Essential Summary

This policy provides a framework for managing Youth Justice Conferencing (YJC) Convenors within Juvenile Justice New South Wales (JJNSW) in accordance with the *Young Offender Act 1997* (NSW). It applies to Area Managers and Assistant Managers and Convenors involved in the YJC process.

This policy covers:

- The roles and responsibilities of JJNSW staff in managing Convenors
- The responsibilities of Convenors in the YJC process
- Quality assurance mechanisms for maintaining Convenor competency
- Financial considerations for YJC, and
- YJC Work Health and Safety issues.

This policy relates to:

- Regional Directors
- Area Managers
- Assistant Managers, and
- Convenors.
# Table of Contents

1. **Scope**  
   2. **Purpose**  
   3. **Definition**  
4. **Convenor Appointment**  
   4.1 Function  
   4.2 Appointment  
   4.3 Duration of Appointment / Service  
5. **Training and Mentoring**  
   5.1 Induction Training  
   5.2 Annual Training  
   5.3 Mentoring  
6. **Supervision**  
   6.1 Annual Observation  
   6.2 Review  
   6.3 Debrief and Feedback  
7. **Reappointment of Convenor**  
   7.1 Reappointment  
   7.2 Considerations  
   7.3 Approval  
8. **Cessation of Appointment**  
   8.1 Cessation of service  
   8.2 Exit Survey  
9. **Administration**  
   9.1 Record Keeping  
   9.2 Finances  
10. **Work Health and Safety**  
   10.1 Field Work  
   10.2 Venue  
11. **References**  
12. **Document Information**
1 Scope

This policy applies to Regional Directors, Area Managers, Assistant Managers and Convenors who are responsible for the administration and delivery of YJC.

2 Purpose

This policy provides a standardised framework for JJNSW to appoint and manage Convenors. It ensures Convenors have the appropriate qualifications, training and support to deliver high quality conferences. This policy defines the responsibilities of JJNSW managers in their supervision of Convenors to ensure legislative requirements and operational standards are adhered to in the facilitation of YJC.

3 Definition

<table>
<thead>
<tr>
<th>Word/Term</th>
<th>Definitions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assistant Manager</td>
<td>Assistant Managers are assigned the role of Conference Administrator therefore are responsible for performing administrative functions related to the YOA and any other functions prescribed under the Act.</td>
</tr>
<tr>
<td>Convenor</td>
<td>Is a person appointed as a conference Convenor under section 60 of the <em>Young Offender Act (1997)</em> and their responsibilities are outlined under section 4.1 of this document.</td>
</tr>
<tr>
<td>JJNSW</td>
<td>Juvenile Justice New South Wales.</td>
</tr>
<tr>
<td>National Criminal History Check</td>
<td>A national criminal history check is a ‘point in time’ name-based check of an individual's criminal history record. This is valid for three years from when the check was completed.</td>
</tr>
<tr>
<td>Working With Children Check</td>
<td>A Working With Children Check is a requirement for people who work or volunteer in child-related work. It involves a national criminal history check and a review of findings of workplace misconduct. The Working With Children Check is valid for a period of five years from when the check was completed.</td>
</tr>
<tr>
<td>Young Offenders Act 1997 (YOA)</td>
<td>The Young Offenders Act 1997 is the legislation which defines the way young people alleged to have committed an offence must be dealt with in New South Wales, if the offence and circumstances meet certain criteria for YJC.</td>
</tr>
<tr>
<td>Youth Justice Conferencing</td>
<td>Conferences are a procedure established under the Young Offenders Act (1997) in which young offenders are brought together with their victims to discuss the offence and what the offender can do to restore or make amends for the harm their offending has caused.</td>
</tr>
</tbody>
</table>
4 Convenor Appointment

4.1 Function

Under the *Young Offenders Act 1997* a conference Convenor has the following functions:

- to prepare for, and to hold, conferences referred to the Convenor by a conference administrator; and
- any other functions conferred or imposed on the Convenor by or under this or any other Act.

4.2 Appointment

- Convenors must have a valid Working With Children Check (WWCC) and National Criminal History Check (NCHC) to facilitate YJC (see definitions for validity timeframes). The Assistant Manager is responsible for keeping a record of when these checks were last completed.
- JJNSW staff that are temporarily or permanently employed full time cannot be appointed as a Convenor but casual employees (e.g. sessional supervisor) can be employed as a Convenor.
- Under the Young Offenders Act 1997 (NSW) police officers can be appointed as Convenors in their capacity as a private citizen, and
- Convenors must comply with conditions outlined in the Letter of Appointment.

4.3 Duration of Appointment / Service

a) Convenors are statutory appointees, not employees of JJNSW and are appointed for a period of three years. The initial appointment is approved conditional to:

b) the successful completion of the four day Induction training and assessment attendance and completion of the Induction Meeting (conducted at the community office and may take up to three hours), and

c) valid WWCC and NCHC.

To assign the services of Convenors, the WWCC and NCHC must be valid. Convenors’ services are not to continue (e.g. allocation and conduct of conference) beyond the expiry date of either their WWCC or NCHC. Convenors are responsible for maintaining the currency of their WWCC and NCHC for the duration of their appointment. Assistant Managers are responsible for monitoring that the prescribed checks are up to date.

5 Training and Mentoring

5.1 Induction Training

Newly selected Convenor applicants are required to participate in a four day YJC Induction training facilitated by the Operational Training Unit (OTU) or delegate. The training is conducted either at the Yasmar Training Facility or at an alternate designated regional venue. Though meals are provided for
the training, Convenors are not reimbursed for their attendance as they are not officially appointed until their successful completion of the four day training and assessment workshop. Following that, Convenors are paid for their attendance at the Local Induction Meeting which is organised at the community office and must not exceed three hours.

5.2 Annual Training

Assistant Managers are responsible for facilitating five hours of annual training to maintain the competency of Convenors. Convenors are financially reimbursed for attending this training. The training should focus on issues specific to the local area, latest research on practices as well as changes in Juvenile Justice Policy and Procedures that affects Convenors.

A record of attendance is maintained by the Assistant Manager and this information should be considered in determining whether to re-appoint a Convenor at the end of their current period of appointment.

5.3 Mentoring

Convenors may receive up to five hours of peer mentoring to assist them in the application of theoretical knowledge into practice. The mentor will provide guidance to new Convenors during meeting preparation with key participants. The mentor is responsible for discussing facilitation strategies before the conference with the Convenor to address issues identified during the preparation. Mentors are financially reimbursed for up to five hours for their service of peer mentoring.

When appointing a mentor, the Assistant Manager should select a Convenor with a high standard of practice and demonstrated experience in facilitating YJC.

6 Supervision

6.1 Annual Observation

Assistant Managers are responsible for observing a minimum of one conference facilitated by each Convenor per year. The observation should encompass the preparation and the facilitation of a conference. The Assistant Manager’s role is to assess the Convenor’s skills in preparing the conference participants for the process and observing the Convenor’s facilitation skills in the conference circle.

This observation can be conducted either in-person or via an audio recording of the preparation (i.e. the Convenor’s phone call to the young person or victim). For in-person observations, the young person and the victim must provide verbal consent and this information must be recorded in the Client Information Management System (CIMS) by the Assistant Manager. For audio recording, written consent must be provided by the young person and the victim.
6.2 Review
Assistant Managers are required to review the work completed by Convenors as part of quality assurance. Reviews can be conducted through Convenor records including: outcome plans, post conference reports, invoices, running sheets and feedback forms (e.g. survey of young people, survey of victims, survey of police and survey of support people).

6.3 Debrief and Feedback
The Assistant Manager should provide Convenors with an opportunity to debrief at the end of each conference. This is also an opportunity to provide feedback to the Convenor regarding strengths and specific areas for improvement in their practice.

In cases where concerns were raised by a participant, the Assistant Manager is responsible for working with the Convenor to identify specific areas for improvement and record this information on the Convenor’s Electronic Data Record Management System (EDRMS) file. If issues persist, the Assistant Manager should discuss this matter with the Area Manager and review the Convenor’s EDRMS file. The Area Manager is responsible for determining whether the matter should be escalated to the Regional Director for action.

7 Reappointment of Convenor

7.1 Reappointment
When a Convenor is due for reappointment, the Assistant Manager should make a submission to the Area Manager based on a range of evidence such as performance records, participant feedback and attendance record at annual training. In addition to the Convenor’s skills in practice (e.g. communication skills and their ability to incorporate feedback to improve practice), factors such as the timely delivery of conferences and sound record keeping (e.g. invoices and conference records) should also be considered when reappointing a Convenor. The endorsed submission is forwarded to the Regional Director by the Area Manager. The Regional Director’s approval is required before a Convenor is reappointed.

7.2 Considerations
Prior to reappointment, Convenors are required to accept a minimum of four referrals per year to be considered for reappointment unless an exemption is granted by the Assistant Manager. An exemption can be granted if a Convenor is unable to accept a referral due to factors outside of his/her control. For example, if there were insufficient referrals in the area or if the Convenor was on maternity leave. It is at the discretion of the Assistant Manager to determine whether an exemption should be granted. Where exemptions are granted, the Assistant Manager must record this information on the Convenor’s EDRMS file.
As part of the reappointment, the Assistant Manager is responsible for confirming that the Convenor’s WWCC and NCHC is valid (see Definitions for validity timeframes). Convenors without a valid WWCC and/or NCHC cannot be reappointed until they complete the relevant checks and submit the evidence to the Assistant Manager.

7.3 Approval

In accordance to the YOA, JJNSW Regional Directors are delegated the responsibility for appointing, reappointing and/or removing Convenors from office. A written notification (submission) must be prepared by either the Assistant Manager or Area Manager, depending on the prescribed circumstance endorsed accordingly and forwarded to the Regional Director for consideration and approval.

8 Cessation of Appointment

8.1 Cessation of service

Schedule 1(3) of the Young Offenders Act 1997 prescribes the circumstances when the appointment of a convenor would cease. In accordance to the Act these circumstances are as follows:

- completes a term of office and is not re-appointed;
- resigns the office by instrument in writing addressed to the Executive Director, Juvenile Justice;
- becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit;
- becomes a mentally incapacitated person;
- is convicted in NSW of an offence which is punishable by imprisonment for 12 months, or more or is convicted elsewhere than in NSW of an offence that, if committed in NSW, would be an offence so punishable.

Under Schedule 1 (3) (2) of the Young Offenders Act 1997, a person may be removed as a Conference Convenor at any time.

When a Convenor indicates an intention to resign from office, does not reapply for appointment and /or is not recommended for renewal of appointment, the Assistant Manager is responsible for conveying this information to the Area Manager.

JJNSW Regional Directors are delegated the responsibility for appointing and removing Convenors from office. In the case of a dismissal, the Area Manager is responsible for preparing a submission to the Regional Director for approval. In consultation with Human Resources, the Area Manager must notify the Convenor of the dismissal in writing.

Information relating to a Convenor’s resignation or dismissal (e.g. the Convenor’s letter of resignation, reasons for not re-appointing the Convenor, the Regional Director’s approval to dismiss a Convenor) must be recorded on the Convenor’s personnel file.
8.2 Exit Survey

The Convenor who resigns or otherwise vacates the office must be given an opportunity to complete the standard exit questionnaire. Though completion of the survey is voluntary, Convenors should be encouraged to respond. The information supplied by Convenors is confidential and forms should be returned directly to the relevant Regional Director by mail in a supplied stamped return address envelope.

9 Administration

9.1 Record Keeping

A Convenor’s personal records must be managed in compliance with the agency’s Information Security Policy and Records Management Policy. Convenor practice records must be maintained on their EDRMS file which includes their supervision records (e.g. records relating to conduct and performance and reappointment.) as well as financial records (e.g. invoices and expense claims). Information relating to the Convenor’s personal information (e.g. records relating to personal details, appointment and induction etc.) should be stored in the Convenor’s personal file.

9.2 Finances

Although Convenors are not financially compensated for their attendance at the four day Induction Training, they are remunerated for their attendance and participation at the Induction meeting at the community office which may take up to three hours.

As statutory appointees, YJC convenors are remunerated for their time and expenses at an hourly rate approved by the Minister.

Payment for Convenors’ entitlements is dependent on at least one of the following outcomes:

- police, court or the young person withdraws their consent
- a conference resulting in an outcome plan
- a conference where an outcome plan was not agreed to
- convenor is unable to locate the young person
- convenor is selected as a peer mentor for another Convenor, and
- convenor who is unable to complete the conference due to circumstances outside of their control. In this instance, it is at the discretion of the Assistant Manager to determine whether payment is appropriate. Reason/s for payment must be recorded in the Convenor’s EDRMS file.

At the discretion of the Assistant Manager, JJNSW will cover standard expenses associated with the conduct of a conference (e.g. reasonable refreshment costs for the conference and travel costs for the young person). Applications for additional reimbursement may be submitted by the Convenor for conferences not considered as standard (e.g. in rural areas where the convenor resides at a significant distance from the relevant town) and will be considered on a case by case basis. JJNSW will reimburse
mileage for Convenor travel where that travel is more than 100 km to enable them to perform their duties. The mileage will be paid at the approved rate for the use of a private vehicle.

In cases where the Assistant Manager in consultation with the Area Manager agrees that it would be more efficient for the Convenor to be accommodated, the accommodation must be organised and invoiced directly to JJNSW. If accommodation is approved a Convenor may apply to be reimbursed for meals to value of current agency's subsistence allowances.

Convenors must be paid at the approved hourly rate to cover travel time associated with the preparation and conduct of conferences.

When hiring a venue, Convenors should consider the cost, payment options (e.g. whether the venue manager can provide an invoice); participant accessibility and potential Work Health and Safety (WHS) hazards (refer to 9.2 of this policy). Convenors are responsible for collating this information for the Assistant Manager's approval.

10 Work Health and Safety

10.1 Field Work

YJC activities at community venues, client or victim homes are covered by Work Health Safety Act 2011. Assistant Managers and Convenors are required to familiarise themselves with relevant procedures before field work is conducted.

10.2 Venue

Where possible, the Convenor should hire venues with routine WHS inspections such as libraries, Police Citizens Youth Clubs and private venues (e.g. Non-Government Organisation buildings) where WHS accreditation is mandatory. In venues with routine WHS inspections in place, Convenors are only required to check the currency of the WHS inspection. If the venue owner can provide documentation to prove that the WHS inspection is current, the Convenor can forward this to the Assistant Manager without conducting a full site inspection. If the venue owner is unable to provide evidence to indicate that the WHS site inspection is current, the Assistant Manager is responsible for inspecting or delegating the inspection to a nominated staff.

The Assistant Manager or their nominated delegate is responsible for the inspection to identify potential WHS hazards, formulate strategies on how they can be mitigated during the conference and document this information. The inspection must be approved by the Assistant Manager before a venue is used for YJC. The risk assessment must be conducted annually to ensure the WHS accreditation is up to date.
11 References

Legislations
- Young Offenders Act 1997
- Work Health Safety Act 2011

Policies
- Privacy Management Plan
- Information Security
- Records Management
- Safe Operating Procedure – Field Work Safety Community Service 2014

Procedures
- Appointment of Youth Justice Conferencing Convenor
- Convenor Reappointment
- Administration of Youth Justice Conferencing

12 Document Information

Title: Youth Justice Conferencing Convenor Management Policy

Business Centre: Operations Unit

Author: Senior Project Officer (YJC)

Approver: A/Director Operations Unit

Date of Effect: 12 August 2016

Next Review Date: 11 August 2018

File Reference: 16/03147

Key Words: Convenor Management Policy