

Terms of Reference

The Australian Children's Commissioners and Guardians (ACCG) shall operate in accordance with the following Terms of Reference (TOR).

1. PURPOSE

The purpose of the ACCG is to strengthen the quality and effectiveness of strategic advocacy to promote and protect the safety, well-being and rights of children in Australia, particularly the most vulnerable or disadvantaged.

2. AIMS

2.1. The ACCG aims to:

- promote children's rights and participation as articulated in the United Nations Convention on the Rights of the Child
- ensure the best interests of children are considered in public policy and program development
- give voice to the views of, and encourage direct consultation with, children and young people on matters that affect them, and
- encourage systemic improvement, and a robust evidence base, in areas that impact on the safety and wellbeing of children and young people.

2.2. To achieve these aims, the ACCG will:

- share information, research and ideas at biannual meetings and through other processes such as the ACCG portal, email and teleconference
- identify opportunities for collaborative action particularly in relation to matters of mutual interest and /or national significance
- maximise the impact of strategic and systemic advocacy by making joint submissions either proactively or in response to government and non-government consultation processes when it is appropriate to do so.

3. MEMBERSHIP

3.1. Membership of the ACCG is restricted to those individuals

- whose office or position of Commissioner or Guardian was established by Australian state, territory or federal legislation and
- who have a sole focus on promoting and/or protecting the rights, interests and well-being of children and young people within their jurisdiction.

3.2. The New Zealand Children's Commissioner is not a member of the ACCG but has a standing invitation to attend ACCG meetings.

4. ROLES AND RESPONSIBILITIES

- 4.1. The members of the ACCG are committed to the principles of:
 - participation
 - collaboration
 - support, and
 - learning.
- 4.2. The ACCG members agree to share information and ideas, comply with confidentiality requirements and respectfully consider the views of all members.
- 4.3. The ACCG members recognise and respect that Commissioners and Guardians will continue to advocate on matters within their own jurisdictions and jurisdictional priorities will sometimes differ from, or take precedence over, any proposal for collaborative action on an issue.

5. ACCG NATIONAL CONVENOR

- 5.1. The role of the ACCG National Convenor is to act as the ACCG's contact point and to assist in the dissemination of information for the ACCG.
- 5.2. The position of National Convenor will be reviewed annually at the May ACCG and will be listed as a standing agenda item.
- 5.3. The ACCG members will appoint, from amongst its members, a National Convenor who will hold the position for a period of 12 months, commencing from May of each year.
- 5.4. At the end of the National Convenor's term of appointment the position will be opened up to all ACCG members.
- 5.5. A member who has previously held the position of National Convenor is eligible for reappointment.

6. MEETINGS

6.1. Frequency

- 6.1.1. ACCG meetings will be held twice yearly, preferably in May and November.
- 6.1.2. At the conclusion of every ACCG meeting and, if possible 12 months in advance, the ACCG members will decide on the date for the next ACCG meeting and which jurisdiction will be the host and chair.

6.2. Host and chairperson

- 6.2.1. Responsibility for hosting and chairing the ACCG meetings will be rotated among ACCG members.
- 6.2.2. The Commissioner or Guardian hosting the ACCG meeting will act as Chair and provide secretariat support.
- 6.2.3. The office of the Chairing Commissioner or Guardian will:
 - co-ordinate and draft the meeting agenda
 - ensure the strategic considerations of the Policy and Research Office Group feeds into the planning for ACCG meetings
 - organise the business papers for the meeting

- circulate the agenda and business papers at least a week prior to the meeting
- arrange side meetings
- organise for a person to take and circulate minutes of the meeting, and
- organise catering for the duration of the meeting and the ACCG dinner.

6.3. Attendance

- 6.3.1. There is an expectation that all ACCG members will attend each meeting.
- 6.3.2. Where a member is unable to attend, an apology will be recorded.
- 6.3.3. ACCG member delegates are not permitted to attend meetings without prior agreement from all ACCG members. The delegate must be a senior officer with decision making authority.
- 6.3.4. The Chairing Commissioner or Guardian may invite a non-member to attend to provide secretarial support.
- 6.3.5. ACCG members can invite individuals or agency representatives to attend an ACCG meeting by agreement with the other ACCG members.

6.4. Costs

- 6.4.1. Commissioners and Guardians will meet their own accommodation and travel costs when attending ACCG meetings.

7. ACCG JOINT INITIATIVES

- 7.1. Collaborating on, and undertaking, joint ACCG initiatives can reinforce and strengthen the impact of an agreed position on a specific issue, particularly if there is consensus by the majority of Commissioners and Guardians.

8. PROCESS FOR JOINT INITIATIVES/SUBMISSIONS

- 8.1. Any member can identify an opportunity for a joint initiative and as the lead member, can invite all ACCG members to participate.
- 8.2. The joint submission process can include the following three scenarios:
 - (a) the ACCG logo can be used where all ACCG members agree to participate in a joint initiative/submission
 - (b) the ACCG logo can be used where all ACCG members do not disagree with the joint initiative's policy position. Where the policy area falls outside the legislative mandate of some ACCG members then this can be acknowledged in the joint submission; and
 - (c) The ACCG logo should not normally be used where any ACCG member disagrees with the policy position and declines to participate in a joint submission. The members supporting the joint submission must be listed in the document. An example being, *the following Commissioners and Guardians endorse/propose.*
- 8.3. A joint submission will be publicly acknowledged as an ACCG submission and display the ACCG logo only when *all* Commissioners and Guardians consent. No comment by an ACCG member should be taken as consent.

- 8.4. Commissioners or Guardians can elect to participate in a joint ACCG initiative/submission and/or act independently.
- 8.5. Participating Commissioners and Guardians are required to provide an officer level contact as a liaison point to assist in the development of a joint initiative/submission.
- 8.6. Discussion between ACCG members on joint initiatives/submissions can occur through various processes including emails, teleconferences, sharepoint and meetings.
- 8.7. Any funding associated with a joint initiative/submission is to be negotiated amongst participating Commissioners and Guardians as part of the agreement to proceed.
- 8.8. The office of the lead Commissioner or Guardian will prepare the draft document/submission which will then be circulated for comment amongst participating Commissioners and Guardians.
- 8.9. Commissioners and Guardians will be the key contact for the circulation of draft documents/submissions and receipt of feedback. However, an officer level contact is to be copied in as the default contact point to enable the status of a document/submission to be checked, or when a Commissioner and Guardian is unavailable and a deadline has to be met.
- 8.10. Whenever possible, circulation timeframes will allow five working days for the receipt of comments before a document/submission is finalised.
- 8.11. The due date for comments will enable the lead Commissioner or Guardian to incorporate any changes and lodge the document/submission by the required date.
- 8.12. All Commissioners and Guardians involved in a joint submission are to be listed as signatories on the document.
- 8.13. The lead Commissioner or Guardian is responsible for placing a copy of the signed final document on sharepoint ('the ACCG Portal') and where possible, each Commissioner or Guardian will also place a copy of the document on their websites.
- 8.14. The criteria for joint submissions are set out in Appendix A.

9. ACCG SUB-COMMITTEES

- 9.1. The ACCG may form permanent or temporary sub-committees as required to conduct business on specific topics/projects as delegated by the ACCG.
- 9.2. ACCG sub-committee membership is voluntary and will be comprised of two or more current ACCG members.
- 9.3. Sub-committees will co-exist with the ACCG and may have an ongoing role as a standing committee or merely need to be formed as a working group that exists over the duration of a project.
- 9.4. ACCG sub-committees are required to provide regular updates to the other ACCG members on their progress.

10. PUBLIC INFORMATION

- 10.1. All ACCG meetings are closed to the public and will be held 'in camera'.

- 10.2. The ACCG will periodically keep the public informed of its work by providing updates on the ACCG's activities, including a communique after each meeting and releasing publically available submissions through the Commissioner's and Guardians websites and where applicable, their social networking pages.

11. ENDORSEMENT OF TERMS OF REFERENCE

The ACCG Terms of Reference have been endorsed by the ACCG members and are to be reviewed within three years of signing.

Signed:

ACT Children & Young People
Commissioner _____ Date: _____

Commissioner for Children Tasmania _____ Date: _____

Children's Commissioner,
Northern Territory _____ Date: _____

National Children's Commissioner _____ Date: _____

NSW Commissioner for Children
and Young People _____ Date: _____

NSW Children's Guardian _____ Date: _____

Queensland Commissioner for Children and
Young People and Child Guardian _____ Date: _____

South Australian Guardian for Children
and Young People _____ Date: _____

Victorian Principal Commissioner for Children
and Young People _____ Date: _____

Victorian Commissioner for Aboriginal Children
and Young People _____ Date: _____

Western Australia Commissioner for
Children and Young People _____ Date: _____