongoing review.

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30.11.2020	1.1	Secretariat	Incorporating changes requested by Board
23.03.2021	1.2	Secretariat	Readability changes and amendments related to conflicts of interest and code of conduct
05.05.2021	1.3	Secretariat	Clarification of categorisation framework
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	1.5	Secretariat	Revisions in recognition of greater shift to themed collective review format



The Child Death Review Board (Board) Secretariat (the Secretariat) is referenced throughout this document. The Secretariat is made up of staff internal to the Queensland Family and Child Commission (QFCC). It acts as the agent for the Board to help operationalise its functions, roles, and responsibilities. The Secretariat operates under the direction of the Board Chairperson (the Chairperson).

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Overview

This document outlines the procedural aspects of the Child Death Review Board's (Board) role and functions in accordance with part 3A of the *Family and Child Commission Act 2014* (Qld) (the FCC Act) as amended by the *Child Death Review Legislation Amendment Act 2020* (Qld).

It should be read in conjunction with the entirety of the FCC Act, and Chapter 7A ('Internal agency reviews following child deaths or injuries') of the *Child Protection Act 1999* (Qld).

BACKGROUND TO BOARD

In July 2016, following the death of a 21-month-old child, the Queensland Government requested the Queensland Family and Child Commission (QFCC) oversee the reviews completed by the Department of Child Safety, Youth and Women¹ (Child Safety) and Queensland Health to:

- confirm whether both departmental reviews into service delivery were conducted thoroughly, and
- provide any guidance on necessary system changes to improve the system.

In April 2017 the QFCC released its report titled *A systems review of individual agency findings following the death of a child*.² This report found that while Child Safety's internal review processes were effective and comprehensive at an agency level, Queensland's current system of reviewing deaths of children known to Child Safety did not consider or identify the system changes needed to protect vulnerable children.

The QFCC's single overarching recommendation was to 'consider a revised external and independent model for reviewing the deaths of children known to the child protection system', incorporating the following features:

- a review model scope that extends to cover both government and non-government agencies
- extended powers and authority, including the power to make and monitor recommendations
- public reporting on the outcomes of child death reviews
- review of the panel governance arrangements, such as selection and appointment of panel members, and
- promotion of learning and analysis of decision-making, the timely and transparent consideration of systems issues and inter-agency collaboration during the internal review process.

The Government accepted the QFCC's recommendation and committed to introducing legislation to implement a new model. The then Attorney-General and Minister for Justice, The Honourable Yvette D'Ath, introduced to Parliament the *Child Death Review Legislation Amendment Bill 2019* on 18 September 2019. The Bill was assented on 13 February 2020 and became the *Child Death Review Legislation Amendment Act 2020*.

NEW CHILD DEATH REVIEW MODEL

The *Child Death Review Legislation Amendment Act 2020*³ established a new child death review model by:

- requiring more agencies involved in providing services to the child protection system, that is, the Department of Education, the Department of Youth Justice⁴, the Queensland Police Service, and Queensland Health, in addition to Child Safety and the Director of Child Protection Litigation, to conduct internal systems reviews of their service provision

¹ Now known as the Department of Child Safety, Seniors and Disability Services following machinery of government changes in May 2023.

² Queensland Family and Child Commission 2017, *A systems review of individual agency findings following the death of a child*, <https://www.qfcc.qld.gov.au/sector/child-death/system-reviews-after-child-death>

³ Refer: <https://www.legislation.qld.gov.au/view/html/asmade/act-2020-002>

⁴ Now known as the Department of Employment, Small Business and Training, following machinery of government changes in May 2023.

- establishing a new, independent Child Death Review Board (Board) located within the QFCC and tasked to carry out systems reviews following the death of children connected to the child protection system to identify:
 - opportunities for continuous improvement in systems, legislation, policies, and practices
 - preventative mechanisms to help children and prevent deaths that may be avoidable.

The review model:

- complements, rather than replicates, existing Queensland child death review processes (such as those of the State Coroner and Queensland Ombudsman)
- focuses on systems and practice improvements, rather than on individual accountability, and
- expands beyond the delivery of child safety services in reviewing children known to Child Safety.

The Board has responsibilities across the wider child protection system and represents a significant shift in scope, functions, powers and governance from the predecessor Child Death Case Review Panels.

The wide systems focus of the Board recognises that:

- the safety and wellbeing of children is a shared responsibility, and
- a system for the protection of children is more than just a statutory child protection service.⁵

INDEPENDENCE OF THE CHILD DEATH REVIEW BOARD

The Board must act independently and in the public interest.⁶ There are several mechanisms in place establishing the independence of the Board.

Independence from Child Safety and agencies delivering services to children and families

To create independence, Chapter 7A, Part 2 (Child Death Case Review Panels) was removed from the *Child Protection Act 1999* (the main legislation for Child Safety) and Part 3A 'Child Death Review Board' was introduced in the FCC Act in 2020.

This means the Board is established under a different portfolio of legislative and ministerial responsibility to that of child protection statutory services. It also means it is hosted by the QFCC, an existing independent oversight body for child protection.

Independence from the QFCC commissioner's other responsibilities and the QFCC

While the QFCC hosts the Board, Part 3A of the FCC Act establishes the Board with distinct functions and powers (separate to those of the QFCC). It is important to note that it is a role of either the QFCC Principal Commissioner or Commissioner to be the Board Chairperson (the Chairperson). Part 3A of the FCC Act states the commissioner, in their role as Chairperson, is not subject to direction of the responsible Minister or anyone else.

The Board is required to report on its own functions (the QFCC does not report on the Board). The FCC Act gives the Board powers to release annual reports of its operations and produce other review reports. It is also able to release its own reports (in certain circumstances). The annual reports (and other reports at times) are provided by the Chairperson to the Minister for tabling in Parliament.

The Board is supported by the Secretariat (a team of staff employed by the QFCC). The Secretariat acts as an agent for the Board to help prepare information and materials for the Board reviews. The Secretariat reports to the Manager of the Child Death Review Board Secretariat. The Manager reports to the Executive Director,

⁵ Office of the Queensland Parliamentary Counsel 18 September 2019, *Child Death Review Legislation Amendment Bill 2019 - Explanatory Notes*, <https://www.legislation.qld.gov.au/view/pdf/bill.first.exp/bill-2019-030>, p. 7.

⁶ *Family and Child Commission Act 2014* (Qld), s. 29F

Government Relations and Corporate Services, and to the Board Chairperson. The Chairperson regularly schedules time each month to solely focus on performing the role of Chairperson. The Chairperson's roles and responsibilities are outlined in *Section 6: Roles and responsibilities of the Board Chairperson*.

In some circumstances, it is important to share information between the QFCC and Board as they both play a role in preventing child deaths. A Memorandum of Understanding (MOU) defines the information sharing protocol regarding when and how this is done.

To ensure the separation of the role of the Chairperson from their role as QFCC commissioner, the Chairperson will engage in meaningful consultation and collaboration with the Deputy Chairperson and those Board members who are not State government employees.

If the Board intends to make any recommendations and improvements relating to the QFCC, these recommendations are to be agreed upon by Board members at meetings composed of a majority of persons who are not public sector employees.

Information about the conduct of reviews by the Board will be quarantined from the commissioner's communication with the Minister or Departmental Officers to avoid any actual or perceived undue influence over the conduct of the independent review function.

Independence from the government

The Minister, or anyone else, cannot direct the Board on how it is to perform its functions.⁷ While the Minister may direct the Board to carry out a review about a particular matter, the Board determines the terms of reference, how the review is carried out and its outcomes.

The Board membership also plays an important role in maintaining independence from government. The Chairperson and no more than eleven (11) members are appointed to the Board with at least six (6) members being non-government members. All resolutions (decisions) must be made by Board member majority vote. This means government members do not hold majority voting and decision-making powers.

Independent reporting by the Board (discussed in the above section) also makes sure reports are not influenced by government policy agendas.

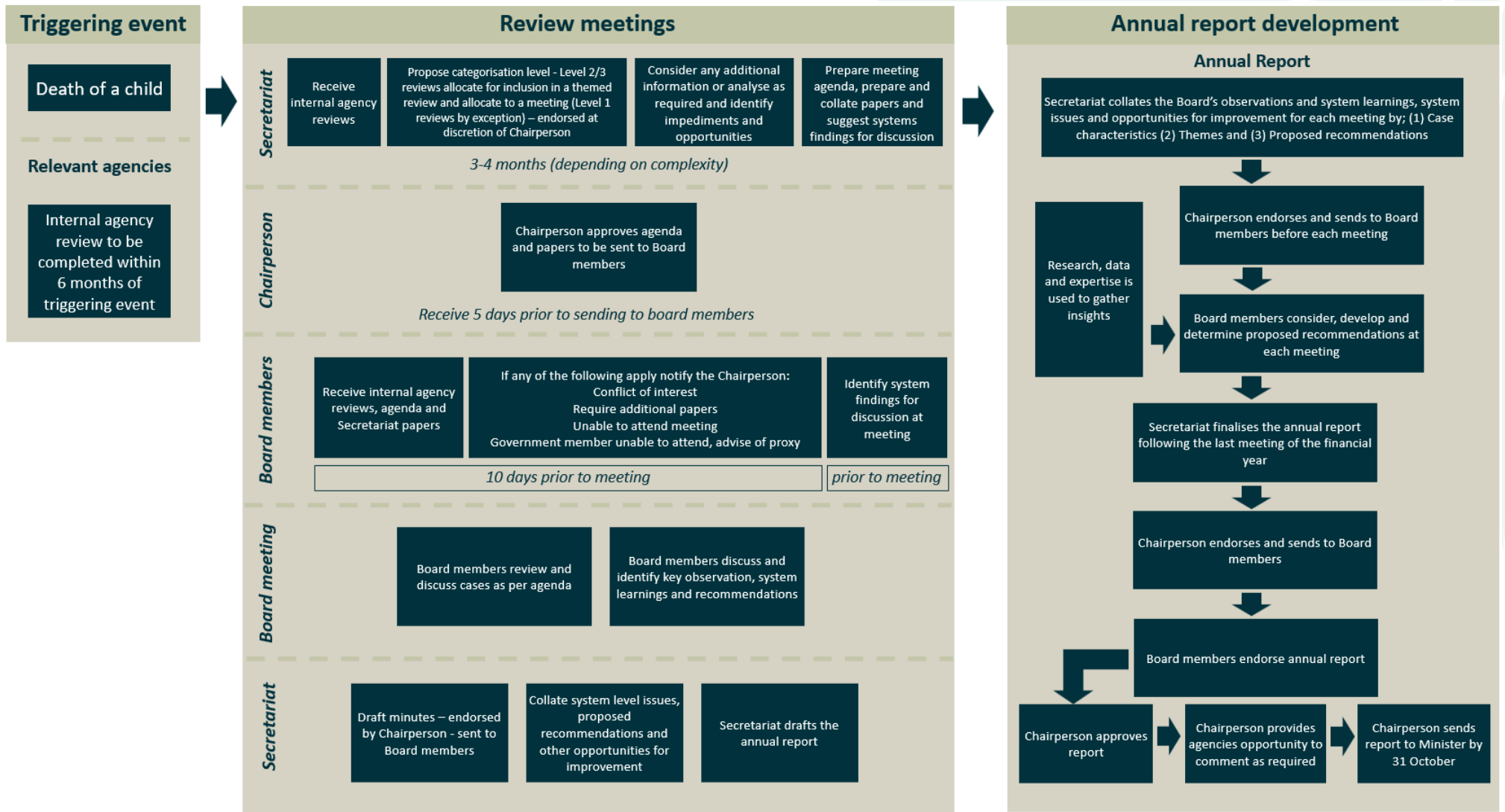
PROCEDURAL GUIDELINES REVIEW

The Board will periodically consider the appropriateness and effectiveness of these procedural guidelines. Periodic review occurs by the Secretariat and/or as guided by the Board Chair and members. Areas of consideration are:

- meeting frequency and workload management
- case categorisation framework
- theming of collective reviews
- volume of information necessary to make systemic findings.

⁷ *Family and Child Commission Act 2014 (Qld)*, s. 29F

BOARD PROCESS OVERVIEW



BOARD AND SECRETARIAT WORKFLOW

Section 1 – Determining a matter for review

Identifying a matter for review



Secretariat to:

- Receive notification of death connected to the child protection system
- Identify requirement for Board to review the death
- Identify other agencies/bodies undertaking a review for this case
- Receive internal agency review reports
- Identify opportunity for themed collective reviews
- Allocate matters for review to a meeting

Section 2 – Preparing a matter for review

Commencing a review



Secretariat to:

- Categorise the matter by level of review required and allocate to a collective review theme (subject to discretion of Chairperson)
- Commence the review
- Gather information from agencies
- Prepare the supporting documentation for Board discussion

Section 3 – Preparing for a meeting

Preparing for discussion about matters for review



- Secretariat to prepare the agenda for the Board
- Secretariat to provide internal review reports and supporting documentation
- Secretariat to distribute the agenda and Secretariat meeting papers
- Members to advise on conflicts of interest
- Members to review the meeting papers and prepare for a meeting

Section 4 – Undertaking a meeting

Discussing matters for review



- Board to consider the matters for review listed for discussion
- Board to determine decisions about further actions
- Board to determine actions to be undertaken following the meeting
- Board to determine a matter as considered
- Secretariat to prepare a record of meeting and decisions

Section 5 – Reports and Recommendations

Reports and Recommendations

- Ongoingly, the Board works to develop and monitor recommendations and discuss business matters, which will be finalised during the last meeting of the financial year
- Prepare an annual report
- Prepare discretionary reports
- Commission research reports

Section 1—Determining a matter for review

PURPOSE

This section sets out the procedural aspects for the Secretariat receiving, categorising and allocating cases to the Board for review.

Section 1 – Determining a matter for review

Identifying a matter for
review



Secretariat to:

- Receive notification of death connected to the child protection system (s245G Notice)
- Identify requirement for Board to review the death
- Identify other agencies/bodies undertaking a review for this case
- Receive internal agency review reports within 6 months of triggering event (s245G response)
- Allocate matters to a meeting date for Board review

Key steps

- 1.1** Secretariat determines the requirement for a Board review following the death of a child
- 1.2** Secretariat identifies agencies and other bodies undertaking internal reviews
- 1.3** Secretariat receives internal agency review reports

Standards and principles

- The Board carries out reviews following the deaths of children connected to the child protection system.

KEY STEPS

Step 1.1 Secretariat determines the requirement for a Board review following the death of a child

Child protection-related death

The Board carries out reviews following the deaths of children connected to the child protection system.



A child death is 'connected to the child protection system' if it is a child death for which an internal agency review was carried out under chapter 7A of the Child Protection Act 1999 (the CP Act).

Chapter 7A describes a system in which an agency carries out a review of its own involvement, if a child dies (or suffers serious physical injury) after a (relevant) agency has been involved within one (1) year before the death (or serious physical injury) of a child that is known to Child Safety.

The purpose of internal reviews relating to the death of a child (internal reviews) is to promote the safety and wellbeing of children who come into contact with the child protection system. In this context, the CP Act continues to focus on children known to Child Safety who have died or suffered a serious physical injury over the past 12 months.

Board matter for review

Child Safety provides a written notice (pursuant to section 245G of the *Child Protection Act 1999*) to all relevant agencies as soon as it becomes aware that it is required to undertake an internal system review of its involvement with a child known to Child Safety after the child's death or serious physical injury. The section 245G notice includes the date of the triggering event.



The Board does not undertake serious physical injury reviews, unless there are exceptional circumstances that result in the Minister asking the Board to carry out a review.

The Secretariat does not routinely receive written notice about serious physical injury from Child Safety or internal system review reports from relevant agencies in relation to serious injury of a child.

Once the Secretariat receives a written notice from Child Safety or a request from the Minister to undertake a review, the Secretariat identifies the matter as a 'matter for review' and records it in the register of matters for review by the Board.

Reviews that fall outside the ordinary process (for example a review on a cohort of children) will be listed by the Secretariat as 'matters for review' on direction of the Chairperson.

Minister may request a review

In exceptional circumstances, the Minister responsible for the QFCC may request the Board to conduct a systems review or to consider a certain system or issue as part of a review, that would ordinarily fall outside of the Board scope.⁸ For example:⁹

- the death of a child that was not the subject of an internal agency review; or
- a review related to a serious physical injury of a child.

The Board must comply with the Minister's request. In such event, the terms of reference for the requested review are determined by the Board, on a case-by-case basis through applying the review categorisation framework.



It is expected that Ministerial requests will only occur in limited circumstances where there is a need to review a very serious or high-profile issue with significant system implications (which, otherwise, would have fallen outside the Board's usual scope of review work which focuses on children connected to the child protection system).

Step 1.2 Secretariat identifies agencies and other bodies undertaking internal reviews

Internal agency reviews relating to the death of a child

On receipt of a notice from Child Safety, relevant agencies determine whether there is a triggering event for an internal agency review, that is, determine if they provided a service to the child within the year prior to death.

Relevant agencies notify the Secretariat as soon as they become aware that they are required to carry out an internal review relating to the death of a child, including the date of their triggering event.

As soon as practicable, but not exceeding six (6) months after the 'triggering event'¹⁰, the relevant agencies (including the litigation director's office):

- decide on the extent of, and terms of reference, for their internal review¹¹
- carry out a review of the agency's involvement and prepare a review report¹² and
- provide a copy of the review report (with copies of any documents obtained by the agency and used for the review) to the Secretariat, for a systems review by the Board.¹³

Other entities may also undertake a review

Other entities such as the Domestic and Family Violence Death Review and Advisory Board and the QFCC may also undertake a systems review following the death of a child.

The Secretariat liaises with these entities to determine if the entity is undertaking a review.

⁸ Family and Child Commission Act 2014 (Qld), s. 29I(1).

⁹ Family and Child Commission Act 2014 (Qld), s. 29I(2).

¹⁰ Child Protection Act 1999 (Qld), s. 245(1), s. 245M.

¹¹ Child Protection Act 1999 (Qld), s. 245K.

¹² Child Protection Act 1999 (Qld), s. 245(1), s. 245N.

¹³ Child Protection Act 1999 (Qld), s. 245O.



The responsibility for investigating the specific circumstances and causes of the individual child's death remains with the relevant agencies, such as the Queensland Police Service and the Coroner.

Step 1.3 Secretariat receives internal agency review reports

The Secretariat manages receipt of internal review reports and documents from relevant agencies, including sending a reminder one month before the report due date.

Section 2—Preparing a matter for review

PURPOSE

This section sets out the procedural aspects for the Secretariat preparing the review of a child death for Board consideration.

Section 2 – Preparing a matter for review

Theming and commencing a review



Secretariat to:

- Categorise the matter by level of review required and allocate to a collective review theme (subject to discretion of Chairperson)
- Commence the review
- Gather information from agencies
- Prepare the supporting documentation for Board discussion

Key steps

- 2.1** Categorise the matter by level of review required and allocate to a collective review theme (subject to discretion of Chairperson)
- 2.2** Secretariat commences review
- 2.3** Information gathered from agencies
- 2.4** Secretariat prepares supporting documentation for matters for review

Standards and principles

- Board reviews are system reviews.¹⁴
- The Board avoids unnecessary duplication of processes carried out by the QFCC and other review entities when considering a matter listed for Board review.¹⁵
- Public agencies should make available to the Board, in a timely manner, any requested information considered relevant to the Board functions and in the best interests of children.¹⁶
- The Board is not required to review all child deaths; rather, the Board should place most focus on reviews following the deaths of children that provide the greatest opportunity for system learnings that contribute to improving systems.
- The Board is not to consider whether disciplinary action should be undertaken within the terms of reference.¹⁷

¹⁴ *Family and Child Commission Act 2014* (Qld), s. 29A(1).

¹⁵ *Family and Child Commission Act 2014* (Qld), s. 9(3).

¹⁶ *Family and Child Commission Act 2014* (Qld), s. 29O.

¹⁷ *Family and Child Commission Act 2014* (Qld), s. 29H(5).

KEY STEPS

Step 2.1 Categorise the matter by level of review required and allocate to a collective review theme (subject to discretion of Chairperson)

Terms of Reference for reviews

The Board carries out systems reviews it considers appropriate for its purpose and decides the extent and terms of reference of the review which may include:

- (a) the effectiveness of, or interaction between—
 - (i) services that were provided to a child or a child's family before the child's death, or*
 - (ii) services provided to children or families that could have been, but were not, provided to a child or a child's family before the child's death**
- (b) issues relating to practices or systems that may expose children to risk*
- (c) ways of improving practices or systems relating to identifying or responding to risks*
- (d) ways of improving communication and collaboration between service providers.¹⁸*

A review categorisation framework sets the standard terms of reference for all reviews to be considered by the Board. Additional terms of reference may be considered necessary by the Board and can be agreed to.

Review categorisation framework

To assist the Board in setting its terms of reference for each review, the Chair, with the support of the Secretariat, categorises each review into one of three levels (level 1, 2 or 3). Level 3 reviews are those requiring the greatest preparatory work and consideration by the Board.

The Secretariat will ordinarily commence reviewing the internal reviews for a child death once it has received the reports from all the agencies undertaking internal reviews relating to that death.

The decision to categorise a review at a particular level is a matter of fact and degree, and is subject to the discretion of the Chairperson to ensure the Board appropriately performs its functions (per s29W(2)). Review categorisation decisions are informed by the internal review reports and other information at hand.

Members of the Board are regularly informed about these decisions. Board members can agree to override a review's assigned categorisation level and raise a matter to a Level 3 category in special circumstances, for example, matters of strong public interest.

The framework should be applied flexibly, on a case-by-case basis. When considering the level of a review, a higher level may be recommended if any of the relevant factors are present, and a child has died from fatal assault and neglect or suicide or was in state care at the time of their death.

¹⁸ *Family and Child Commission Act 2014* (Qld), s. 29H(4).

Case categorisation framework

<p>Level 3</p>	<p>Reviews are to be categorised at Level 3 if any of the following factors indicate issues inherent to the child protection system, and present opportunities for improvement to systems, legislation, policies and/or practices to resolve those issues and/or to prevent future avoidable deaths:</p> <ul style="list-style-type: none"> • There are indications of systemic shortcomings in government services • There were serious oversights, or issues in relation to funded service providers or other entities prior to the child’s death • Multiple (or isolated but significant) opportunities for system intervention or agency coordination were missed • Significant or obvious child death prevention mechanisms did not function as expected or were not in place.
<p>Level 2</p>	<p>Reviews may be categorised at Level 2 if any of the following factors present opportunities for improvements to systems, legislation, policies and/or practices. Child death prevention mechanisms may be considered:</p> <ul style="list-style-type: none"> • Agency oversights, mistakes, or service gaps exist but have been adequately identified and considered in the internal review process • Themes inherent in the child protection system are identified which require monitoring to determine their full extent and impact • Relevant child death prevention mechanisms require monitoring to determine their ongoing effectiveness.
<p>Level 1</p>	<p>Reviews may be categorised at Level 1 if the circumstances of the case present limited or no opportunities for system learnings and/or do not support ongoing monitoring of system themes or child death prevention mechanisms—particularly if the following apply:</p> <ul style="list-style-type: none"> • The agency review process does not identify or indicate agency oversights or missed opportunities for intervention • The death of the child was anticipated for medical reasons and the system response was appropriate under the circumstances • The child and their family had minimal contact with the child protection system prior to the child’s death, including where involvement was triggered by the incident leading to their death.

Themed collective reviews

At the discretion of the Chair, matters will be allocated to a review theme and matters with similar themes considered collectively. For example, themed collective reviews could relate to vulnerable infants and unborn children, deaths by suicide, children with complex medical needs or a disability, substance use by parents, or impacts of domestic and family violence on families. This allows for collective learnings and generates opportunities to invite subject matter experts to present to the Board on specific topic areas.

Themed collective reviews can include matters categorised at all levels. The cases that have been categorised as Level 3 are considered lead matters.

Additional matters

At times, cases may be reviewed individually by the Board and not as part of a themed collective review. This reflects circumstances where a case highlights systems issues that provide significant opportunities for learning.

The Board may decide to consider matters in addition to those set out in the review categorisation framework, such as specific systems or issues that arise from reviewing a matter.¹⁹ From time-to-time, a review may also be undertaken on the deaths of children over prior years in response to a specific issue.

Additional matters can be addressed through the Board deciding actions or by Chair direction. This may include, for example, further preparatory work by the Secretariat (data analysis, gathering further case information, or reports dedicated to a particular topic), inviting expert stakeholders and commissioning research or a report. See *Step 4.2: Board to discuss the matters listed and determine decisions* for further information on determining decisions. Additional matters must not include whether any disciplinary action should be taken against any person.²⁰

Step 2.2 Information gathered from agencies

The Board may request information, including confidential information, from any entity for the purpose of the Board's functions. Examples of entities from whom information may be requested are included below.

Any agency may also provide confidential information to the Board to carry out its child death review functions.

Secretariat information requests

The Secretariat may gather additional information from agencies responsible for undertaking an internal agency review. For example, the Secretariat may request referenced policies and procedures or further information about agency responses to the family discussed within the internal review report.

The Secretariat may also request information needed to inform the review categorisation. See *Step 2.1: Categorise the matter by level of review required and allocate to a collective review theme (subject to discretion of Chairperson)* for further information on how reviews are categorised, and the material prepared for each case category.

Board information requests

For the purposes of carrying out its functions, either:

- the Board may ask an entity for information, or
- any entity may give confidential information to the Board (whether or not the information was requested by the Board) but only for the purpose of the Board's functions.²¹

The Board can request information from a range of other entities, such as:

¹⁹ *Family and Child Commission Act 2014* (Qld), s. 29H(3).

²⁰ *Family and Child Commission Act 2014* (Qld), s. 29H(5).

²¹ *Family and Child Commission Act 2014* (Qld), s. 29P.

- a public agency
- a non-government agency that provides services to children or their families
- a private hospital
- a medical practitioner
- a school principal, and
- an approved provider of an education and care service.²²

Requests for information must be made in writing and issued by the Chairperson of the Board (and not the Secretariat) when the:

- information sought from agencies responsible for internal agency reviews falls outside of the scope of an agency's internal review report, or when the
- information is sought from agencies which are not responsible for internal agency reviews.

The Chairperson can issue an information request when:

- the Chairperson determines the need for additional information to inform the preparatory work of the Secretariat
- the Board records an action to request the information
- the Board determines the information is needed for another purpose to fulfil the functions of the Board.

An agency is asked to provide the requested information within fifteen (15) business days. To streamline the process for agencies and entities, information requests are issued by the Chairperson on a standardised template.

Information from qualified persons

As part of its statutory functions, the Board can engage persons to carry out research that is relevant to its reviews.²³ Similarly, the Board can engage appropriately qualified persons to conduct research, provide legal advice or prepare reports to help the Board perform its functions.²⁴

In these circumstances, contractual arrangements are between the Chairperson on behalf of the Board and the qualified person. These contractual arrangements are managed and made by the QFCC on behalf of the Board, as the Board is not an entity. The Board is hosted by QFCC for administrative purposes.

The Board may also invite persons (whether qualified or not) who are not Board members to attend a meeting to advise or inform the Board about any matter.²⁵ Invitations are issued through the Chairperson. See *Step 3.1: Board Chairperson distributes the agenda and issues invitations for information on nominating persons to be invited.*

Information from entities under information sharing agreements

The Board can enter into other sharing or exchange arrangements with other agencies for information (including confidential information). Some examples of such agencies are the:

²² *Family and Child Commission Act 2014* (Qld), s. 29P(2), Examples.

²³ *Family and Child Commission Act 2014* (Qld), s. 29D(c).

²⁴ *Family and Child Commission Act 2014* (Qld), s. 29E.

²⁵ *Family and Child Commission Act 2014* (Qld), s. 29ZH(7).

- State Coroner (for example, to obtain investigation documents under the *Coroners Act 2003* (Qld))
- Domestic and Family Violence Death Review and Advisory Board (DFVDRAP), and
- the QFCC.²⁶

Examples of information sharing mechanisms that the Board may enter into are:

- Memoranda of Understanding (MoU)
- Service Agreements, or
- review-specific Joint Agency Agreements.

The Secretariat is responsible for drafting an information sharing agreement, under the direction of the Chairperson. The Chairperson is the signatory on behalf of the Board on the agreement and is to ordinarily publish the agreement.

Step 2.3 Secretariat to prepare supporting documentation for matters for review

The Secretariat develops supporting review documentation for matters listed on the agenda for discussion based on their review categorisation.

Themed collective reviews are case reviews grouped by theme. Themed collective reviews can contain cases categorised at any level, however, cases categorised as Level 3 are usually considered lead matters.

Cases categorised as Level 3 are those which indicate serious issues with service provision or systems issues or significant missed opportunities, are accompanied by a systems analysis of responses to the family to support the Board discussion.

The systems analysis includes:

- a review of system touchpoints with the child and family
- creation of a chronology of the touchpoints and relevant events
- establishing a timeline of those touchpoints
- identifying impediments to timely and effective responses to the child.

The analysis considers additional information requested by the Chairperson (for new requests) or the Secretariat (for requests relating to a completed internal agency review report).

A report is prepared by the Secretariat for the Board discussion and provided together with the related agency review reports.

Cases categorised as Level 2 will provide supporting information to the review of cases categorised as Level 3, in themed collective reviews. The detail in which a Level 2 case is limited to that which is necessary to provide supporting information for the collective review theme.

Cases that have been categorised as Level 1 reviews can be raised for discussion by exception, and a briefing note for this categorisation is prepared by the Secretariat and provided to the Board for information.

All relevant papers, including agency review reports, are provided to Board members electronically, while maintaining strict confidentiality using a secure site.

²⁶ *Family and Child Commission Act 2014* (Qld), s. 29R.

Section 3—Preparing for a meeting

PURPOSE

This section sets out the procedural aspects for preparing for a Board meeting.

Section 3 – Preparing for a meeting

Preparing for discussion
about matters for review



- Secretariat to prepare the agenda for the Board
- Secretariat to provide internal review reports
- Secretariat to distribute the agenda and Secretariat meeting papers
- Members to advise on conflicts of interest
- Members to review the meeting papers and prepare for a meeting

Key steps

- 3.1** Board Chairperson distributes the agenda
- 3.2** Board members advise Chairperson of any conflict of interest
- 3.3** Board members prepare for a meeting

Standards and principles

- Board members must disclose direct or indirect interests in matters under Board consideration.²⁷
- As part of its review functions, the Board can review a cohort of children over prior years, analyse data, and apply research to identify patterns, trends and risk factors that are relevant to its review and systems.
- Board members consider matters for review at a systems level, and do not make any findings about an individual person.

²⁷ *Family and Child Commission Act 2014* (Qld), s. 29ZJ.

KEY STEPS

Matters listed on the agenda once all review reports are available

Matters for review are listed for Board discussion once all internal review reports have been received and all supporting documentation has been prepared by the Secretariat.

The Board makes every attempt to consider matters in timely fashion. This ensures:

- accountability is upheld, as matters are reviewed as close as possible to the death of a child
- swift responses to matters which may need rapid consideration to provide recommendations for system improvement.

Some child deaths which are ready to be listed for review by the Board, may be under investigation or have a review planned by other agencies or entities, such as the Coroner or the Domestic and Family Violence Death Review and Advisory Board. In these circumstances, matters listed for review by the Board will not be held over pending the findings of investigations or reviews by other entities. To reduce unnecessary duplication, the Board will share information with other agencies or entities conducting reviews as deemed appropriate.

Step 3.1 Board Chairperson distributes the agenda and issues invitations

The Secretariat allocates each matter for review to a meeting as soon as practicable, in accordance with the identified themes for collective reviews, and prepares the draft agenda for each Board meeting. See *Step 2.1: Categorise the matter by level of review required and allocate to a collective review theme (subject to discretion of Chairperson)* for further information.

The Secretariat provides the draft agenda to the Chairperson for approval.

No later than ten (10) business days before the scheduled meeting, the Chairperson (via the Secretariat) makes the following documents available to Board members:

- The final agenda
- Agency review reports
- Supporting documentation prepared by the Secretariat to assist the Board in undertaking reviews (for example, collective review reports or agenda papers)

The Chairperson determines other stakeholders to be invited to the meeting where required.

If Board members would like to nominate a person to be invited to a Board meeting or would like to include additional matters for discussion on the final agenda, the member notifies the Chairperson no later than fifteen (15) business days before the scheduled meeting. Additional matters, identified by Board members after receipt of the agenda, are managed as other business or carried over to the next meeting.

Step 3.2 Board members advise Chairperson of any conflict of interest

Disclosure of Conflict of interest

Board members are expected to declare on the commencement of their appointment any conflict of interest (including conflicts which may be perceived only) relating to their Board membership.²⁸

²⁸ Department of Premier and Cabinet 2020, *Cabinet Handbook*, <https://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/assets/qld-cabinet-handbook.pdf>, p. 56.

Board members, including their proxies, must disclose to the Board any interest that may relate to specific agenda matters under Board consideration. This must be disclosed as soon as possible after the perceived conflict comes to the Board member's knowledge, but otherwise before it is considered at a Board meeting.²⁹

Members may disclose any perceived conflict of interest to the Chairperson in writing in a form provided by the Secretariat.

A Board member who discloses an interest in a relevant matter which is determined by the non-conflicted members to be a conflict must not:

- be present when the non-conflicted members consider whether to include or exclude that member from its consideration of the relevant matter³⁰
- be present when the non-conflicted members deliberate on the relevant matter, unless directed otherwise by the Board³¹
- participate in the non-conflicted members' decision-making about the relevant matter, unless directed otherwise by the Board.³²

Managing conflicts

Conflicts of interest are recorded in the minutes of meeting. The Secretariat maintains a register of member conflicts of interest containing details of each disclosure with a record of associated decisions.³³ A sample copy of this register is attached in Appendix A.

A contravention by a Board member in relation to disclosing a conflict of interest does not automatically invalidate a Board decision on which they voted.³⁴ However, the decision must be reconsidered by the Board on becoming aware a Board member's conflict of interest exists.³⁵

Board members will be provided with guidelines to assist them to identify, disclose, deliberate and manage conflicts of interest in accordance with the FCC Act and relevant standards, and to provide avenues to obtain independent advice. Appendix E contains *Conflicts of Interest: Making good decisions*, a visual guide to assist Board members between and during meetings.



Information on avoiding conflicts of interest is included in the document produced by the Queensland Integrity Commissioner, 'Identifying, Disclosing and Managing Personal Interests: A Guide for Multi-Member Decision-Making Bodies'.³⁶

Step 3.3 Board members prepare for a meeting

Board members review the internal agency review reports, supporting documentation and other agenda papers prior to the meeting.

²⁹ Family and Child Commission Act 2014 (Qld), s. 29ZJ(2).

³⁰ Family and Child Commission Act 2014 (Qld), s. 29ZJ(5).

³¹ Family and Child Commission Act 2014 (Qld), s. 29ZJ(4)(a).

³² Family and Child Commission Act 2014 (Qld), s. 29ZJ(4)(b).

³³ Family and Child Commission Act 2014 (Qld), s. 29ZJ(3).

³⁴ Family and Child Commission Act 2014 (Qld), s. 29ZJ(6).

³⁵ Family and Child Commission Act 2014 (Qld), s. 29ZJ(7).

³⁶ Queensland Integrity Commissioner, 2019, *Identifying, Disclosing and Managing Personal Interests: A Guide for Multi-Member Decision-Making Bodies*, <https://www.integrity.qld.gov.au/assets/document/catalogue/resources/multi-member-decision-making-bodies.pdf>.

If a government Board member is attending by proxy, the proxy will be granted access to the documentation by the Chairperson, and not the nominating member. See *step 4.1 Board members attend a meeting* for further information.

Board members consider the system level issues, opportunities for improvements and areas needing further consideration for discussion at the meeting. The Board does not make findings about the actions of individuals or assign disciplinary action against any person.³⁷

Matters to consider may include:³⁸

- (a) the effectiveness of, or interaction between—
 - (i) services that were provided to a child or a child’s family before the child’s death; or*
 - (ii) services provided to children or families that could have been, but were not, provided to a child or a child’s family before the child’s death.**
- (b) issues relating to practices or systems that may expose children to risk;*
- (c) ways of improving practices or systems relating to identifying or responding to risks;*
- (d) ways of improving communication and collaboration between service providers;*
- (e) issues about a particular system arising from internal agency reviews;*
- (f) research, data, or information of benefit to emerging system issues.*

³⁷ *Family and Child Commission Act 2014 (Qld)*, s. 29H(5).

³⁸ *Family and Child Commission Act 2014 (Qld)*, s. 29H.

Section 4—Undertaking a meeting

PURPOSE

This section sets out the procedural aspects for undertaking a Board meeting.

Section 4 – Undertaking a meeting

Discussing matters for
review



- Board to consider the matters for review listed for discussion
- Board to determine decisions about further actions
- Board to determine actions to be undertaken following the meeting
- Board to determine a matter as considered
- Secretariat to prepare a record of meeting and decisions

Key steps

- 4.1** Board members attend a meeting
- 4.2** Board discusses the matters listed and makes decisions
- 4.3** Board determines a matter for review has been considered
- 4.4** Secretariat prepares a record of meeting and decisions

Standards and principles

- The Board conducts its proceeding and meetings as it considers appropriate³⁹ and holds its meetings when and wherever it decides⁴⁰ using appropriate technologies.
- The Board and the Chairperson are not subject to direction by the Minister in carrying out Board functions.⁴¹
- The Board considers matters for review at a systems level,⁴² and does not make any finding about an individual person.⁴³
- Board members act independently and in the public interest.⁴⁴

³⁹ *Family and Child Commission Act 2014* (Qld), s. 29ZH(1).

⁴⁰ *Family and Child Commission Act 2014* (Qld), s. 29ZE(1).

⁴¹ *Family and Child Commission Act 2014* (Qld), s. 29F.

⁴² *Family and Child Commission Act 2014* (Qld), s. 29A(4).

⁴³ *Family and Child Commission Act 2014* (Qld), s. 29H(5).

⁴⁴ *Family and Child Commission Act 2014* (Qld), s. 29F(1).

KEY STEPS

Step 4.1 Board members attend a meeting

Conduct of meeting

The Chairperson schedules meetings in line with the agenda. The Board conducts its meeting proceedings as it considers appropriate.

Members are expected to attend and participate in Board meetings. If extenuating circumstances prevent a member's attendance, they are required to notify the Chairperson of their unavailability as soon as practicable.

Where possible, members who are unable to attend a meeting are requested to provide written comments and feedback to the meeting for the consideration of other members, even if they have a proxy attending in their place.

An appointed member must not be absent from three (3) consecutive meetings without the Board's permission and without a reasonable excuse.⁴⁵

Quorum

A quorum for a Board meeting is at least half of the members, including at least one (1) member who is an Aboriginal or Torres Strait Islander person.⁴⁶ In the absence of a quorum a meeting may go ahead but business decided at a meeting needs to be ratified at a later meeting at which a quorum is formed, or ratified out of session. A proxy holder cannot be counted for the purpose of determining a quorum for a meeting.⁴⁷

Expert advisors

The Board may invite other persons (such as subject matter experts or advisors) to attend a Board meeting to advise or inform it about any matter.⁴⁸ Only the Chairperson can issue external persons with an invitation to a meeting. See *Step 3.1: Board Chairperson distributes the agenda and issues invitations* for information on nominating persons to be invited to a meeting.

If an advisor, in their advisory role, requires access to meeting documentation they are only granted access to the documentation relating to the matter on which they are advising. In such cases, the advisor is bound by the confidentiality provisions of the FCC Act.

Advisory persons cannot vote on any matters submitted for a Board vote.

Board meeting schedule and place

Five (5) Board review meetings are ordinarily scheduled per year.

The final meeting of the financial year, is held in June or July and will have additional agenda items that are dedicated to:

- an overarching review of the previous meetings of the year for the purpose of further finalising systems review recommendations for the annual report
- a reflection of the Board activities of the previous year

⁴⁵ *Family and Child Commission Act 2014* (Qld), s. 29ZB(2)(a).

⁴⁶ *Family and Child Commission Act 2014* (Qld), s. 29ZF.

⁴⁷ *Family and Child Commission Act 2014* (Qld), s. 29ZK(2)(c).

⁴⁸ *Family and Child Commission Act 2014* (Qld), s. 29ZH(7).

- presentations from invited experts or researchers
- planning for the year ahead.

Meetings are to be held at the QFCC or other suitable location, or as a virtual meeting as determined by the Chairperson.⁴⁹

All meetings are scheduled as determined by the Chairperson, depending on the agenda and any outstanding business or administrative matters.

The Chairperson may call an additional meeting at any time; and must call a meeting if at least three (3) other Board members request it.⁵⁰

Board composition

The Board consists of a maximum of twelve (12) members, namely the Chairperson and not more than eleven (11) other members.⁵¹ This membership must reflect the social and cultural diversity of the Queensland community, include persons with a range of experience, knowledge or skills relevant to the board's functions, include at least one (1) Aboriginal and Torres Strait Islander person and cannot include a majority of public sector employees.⁵² The Board members are appointed by the relevant Minister.

Presiding Board member

The presiding member must be the Chairperson (when present) or the Deputy Chairperson in the Chairperson's absence.⁵³

If neither the Chairperson nor the Deputy Chairperson is present at a meeting, the presiding member for that meeting may be chosen by the present Board members.⁵⁴

Values and behaviours of Board members

All Board members must act independently and objectively during the conduct of their Board duties and must act in the public interest.⁵⁵

Board members are required to declare on the commencement of their appointment any real, potential, perceived or apparent conflict of interests relating to their Board membership.⁵⁶

Similarly, Board members, including their proxies, are required to declare at the outset of each Board meeting any interests that may relate to specific agenda matters under Board consideration. See *Step 3.2: Board members advise Chairperson of any conflicts of interest*.

Members must comply with the Board Code of Conduct and with the *Public Sector Ethics Act 1994* (Qld).⁵⁷

The Code requires that public sector employees must always conduct themselves appropriately and be mindful of their obligation to maintain and enhance public confidence in the integrity of public administration.

⁴⁹ *Family and Child Commission Act 2014* (Qld), s. 29ZE(1).

⁵⁰ *Family and Child Commission Act 2014* (Qld), s. 29ZE(2).

⁵¹ *Family and Child Commission Act 2014* (Qld), s. 29V.

⁵² *Family and Child Commission Act 2014* (Qld), s. 29X(7).

⁵³ *Family and Child Commission Act 2014* (Qld), s. 29ZG(1), s.29ZG(2).

⁵⁴ *Family and Child Commission Act 2014* (Qld), s. 29ZG(3).

⁵⁵ *Family and Child Commission Act 2014* (Qld), s. 29F.

⁵⁶ *Family and Child Commission Act 2014* (Qld), s. 29ZJ.

⁵⁷ Refer: <https://www.legislation.qld.gov.au/view/whole/html/inforce/current/act-1994-067>

The government guidance publication *Welcome Aboard: A guide for members of Queensland Government Boards, Committees and Statutory Authorities*⁵⁸ provides important information for Board members.

Board members must also observe the Information Privacy Principles detailed in Schedule 3 of the *Information Privacy Act 2009 (Qld)*.⁵⁹

Links to the above documents are provided in the footnotes below.

Proxy attendance

A government member may attend a Board meeting by proxy and participate in the meeting. The proxy holder cannot:⁶⁰

- vote on behalf of the Board member
- preside at the meeting if acting as the proxy holder for the Chairperson or Deputy Chairperson,⁶¹ and
- be counted for the purpose of establishing a quorum for a meeting.

The government member must provide advice of attendance by a proxy to the Chairperson no later than ten (10) business days prior to the meeting.

When sending a proxy, the government member needs to:

- fully brief the proxy on all relevant aspects of the meeting agenda
- advise the proxy that they will only be granted access to documentation that relates to that meeting
- reiterate the proxy's responsibilities in terms of confidentiality of meeting proceedings and their obligation to abide by the Board Code of Conduct and observe the principles of the *Information Privacy Act 2009*, Schedule 3⁶²
- ensure the proxy has no conflict of interest, or otherwise instruct the proxy to declare any real, potential, perceived or apparent conflict of interest relating to their meeting attendance, at the outset of the Board meeting, and
- advise the proxy holder that they cannot vote on behalf of the Board member.

Only the Chairperson can distribute meeting papers to nominated proxies via the Secretariat.

Step 4.2 Board discusses the matters listed and makes decisions

The Board discusses the matters listed for discussion at the scheduled meeting.

Meeting decisions include, but are not limited to:

- matters for review have been considered (See *Step 4.3: Board determines a matter for review has been considered*)
- actions that need to occur - for example, actions may include work by the Secretariat or others (data analysis, gathering further case information, reviewing similar cases to explore a specific

⁵⁸ Department of the Premier and Cabinet 2010, *Welcome Aboard: A guide for members of Queensland Government Boards, committees and statutory authorities*, <https://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/welcome-board/assets/welcome-aboard-handbook.pdf>

⁵⁹ Refer: <https://www.legislation.qld.gov.au/view/pdf/inforce/current/act-2009-014>

⁶⁰ *Family and Child Commission Act 2014* (Qld), s. 29ZK(2).

⁶¹ In the absence of both the Chairperson and Deputy Chairperson, a proxy for the Chairperson or Deputy Chairperson may preside at the meeting if they are chosen to do so by the present Board members.

⁶² Refer: <https://www.legislation.qld.gov.au/view/pdf/inforce/current/act-2009-014>

issue further, or specific topic reviews), inviting expert stakeholders, commissioning research or a report, writing to a head of an agency to raise an issue, or issuing an information request

- actions to be closed.

All actions arising from a Board meeting are recorded in an Action Items Register. The status of each outstanding action item is reviewed at Board meetings until the action has been completed.

The Secretariat maintains a list of completed action items.

Meeting resolutions are decided by a majority of attending members. At times, the Chairperson may put in place formal voting mechanisms or implement different avenues for decision-making, such as action items endorsed by members and ongoing recommendation development.

When formal voting occurs and there is no clear outcome for a resolution, such as when there is an equal number of votes, the presiding member (the Chairperson or Deputy Chairperson) has the casting vote.⁶³ A Board meeting resolution is considered valid if:⁶⁴

- it is passed at a Board meeting, or
- it is not passed at a Board meeting but at least half of the members give written agreement to the resolution.

Reviews can be considered out-of-session, and a resolution about a review may also be completed out-of-session. This occurs in exceptional circumstances and by the direction of the Chairperson. Other business matters may also be considered out-of-session if this is necessary due to time constraints. Such matters will be recorded in the minutes at the next scheduled Board meeting to make a record of the resolution.

Step 4.3 Board determines a review matter has been considered

A matter for review is ordinarily only considered once. Board members determine that a matter has been considered once it has been discussed at a Board meeting.

In exceptional circumstances, a decision can be made that a matter needs further consideration. In these circumstances, the Chairperson or Board is to decide the actions for how the matter is to be further addressed. See *Step 4.2: Board discusses the matters listed and makes decisions* for more information. In this situation, the matter is not identified as having been considered until the action/s have been addressed and the Board has undertaken further consideration.

Step 4.4 Secretariat prepares a record of meeting and decisions

The Secretariat maintains meeting minutes and records of the Board decisions and resolutions.⁶⁵

A draft copy of the minutes from the previous Board is endorsed by the Chairperson and provided to Board members with the agenda for the next meeting. If Board members identify inaccuracies in the minutes, the Secretariat updates the minutes. Other meeting outcome documentation that is required through an action resolution of the Board, such as writing to agencies if there is an urgent system gap that needs addressing or providing a summary document, will be prepared by the Secretariat at the direction of the Chairperson.

The approved Board minutes, with all associated documentation, are saved by the Secretariat.

⁶³ *Family and Child Commission Act 2014* (Qld), s. 29ZH(4), (5).

⁶⁴ *Family and Child Commission Act 2014* (Qld), s. 29ZH(6).

⁶⁵ *Family and Child Commission Act 2014* (Qld), s. 29ZI.

Section 5—Reports and recommendations

PURPOSE

This section sets out the procedural aspects for the Board to prepare reports and recommendations.

Section 5 – Reports and Recommendations

Reports and
Recommendations



- The Board works to develop and monitor recommendations on an ongoing basis with these to be finalised during the last meeting of the financial year.
- Prepare an annual report
- Prepare discretionary reports

Key steps

- 5.1** The last meeting of each financial year will have additional agenda items about recommendations, monitoring, reflection and planning for the year ahead
- 5.2** Board makes and monitors recommendations
- 5.3** Board prepares an annual Board report
- 5.4** Board prepares other Board reports

Standards and principles

- The Board provides the Minister, by 31 October of each year, an annual report on its operations during the previous financial year.
- The Board makes recommendations about improvements to systems, policies, and practices.
- The Board monitors the implementation of its recommendations.
- The Board may prepare a report about the findings of any review or about any matters relating to the performance of its functions.
- The Board may provide comments and information in response to any internal review relating to the death of a child.

KEY STEPS

Step 5.1 The last Board meeting of the financial year

Generally, the fifth or sixth Board (held in June or July each year) meeting has additional agenda items that are dedicated to an overarching review of all previous meetings and the confirmation of the annual review recommendations. Additional agenda items may include:

Discuss findings and confirm recommendations

- take an overview consideration of the findings and system learnings from the meetings held within the financial year
- hear from experts, or researchers engaged by the Board
- hear from relevant agencies and other stakeholders on proposed recommendations, including other review entities to minimise duplication and maximise shared value for system improvements
- confirm recommendations for inclusion in the annual report.

Monitor selected recommendations

- hear from agency leads or those responsible for implementing the recommendations selected for in-depth monitoring about progress and impacts at the local level.

Discuss business matters

- reflect on the Board functioning in the past financial year and identify changes required
- plan for the following year, including identifying experts to be contracted to provide advice or undertake research.

Step 5.2 Board makes and monitors Board recommendations

Recommendations are made annually and reported in the October annual report.

The Board may decide to make recommendations at other times if rapid or iterative system improvements are required. See *Step 4.2: Board discusses the matters listed and determines decisions* for further information.

The last meeting of the financial year is to formalise proposed recommendations. Specialists, researchers, and frontline professionals may be invited to this meeting to inform the development of robust recommendations.

Recommendations should be guided by the ten (10) Double-SMART criteria contained in Appendix B.

If the Board intends to recommend in a report that a certain agency takes responsibility for a recommendation, it must consult, before finalising the report, on that recommendation with the particular agency and with any other agencies likely to be affected by the proposed Board recommendation.⁶⁶ This process ensures that the recommendations made by the Board are reasonable, proportionate, and achievable.

The intention to make and report on recommendations annually **does not** prevent the Board determining a decision to:

⁶⁶ *Family and Child Commission Act 2014* (Qld), s. 29L(3).

- make recommendations to the heads of agencies when rapid or iterative system improvements are needed
- prepare a report and recommendations on a specific case
- release snapshot reports on themes and issues at any time.

The Board monitors and publicly reports on the progress of implementation of its recommendations in each annual report.⁶⁷

The Chairperson writes to relevant agencies each year to request a status update on recommendations to inform the annual report. The implementation status of recommendations, as advised by the relevant agency, is reported in the Board's annual report.

The Chairperson must not publish a report that includes personal information or recommendations, unless the Minister has first tabled the report.

Step 5.3 Board prepares an annual Board report

The Board must give the responsible Minister, by 31 October each year, an annual report on the operation of its functions during the past financial year.⁶⁸

The responsible Minister must then table in Parliament a copy of the Board annual report within fourteen (14) sitting days after receiving the report.

To support the accountability of the Board and other government agencies, the annual report can include recommendations about:⁶⁹

- improvements to systems, policies, and practices for implementation by government and non-government agencies that provide services to children and their families
- legislative changes.

The report can also include information about progress made by government and non-government agencies to implement previous Board recommendations.

The Secretariat prepares the draft annual report. The Chairperson provides the draft annual report to the Board members for consideration.

The Chairperson provides the annual report to the Minister.

⁶⁷ *Family and Child Commission Act 2014* (Qld), s. 29D(e).

⁶⁸ *Family and Child Commission Act 2014* (Qld), s. 29J(1).

⁶⁹ *Family and Child Commission Act 2014* (Qld), s. 29J(2).

Step 5.4 Board prepares other Board reports

In addition to an annual report, the Board may decide to prepare, at any time, a report about the outcomes of any review or about any other matter that arises from the performance of its functions.⁷⁰

Once the report is agreed to by the Board, the Chairperson provides a copy of the report to the Minister with the Board's recommendation about whether the report should be tabled in the Legislative Assembly.⁷¹

Unless the Minister has tabled the report, the Board cannot publish a report if it includes:⁷²

- personal information about an individual (as defined by the *Information Privacy Act 2009*), or
- information that may prejudice an investigation of a possible contravention of the law, or
- a recommendation made by the Board.

Where a Board report refers to the functions of a relevant agency, the Board may give a copy of the report to the chief executive of the agency.⁷³

In most instances, a report is to be prepared by the Secretariat. However, a report may be prepared by a contracted researcher, or another person, as requested by the Board (for example, a specific topics report on preventing youth suicide).

The Chairperson provides a copy of other reports to relevant persons on behalf of the Board.

Natural justice

The Board cannot include in any of its reports (whether the annual report or other) any adverse information (including commentary) about an agency that can be identified from its report unless the agency has been given a copy of the relevant information and a reasonable opportunity to make a submission about it.⁷⁴

Where the agency makes a submission, the Board must:⁷⁵

- consider the agency's submission before finalising its report
- not include the information in its report unless it also includes the agency's submission, or a fair summary of it, in its report.

Where a draft Board report refers to the functions of a relevant agency, the Chairperson provides a copy of the draft report to the agency with a request for a submission about the content of the report within fifteen (15) business days.

Liability for defamatory report statement

It is a lawful excuse for a published Board report to contain a defamatory statement if the publication was made in good faith and for the purposes of the Board's legislative functions.⁷⁶

⁷⁰ *Family and Child Commission Act 2014* (Qld), s. 29K.

⁷¹ *Family and Child Commission Act 2014* (Qld), s. 29K(2).

⁷² *Family and Child Commission Act 2014* (Qld), s. 29K(3), s. 29K(4).

⁷³ *Family and Child Commission Act 2014* (Qld), s. 29K(5).

⁷⁴ *Family and Child Commission Act 2014* (Qld), s. 29L(1).

⁷⁵ *Family and Child Commission Act 2014* (Qld), s. 29L(2).

⁷⁶ *Family and Child Commission Act 2014* (Qld), s. 29U.

Section 6—Responsibilities of the Board Chairperson

PURPOSE

This section sets out the responsibilities of the Board Chairperson (the Chairperson).

MAIN RESPONSIBILITIES

6.1 Act independently

- The Chairperson is the QFCC Principal Commissioner or another commissioner of the QFCC and is appointed by the responsible Minister.⁷⁷
- Unlike the QFCC role, in the role as Chairperson of the Board, the QFCC commissioner is not subject to ministerial direction in performing the Board functions.⁷⁸
- In performing its functions, the Board must act independently and in the public interest.⁷⁹

6.2 Manage the Board Budget

- The Chairperson is responsible for managing the Board budget.
- The Chairperson and Board members manage the discretionary component of the Board's budget. This includes expenses such as commissioning research or expert advice.

6.3 Request information

- The Chairperson may ask public entities for information for the purposes of the Board's functions and public entities should give the information.⁸⁰
- If the information sought from public entities responsible for internal agency reviews falls outside of the scope of an agency's internal review report, or if the request is being sought from an entity not responsible for internal agency reviews,⁸¹ the request is made in writing from the Chairperson, on a standardised Request for Information form.

6.4 Receive confidential information

- The Chairperson may receive confidential information from any entity for the purpose of the Board's functions, whether or not the Chairperson has requested the information.⁸²

6.5 Disclose confidential information

- The Chairperson may disclose confidential information to an entity for the performance of the Board's functions, including to issue information requests⁸³ and coordinate reviews with those carried out by other agencies.⁸⁴

⁷⁷ *Family and Child Commission Act 2014* (Qld), s. 29W.

⁷⁸ *Family and Child Commission Act 2014* (Qld), s. 29F(2)(b).

⁷⁹ *Family and Child Commission Act 2014* (Qld), s. 29F(1).

⁸⁰ *Family and Child Commission Act 2014* (Qld), s. 29O.

⁸¹ *Family and Child Commission Act 2014* (Qld), s. 29P(1).

⁸² *Family and Child Commission Act 2014* (Qld), s. 29P(2).

⁸³ *Family and Child Commission Act 2014* (Qld), s. 29Q.

⁸⁴ *Family and Child Commission Act 2014* (Qld), s. 29G.

6.6 Enter into information sharing arrangements

- The Chairperson may enter into an arrangement with the QFCC, the State Coroner, the Domestic and Family Violence Death Review and Advisory Board or another entity about sharing or exchanging information for the purpose of the Board's functions.⁸⁵
- The Chairperson directs the Secretariat in developing information sharing protocols and agreements between the Board and relevant agencies.

6.7 Lead the Board

- The Chairperson is responsible for leading the Board and directing its activities to ensure it appropriately performs its functions.⁸⁶

6.8 Call a meeting

- The Chairperson may call a meeting at any time.⁸⁷
- The Chairperson must call a meeting if asked by at least 3 other members.⁸⁸

6.9 Preside at meetings

- The Chairperson presides at all meetings at which the Chairperson is present.⁸⁹

6.10 Direct the operation of the Secretariat

- The Chairperson directs the operation of the Secretariat in its role of supporting the Board.

6.11 Engage or contract qualified persons

- Any contractual arrangements with appropriately qualified persons to conduct research, provide legal advice or prepare reports to help the Board perform its functions is between the Chairperson and the qualified person.

6.12 Invite persons who are not Board members to meetings

- The Chairperson issues invitations on behalf of the Board to any person who is not a Board member to attend a Board meeting to advise or inform the meeting about any matter.⁹⁰
- If Board members would like to nominate a person to be invited to attend a Board meeting to advise or inform the Board, the member is asked to provide that information to the Chairperson no later than fifteen (15) business days before a meeting.

6.13 Approve and distribute the agenda

- The Chairperson approves and circulates the agenda no later than ten (10) business days before the next scheduled meeting. If Board members identify additional matters after receipt of the agenda, these are to be managed as other business or carried over to the next meeting.

⁸⁵ *Family and Child Commission Act 2014* (Qld), s. 29R.

⁸⁶ *Family and Child Commission Act 2014* (Qld), s. 29W(2).

⁸⁷ *Family and Child Commission Act 2014* (Qld), s. 29ZE(2)(a).

⁸⁸ *Family and Child Commission Act 2014* (Qld), s. 29ZE(2)(b).

⁸⁹ *Family and Child Commission Act 2014* (Qld), s. 29ZG(1).

⁹⁰ *Family and Child Commission Act 2014* (Qld), s. 29ZH(7).

6.14 Determine meeting location

- The Chairperson determines where meetings are held, for example, at the QFCC or other suitable location, or whether a meeting is a virtual meeting.⁹¹

6.15 Determine meeting length

- The length of meetings tends to be several hours to a full working day. However, depending on the agenda and any outstanding business or administrative matters, the Chairperson can determine the meeting length.

6.16 Receive notification of attendance by proxy

- The Chairperson receives notification from a government member of their intention to attend by proxy no later than five (5) business days before a meeting.
- Approval of a notice of attendance by proxy for government members received within five (5) business days of a scheduled Board meeting will be at the discretion of the Chairperson.

6.17 Provide meeting documentation to proxies

- If a government member is sending a proxy to a meeting, the Chairperson, and not the nominating member, is responsible for granting the proxy access to the documentation.

6.18 Receive members' disclosures of conflict of interest

- The Chairperson receives all disclosures of conflicts of interest from Board members.

6.19 Approve draft minutes

- The Chairperson approves draft minutes of a meeting. The draft minutes are then held until they are circulated with the agenda, ten (10) business days before the next scheduled meeting.

6.20 Make media comments or public statements on Board matters

- The Chairperson is the appointed spokesperson for all Board matters and all media requests are to be directed to the Chairperson.
- The Chairperson may delegate the responsibilities of media spokesperson to the Deputy Chair or another member if their knowledge and experience is relevant to the topic under discussion.

6.21 Provide new Board members with appropriate level of induction

- The Chairperson, or a nominated delegate, is responsible for providing each new Board member with an appropriate level of induction. For instance, members who are external to the public sector may be offered additional familiarisation with the key public sector business processes.

6.22 Receive feedback on policies or procedures of the Board

- If a Board member wants to provide significant feedback on the policies or procedures of the Board, the member should raise the matter with the Chairperson.

6.23 provide correspondence and reports on behalf of the Board

- All correspondence and reports, including the annual report, are sent to relevant persons by the Chairperson on behalf of the Board.

⁹¹ *Family and Child Commission Act 2014* (Qld), s. 29ZE(1).

Section 7—Miscellaneous

PURPOSE

This section sets out the procedural aspects for the following miscellaneous functions of the Board administration.

POWERS

7.1 Power to do all things necessary or convenient

The Board has the power to do all things necessary or convenient to be done for, or in connection with, the performance of its functions.⁹² This empowers the Board to engage specialists to conduct research, provide legal advice, and prepare reports, amongst other things. This power is strictly ancillary and cannot be used to extend the scope of part 3A of the FCC Act.⁹³

OTHER MATTERS

7.2 Composition of Board

The appointed Board members must:

- reflect the social and cultural diversity of the Queensland community, and
- include a range of experiences, knowledge or skills that are relevant to the Board's functions.

The Board Chairperson

- is the QFCC principal commissioner or commissioner
- is appointed by the responsible Minister
- is responsible for leading the Board and directing its activities and functions
- holds office for the term specified in the instrument of appointment
- ceases to be a Chairperson on resignation from office (following a signed notice to the Minister) or when the Chairperson ceases to be a QFCC Commissioner.⁹⁴

Board Deputy Chairperson and other members

The Board Deputy Chairperson:

- is a Board member appointed by the responsible Minister
- must be an Aboriginal or Torres Strait Islander Board member appointed by the Minister if the Chairperson is not an Aboriginal or Torres Strait Islander person
- cannot be a QFCC Commissioner
- may be appointed as a Board member and Deputy Chairperson at the same time
- must act as a Chairperson if the Chairperson's office is vacant and when the Chairperson is either absent or cannot perform the Board functions

⁹² *Family and Child Commission Act 2014 (Qld)*, s. 29E.

⁹³ See *Northern Land Council v Quall* [2019] FCAFC 77 at [105-107].

⁹⁴ *Family and Child Commission Act 2014 (Qld)*, s. 29W.

- ceases to be a Deputy Chairperson on resignation from office as Deputy Chairperson (following a signed notice to the Minister) or when the Deputy Chairperson ceases to be a Board member.⁹⁵

Except for the Chairperson, all other potential Board members:⁹⁶

- may be appointed by the responsible Minister when satisfied that they are eligible and suitable for appointment (including having considered the potential member's criminal history)⁹⁷
- are eligible for appointment to the Board if they:⁹⁸
 - have relevant expertise in the field of paediatrics and child health, forensic pathology, mental health, investigations of child protection or expertise in child protection related litigation (or similar)
 - can make a valuable contribution to the Board based on their qualifications, experience, or an agency membership
- are not eligible for appointment to the Board if they:⁹⁹
 - have a conviction for an indictable offence
 - do not provide consent to a criminal history check before appointment, or
 - are insolvent under administration under the *Corporations Act 2001*, or
 - are a member of the Legislative Assembly.

Presiding Board member

The presiding member is the Chairperson, when present, and the Deputy Chairperson in the Chairperson's absence.¹⁰⁰

If neither the Chairperson nor the Deputy Chairperson is present at a meeting, the presiding member for that meeting may be chosen by the present Board members.

Conditions and terms of appointment of Board members

Board members are paid remuneration and allowances as decided by the Minister¹⁰¹ unless they are state employees¹⁰² in which case, they are not entitled to be paid remuneration for holding the Board office.¹⁰³

Unless specifically covered by the FCC Act, the Board member holds office under the terms and conditions specified in the instrument of their appointment.¹⁰⁴

Board members are appointed for a maximum of three (3) years, after which a Board member may be reappointed.¹⁰⁵

⁹⁵ *Family and Child Commission Act 2014* (Qld), s. 29Y.

⁹⁶ *Family and Child Commission Act 2014* (Qld), s. 29X.

⁹⁷ *Family and Child Commission Act 2014* (Qld), s. 29X(6), s. 29ZC. Schedule 1 (Dictionary) contains a detailed definition of the term 'criminal history'.

⁹⁸ *Family and Child Commission Act 2014* (Qld), s. 29X(3).

⁹⁹ *Family and Child Commission Act 2014* (Qld), s. 29X(4), s. 29ZC.

¹⁰⁰ *Family and Child Commission Act 2014* (Qld), s. 29ZG.

¹⁰¹ Queensland Government, *Remuneration procedures for part-time Chairs and members of Queensland Government bodies-Adjudication & determination*, https://www.qld.gov.au/data/assets/pdf_file/0025/39481/remuneration-procedures.pdf - sets out government requirements relating to the remuneration and remuneration procedures of members of Qld government bodies.

¹⁰² *Family and Child Commission Act 2014* (Qld), Schedule 1 (Dictionary).

¹⁰³ *Family and Child Commission Act 2014* (Qld), s. 29Z(2).

¹⁰⁴ *Family and Child Commission Act 2014* (Qld), s. 29Z(3).

¹⁰⁵ *Family and Child Commission Act 2014* (Qld), s. 29ZA.

If a Board member is convicted of an indictable offence during their term of appointment as a Board member, they must immediately notify the Minister of such conviction and include the following details:¹⁰⁶

- the existence of the conviction
- the time of committing the offence
- adequate details to identify the offence, and
- the imposed sentence.

Board members who need to resign because they are unable to further perform their duties are required to provide a minimum notice of two (2) months to the Board Chairperson.

A Board member will vacate their Board position when they:¹⁰⁷

- resign from office (following a signed notice to the Minister)
- become ineligible for appointment
- complete their term of office and are not reappointed
- when the Minister ends their appointment under the following circumstances:
 - they are absent from three (3) consecutive Board meetings without Board permission and without reasonable excuse, or
 - the Minister is satisfied that they are incapable of satisfactorily performing the Board functions.

7.3 Board website

The Board has a dedicated website www.cdrb.qld.gov.au. Details of Board members and reports are published on this website.

7.4 Papers provided electronically through a secure site

Board papers are provided electronically to Board members through a secure site. Board members are required to comply with usage guidelines to maintain data security of sensitive information.

7.5 Confidentiality of information

Despite the Board's overarching function to carry out systems reviews of the child protection system following child deaths, Board members may have access to specific information (such as particulars of child death case studies) or material relating to other relevant investigations (such as coronial and criminal investigations).

In this regard, it is important that Board members are aware of the sensitivity of the material and the adverse outcomes if such confidential material is used or disclosed.

Any Board member who gains confidential information through involvement in the Board¹⁰⁸ or any Secretariat staff supporting the Board, or any person consulted or employed to assist the Board¹⁰⁹ must not:

- recklessly disclose that confidential information to anyone

¹⁰⁶ *Family and Child Commission Act 2014* (Qld), s. 29ZD.

¹⁰⁷ *Family and Child Commission Act 2014* (Qld), s. 29ZB.

¹⁰⁸ *Family and Child Commission Act 2014* (Qld), s. 36(2)(e).

¹⁰⁹ *Family and Child Commission Act 2014* (Qld), s. 36.

- make a record of that confidential information or intentionally disclose the information to anyone unless they are permitted to do so.¹¹⁰

The Board cannot publish confidential information as part of its annual or systems reports.

The Chairperson may, in certain circumstances, disclose confidential information to an agency as part of the Board's functions,¹¹¹ including:

- for the purpose of obtaining certain information that the Chairperson may request from an agency¹¹²
- to avoid unnecessary duplication of the processes carried out in other agencies¹¹³
- to coordinate its own reviews and the reviews carried out by other agencies¹¹⁴ (such as those reviews undertaken by the Domestic and Family Violence Death Review and Advisory Board).

All Board members are responsible for making sure that their advisers (or those assisting them on matters involving confidential material) are made aware of their obligation to neither use or disclose any confidential information that they may receive unless they are authorised to do so or are required or permitted by law to do so.¹¹⁵

All confidential documents and information held by the Secretariat must be kept and filed according to the provisions of the *Public Records Act 2002* (Qld),¹¹⁶ and whole of government and QFCC records management policies.

7.6 Media or public Board statements

The Chairperson is the appointed spokesperson for all Board matters. Any media requests are to be directed to the Chairperson. The Chairperson may delegate the responsibilities of media spokesperson to the Deputy Chair or another member if their knowledge and experience is relevant to the topic under discussion.

7.7 Board records management by the Secretariat

All Board related files must be maintained and stored by the Secretariat in accordance with QFCC records management procedures, the *Public Records Act 2002*, the *Right to Information Act 2009* (Qld),¹¹⁷ the *Information Privacy Act 2009*¹¹⁸, the *Information Security Policy*,¹¹⁹ and the *Children's Rights, Protection and Promotion Retention and Disposal Schedule*.¹²⁰

7.8 Board protocols and agreements

Information sharing agreements and protocols between the Board, and another entity are made public, unless the Board determines otherwise.

¹¹⁰ *Family and Child Commission Act 2014* (Qld), s. 36(1).

¹¹¹ *Family and Child Commission Act 2014* (Qld), s. 29Q.

¹¹² *Family and Child Commission Act 2014* (Qld), s. 29Q(1)(a), s. 29P(1).

¹¹³ *Family and Child Commission Act 2014* (Qld), s. 29Q(1)(b), s. 29G(a).

¹¹⁴ *Family and Child Commission Act 2014* (Qld), s. 29Q(1)(b), s. 29G(b).

¹¹⁵ *Family and Child Commission Act 2014* (Qld), s. 37.

¹¹⁶ Refer: <https://www.legislation.qld.gov.au/view/pdf/inforce/current/act-2002-011>

¹¹⁷ Refer: <https://www.rti.qld.gov.au/right-to-information-act>

¹¹⁸ Refer: <https://www.legislation.qld.gov.au/view/html/inforce/current/act-2009-014>

¹¹⁹ Queensland Government June 2019, *Information security policy V8.1.3 (IS18:2018)*, <https://www.forgov.qld.gov.au/information-and-communication-technology/qgea-policies-standards-and-guidelines/information-security-policy-is18-2018>

¹²⁰ Queensland State Archives December 2013, *Children's Rights, Protection and Promotion Retention and Disposal Schedule*. Queensland Disposal Authority Number (QDAN) 636, V2, https://www.forgov.qld.gov.au/data/assets/pdf_file/0034/189781/childrens-rights-protection-and-promotion-retention-and-disposal-schedule.pdf

7.9 Board member induction

The Chairperson or a nominated delegate is responsible for providing each new Board member with an appropriate level of induction. For instance, members who are external to the public sector may be offered additional familiarisation with the key public sector business processes.

The successful completion of the induction process for a new Board member should be recorded in the Board minutes.

A generic induction plan that may be relevant to newly inducted Board members is provided in Appendix C for guidance only. Board members can also refer to Section 8 of these guidelines for a list of further relevant references and publications.

7.10 Board Evaluation Framework

As a way of understanding the merit of the new model of child death review, the Board endorsed an evaluation framework at the first board meeting in August 2020. The evaluation framework comprises four phases of activities. These are:

- Phase 1 - Implementation Review to determine if implementation of the new model has occurred as intended.
- Phase 2 - Process Review to consider how well the processes supporting the new model are working and to identify any areas for improvement.
- Phase 3 - Outcomes Evaluation to determine if recommendations from the Board are identifying areas of improvement for systems, legislation, policies, or practice.
- Phase 4 - Review of Model to consider if the Board model is efficient and effective.

After 18 months of operation, the Board completed the implementation review and process review (phases 1 and 2). The implementation review found that the Board had generally been implemented as intended. Some areas for improvement were identified and action was taken to address these.

The process review identified many positive response areas, including governance matters, the diversity of Board member's experience, the quality of the commissioned research, and the Secretariat's support to the Board, including briefings, reports, research, recording meeting outcomes and preparation of draft recommendations. Strategies have been implemented to address the identified areas for improvement including representation of Aboriginal and Torres Strait Islander persons on the Board and management of caseloads and volume of material.

Phases 3 and 4, the outcomes evaluation and review of the model, will be conducted approximately in 2025-26.

Section 8 – References

8.1 Legislation

Legislation relevant to the performance of the Board’s functions are as follows:

Child Death Review Legislation Amendment Act 2020 (Qld)

<https://www.legislation.qld.gov.au/view/whole/html/asmade/act-2020-002>

Child Protection Act 1999 (Qld)

<https://www.legislation.qld.gov.au/view/html/inforce/current/act-1999-010>

Coroners Act 2003 (Qld)

<https://www.legislation.qld.gov.au/view/inforce/current/act-2003-013>

Director of Child Protection Litigation Act 2016 (Qld)

<https://www.legislation.qld.gov.au/view/html/inforce/current/act-2016-023>

Domestic and Family Violence Protection Act 2012 (Qld)

<https://www.legislation.qld.gov.au/view/inforce/current/act-2012-005>

Family and Child Commission Act 2014 (Qld)

<https://www.legislation.qld.gov.au/view/html/inforce/current/act-2014-027>

Information Privacy Act 2009 (Qld)

<https://www.legislation.qld.gov.au/view/html/inforce/current/act-2009-014>

Integrity Act 2009 (Qld)

<https://www.legislation.qld.gov.au/view/inforce/current/act-2009-052>

8.2 Relevant publication

A systems review of individual agency findings following the death of a child. The State of Queensland (Queensland Family and Child Commission) 2017.

<https://www.qfcc.qld.gov.au/sector/child-death/system-reviews-after-child-death>

8.3 Other jurisdictional mechanisms

Child Death Review Committees across the various jurisdictions are:

State / Territory	Review Committee	Link
ACT	ACT Children & Young People Death Review Committee	https://www.ombo.nsw.gov.au/Find-a-publication/publications/child-death-review-team-reviewable-deaths
NSW	Child Death Review Team (CDRT), convened by the NSW Ombudsman	https://www.ombo.nsw.gov.au/what-we-do/coordinating-responsibilities/child-death-review-team
NT	Northern Territory Child Deaths Review and Prevention Committee, Office of the Coroner	https://justice.nt.gov.au/attorney-general-and-justice/committees-and-boards/child-deaths-review-and-prevention-committee

SA	Child Death and Serious Injury Review Committee (CDSIRC)	https://cdsirc.sa.gov.au/
VIC	Commission for Children and Young People	https://ccyp.vic.gov.au/upholding-childrens-rights/child-death-inquiries/
VIC	Consultative Council on Obstetric and Paediatric Mortality and Morbidity	https://www.bettersafecare.vic.gov.au/about-us/about-scv/councils/ccopmm
WA	Child Death Reviews, WA Ombudsman	http://www.ombudsman.wa.gov.au/Reviews/review_of_certain_deaths.htm
TAS	Council of Obstetric and Paediatric Mortality and Morbidity, Dept. Health	https://www.health.tas.gov.au/about/corporate-and-industry-information/council-obstetric-and-paediatric-mortality-and-morbidity-copmm

Appendices/Practice Guides

APPENDIX A – CONFLICT OF INTEREST REGISTER

The following table¹²¹ registers conflicts of interest declared by **Child Death Review Board** (Board) members.

It is updated following each Board meeting, and following the declaration of a new conflict, or change to an existing one. Refer to s 29ZJ of the FCC Act regarding *disclosure of interests*.

Child Death Review Board Conflict of Interest Register										
Member Name	Proxy	Date disclosed (if prior to meeting)	Date of meeting when interest disclosed	Matter in which interest arises	Type and proximity of conflict (real, potential, perceived; direct or indirect)	Details of interest	Was a direction made under sub 29ZJ(4)?	Details of direction made under sub (4)	Date direction implemented	Reference to minutes
JONES, James	N	1/07/20		SMITH, Alex	Perceived	James' wife (Nicole) led the QPS internal agency review	Y	To remove any bias during the Board's review, James: <ul style="list-style-type: none"> did not receive the reports for the matter was not present when the Board considered the matter 	15/07/20	123456

¹²¹ Adapted from TasCOSS Library, Conflict of Interest Register — Sample, <https://www.tascosslibrary.org.au/how-to/reference/conflict-interest-register-sample> (accessed 14 Oct 2019)

APPENDIX B – THE DOUBLE-SMART RECOMMENDATIONS MODEL (GUIDANCE ONLY)

The quality and usefulness of recommendations can be considered against the following ten (10) inter-related and mutually reinforcing criteria. Each criterion in the following table includes guidance and reflections.¹²²

While recommendations may not meet all criteria, maximising compliance makes them much more effective. Although this model serves primarily to assess the efficacy of proposed recommendations, it may also serve the secondary purpose of assessing the efficacy of implementing the recommendations.

Criterion	Description	Guidance and reflections
Specific	<ul style="list-style-type: none"> Each recommendation should address one specific issue only. Each recommendation should be simple, sensible, and significant. Each recommendation may also propose one or more specific actions (however these should each be clearly defined and separated). 	<p>This approach will assist the authorities to understand and implement the recommendations and to facilitate follow-up by the monitoring body.</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Does the recommendation address one specific problem or issue only? <input checked="" type="checkbox"/> Is the recommendation simple, sensible, and significant? <input checked="" type="checkbox"/> Are individual action points clearly differentiated within the recommendation? <input checked="" type="checkbox"/> Are all the proposed actions directly related to the subject of the recommendation?
Measurable	<ul style="list-style-type: none"> A recommendation should be meaningful and motivating. A recommendation should be formulated in a way that allows the evaluation of progress to be made in an easy way. Agencies and monitoring bodies should be able to unequivocally assess whether a recommendation is being implemented and to what extent. 	<p>Consider the respective advantages and disadvantages of using process or outcome and qualitative or quantitative indicators to measure progress of recommendation implementation.</p> <p>For future comparisons, the main report that contains the recommendation should outline the current level of the problem (baseline) and its future desired.</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Is the recommendation meaningful? <input checked="" type="checkbox"/> Does the body of the report establish the current situation with clarity? <input checked="" type="checkbox"/> Does the report or recommendation include an indicator for follow-up? <input checked="" type="checkbox"/> To what extent will the evidence given by the indicator be indisputable?

¹²² Adapted from: APT (2008). *Making Effective Recommendations-Detention Monitoring Briefings 1* (accessed 28 Oct 2019). Refer to: <https://www.apr.ch/knowledge-hub/publications/making-effective-recommendations-briefing-paper-2008>

Achievable

- A recommendation should seek to be feasible in practical terms.

Recommendations should highlight what must be done within reason.

Consider alternative or additional actions that might produce the desired results more easily.

- Is the implementation of this recommendation possible in practical terms?
- Are there alternative or complementary actions that could be recommended?
- Does the implementation of the recommendation lead to meaningful changes?
- How realistic was the recommendation, based on other constraints, such as financial factors?

Results-oriented

- The actions suggested in the recommendation should be designed to lead to a specific result or state of affairs.
- This desired situation may be implied and explicitly stated in the recommendation.

A recommendation should not include a description of the problem or calls for a change (these should be included in the main report).

- Does the recommendation contain information or analysis that should be in the main body of the report?
- Does the recommendation affect change and how?
- Does the recommendation identify the desired change for the future and/or specific actions to that end?

Time-bound

- Recommendations should be time-bound:
 - time-based
 - time-limited
 - time/cost limited
 - timely
 - time sensitive.
- Timeframes for implementation of recommendations should be realistic and clear.
- Such timeframe assists agencies to prioritise their response, leads to meaningful change and enhances accountability.

Timings for implementation should be specific in terms of durations. Where generic expressions are used (short-, medium- and long-term) there should be mutual clarity about what each implies in terms of numerical durations.

- Does the recommendation identify by when implementation should be initiated and/or completed?
- Is the timeframe sufficiently short to create pressure for change but sufficiently long to allow for a realistically meaningful implementation timeframe?

<p>Solution-suggestive</p>	<ul style="list-style-type: none"> ● Generic recommendations that call for ‘change’ or ‘improvements’ are insufficient. ● Credible recommendations must include credible solutions. 	<p>Recommended actions should be concrete and concise but include enough expert information to avoid mis-implementation.</p> <ul style="list-style-type: none"> ☑ Has the report analysis identified specific actions that should help overcome the problem identified? ☑ Are these actions included in the recommendation? ☑ Is there a need to include technical elements or change the wording in the recommendation to avoid misinterpretation or erroneous implementation?
<p>Mindful of prioritisation, sequencing, and risks</p>	<ul style="list-style-type: none"> ● Crucial in the implementation of any recommendation is the focus on: <ul style="list-style-type: none"> – the most important and urgent recommendations first – the logical sequencing of dependent recommendations, and – a risk-based approach to implementation, particularly in terms of unintended consequences by specific implementation actions. 	<p>Consider any risks that may arise from a certain way of implementing a recommendation. Prioritise recommendations according to their importance and assign their sequencing based on their inter-dependencies. Consider unforeseen negative consequences from the implementation actions that may affect the recommendation monitoring and implementation.</p> <ul style="list-style-type: none"> ☑ Are some recommendations in the report so important that they should come earlier in the list? ☑ Is it preferable to omit certain recommendations in order to get the authorities to focus on fewer, more urgent ones? ☑ Is the implementation of certain recommendations dependent on the implementation of others first? ☑ Could the implementation of any specific actions have a negative unintended impact on the final recommendation outcome?
<p>Argued</p>	<ul style="list-style-type: none"> ● Recommendations should be based on high quality objective evidence and analysis gathered during the monitoring cycle and systematically detailed in the body of the report. 	<p>In formulating and implementing recommendations, these should be able to be justified based on credible evidence, professional standards, and best available practices.</p> <ul style="list-style-type: none"> ☑ Is the problem to be addressed by the recommendation clearly identified in the main body of the report? ☑ Is that analysis based on objective, verified and quality evidence? ☑ Does the analysis identify the relevant legal, professional, and best practice justifications for the recommendation? ☑ Does the analysis lead logically and persuasively to the related recommendation?

Root-cause responsive

- Recommendations (and their subsequent monitoring) should be directed at addressing the root-causes of problems (rather than the symptoms of problems) or the systems/processes needed to mitigate risk factors.

Where it is not possible to identify the root-causes or risk mitigation factors, consider ongoing and critical re-analysis of incremental recommendation actions that may facilitate the improvement of a problem.

- Does the report outline the symptoms of the problem (i.e., the evidence)?
- Does the report analysis identify the causes?
- Do the actions that are proposed in the recommendation address directly the causes rather than the symptoms?
- If the root causes remain unidentified, could an incremental approach be applied?

Targeted

- Recommendations should correctly identify the relevant agencies that can legally and practically implement the recommendation.
- This assists the process of assigning actions and responsibilities, increasing accountability and facilitating progress follow-up.

Consider identifying the most appropriate organisations that can lead, facilitate, and give effect to the recommendation. Consider the advantages of grouping recommendations according to certain themes (e.g., target sectors).

- Which organisations should be most able to implement the recommendation in practice?
- Is there an organisation that that may well need to authorise, action or facilitate implementation?
- Which of the actioning organisations need to be explicitly linked with the recommendation from a strategic point of view?

Acknowledgements

Board acknowledges the use of this framework which was adapted for use as a guidance tool from the publication:

WA Government, Department of Health (2016). Closing the Loop Program: SAC 1 Implementation and Evaluation of Recommendations Strategies and Action Plan (Version 1)

Source:

https://ww2.health.wa.gov.au/~/_media/Files/Corporate/general%20documents/Quality/PDF/Closing-the-Loop-plan.pdf

APPENDIX C – RESOURCE MATERIALS FOR BOARD MEMBERS (GUIDANCE ONLY)

The Board induction process may include the following elements:

- A summary briefing by the Chairperson on the:
 - principles, functions, powers, and responsibilities of the Board
 - relevant QFCC operations and activities that support the functions of the Board
- An opportunity to meet other Board members and support parties, such as the Secretariat
- Photographs and biographies of other Board members
- Access to relevant information, such as relevant legislation, Government documents and Board documents. These are detailed below with links in the footnotes.

Legislation

- *Family and Child Commission Act 2014* (Qld) (Refer: <https://www.legislation.qld.gov.au/view/html/inforce/current/act-2014-027>)
- *Child Protection Act 1999* (Qld) (Refer: <https://www.legislation.qld.gov.au/view/html/inforce/current/act-1999-010>)
- *Information Privacy Act 2009* (Qld) (Refer: <https://www.legislation.qld.gov.au/view/html/inforce/current/act-2009-014>)
- *Public Sector Ethics Act 1994* (Qld) (Refer: <https://www.legislation.qld.gov.au/view/html/inforce/current/act-1994-067>)
- *Public Sector Ethics Regulation 2010* (Qld) (Refer: <https://www.legislation.qld.gov.au/view/html/2020-02-29/sl-2010-0369>)
- Financial and Performance Management Standard 2009 (Qld)¹²³

Government documents

- Welcome Aboard: A guide for members of Queensland Government Boards, Committees and Statutory Authorities¹²⁴
- Identifying, Disclosing and Managing Personal Interests: A Guide for Multi-Member Decision-Making Bodies¹²⁵

¹²³ This Standard establishes the financial management and accountability obligations for all statutory bodies, such as the Queensland Family and Child Commission; refer: <https://www.legislation.qld.gov.au/view/whole/html/2015-08-28/sl-2009-0104>

¹²⁴ This Department of the Premier and Cabinet Qld guide describes the role of government boards and those who serve the community as members, including board member obligations and responsibilities; refer: <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/welcome-aboard/assets/welcome-aboard-handbook.pdf>

¹²⁵ This Queensland Integrity Commissioner guidance provides a framework to multi-member decision-making boards and bodies about managing personal interests of members of Queensland boards or bodies; refer: <https://www.integrity.qld.gov.au/assets/document/catalogue/resources/a1-qic-framework-guide-mmdmb.pdf>

Child protection information

- Protecting children (Refer: <https://www.dcssds.qld.gov.au/our-work/child-safety/protecting-children>)
- Child and family reform (Refer: [Child protection legislation reform - Department of Child Safety, Seniors and Disability Services \(dcssds.qld.gov.au\)](https://www.dcssds.qld.gov.au/our-work/child-safety/about-child-protection/history-child-protection))
- History of child protection legislation reforms (Refer: <https://www.dcssds.qld.gov.au/our-work/child-safety/about-child-protection/history-child-protection>)

Child protection performance

- Child protection reform evaluation (Refer: <https://www.qfcc.qld.gov.au/sector/monitoring-and-reviewing-systems/evaluating-child-protection-reforms>)
- Performance of the Queensland child protection system (Refer: <https://www.qfcc.qld.gov.au/annual-report>)
- Our performance (Child Safety data) (Refer: <https://performance.dcssds.qld.gov.au/>)
- Report on Government Services 2024 (Refer: <https://www.pc.gov.au/ongoing/report-on-government-services/2024/community-services/child-protection>)

Systemic review reports following the death of a child

- Various (Refer: <https://www.qfcc.qld.gov.au/sector/monitoring-and-reviewing-systems>)

Conflicts of interest | Making good decisions

Child Death Review Board

Responsibility

Disclosing member

Full board

Non-conflicted members

