

Marymead Written Response

Royal Commission into Institutional Responses to Child Sexual Abuse – Case Study 26

February 2015

1. RECRUITMENT, ASSESSMENT AND TRAINING OF CARERS AND STAFF IN RESIDENTIAL CARE

Requirement	Documentation	Notes
a. Screening of carers and staff as well as carers' household members. For example, working with children check and criminal checks.	<p>Policies</p> <p>1a.i Staff Recruitment Policy 1a.ii Working With Vulnerable People Screening Policy 1a.iii Volunteer Management Policy and Procedures</p> <p>Carers and Carer Household</p> <p>1a.1 - Carer assessments 1a.2 - Home safety checks 1a.3 - Medical assessments of prospective carers 1a.4 - AFP checks for individuals 18yrs or over 1a.5 - WWVP for individuals 18yrs or over 1a.6 - CHYPS checks for individuals 18yrs or over 1a.7 - Personal reference checks for carers</p>	Marymead observes all legislative requirements to screen staff, carers and carer household members.
b. Assessment of carers and staff.	<p>Staff</p> <p>1a.i Staff Recruitment Policy 1b.i Performance Management Policy</p> <p>Carers</p> <p>ACT – Capacity Based Assessment Tool (see document 1a.1)</p>	<p>Staff</p> <ul style="list-style-type: none"> • Fortnightly/ Monthly line management • Peer supervision <p>Carers</p> <ul style="list-style-type: none"> • ACT Assessments – minimum of 14hrs face to face interviewing • NSW Assessments – minimum of 14hrs face to face interviewing

	<p>NSW – Combined Assessment Tool using Step by Step Tool and CARE Principles (from the organisation’s CARE Practice Framework) (see document 1b.ii)</p>	<ul style="list-style-type: none"> All assessments are reviewed by the Program Manager. ACT carers are authorised by the ACT Community Services Directorate. NSW carers are authorised by the Marymead CEO.
<p>c. Training of carers and staff in identifying signs of sexual abuse in children, encouraging disclosures and responding to those disclosures.</p>	<p>ACT – Positive Futures Caring Together Package (see document 1c.1)</p> <p>NSW Legislation Training Package (see document 1c.2)</p> <p>NSW– CARE Training Package (see document 1c.3)</p>	<p>Staff training</p> <p>Depending on availability, the following training is offered to staff:</p> <ul style="list-style-type: none"> Understanding Child Abuse and Neglect Working with Child Abuse and Neglect Reporting Child Abuse and Neglect Child Safe Training Trauma Training Sexual Health Training- teaching children to identify inappropriate behaviour So Safe Training <p>Carer training</p> <p>Initial carer training topics include sexual abuse, neglect, responding to disclosures, reportable conduct, mandatory reporting and relevant state/territory legislation.</p> <p>Training for carers in the organisation’s CARE Practice Framework includes trauma informed responses and practices when providing care to children and young people.</p>
<p>d. How does the agency determine that national standard 12 is implemented and monitored?</p>	<p>ACT – Positive Futures Caring Together Package (see document 1c.1)</p> <p>1d.2 - NSW - Carer file case notes – provision of Connecting Carer training opportunities</p> <p>1d.3 - ACT – Carer training database</p>	<p>NSW</p> <p>Carers are provided a copy of NSW OOHC Standards during their initial training. These Standards are also discussed and referred to throughout their engagement with caseworkers when providing care.</p> <p>Access to ongoing Connecting Carers Training opportunities are provided to all NSW Carers in writing and in discussions with caseworkers.</p>

		<p>Marymead are also in the process of incorporating carer training into our current NSW Carer database.</p> <p>ACT Marymead are currently in the process of planning standardised training days for ACT carers that address national standard 12.</p>
<p>e. Does your agency have any other mechanisms to assess the effectiveness of the recruitment, assessment and training of carers and staff in residential care?</p>	<p>1b.i Performance Management 1e.i Supervision/Support for Practice and Appraisal 1e. ii Staff Professional Development 1e.iii Residential Program Procedures Manual 1e.iv Complaints Policy (External)</p>	<ul style="list-style-type: none"> • Core Team meetings (Group debrief) • Private supervision and coaching • Professional consultants, <i>Spots & Arrows</i> engaged to provide consultation and professional supervision services to staff of Marymead's Adolescent Residential Program staff.

2. MONITORING OF CHILDREN IN OUT OF HOME CARE

Requirement	Documentation	Comments
<p>a. Who monitors children in out of home care, how is that monitoring carried out and with what frequency does it occur?</p>	<p>2a.1 – Children and Young People (CYP) Files 2a.2 - Carer Annual Reviews 2a.3 - Home Visit/ CYP Engagement Reports 2a.4 - Child Sighting/ Home Visit Template 2a.5 – ROA Placement Report Proforma 2a.6 – Marymead OOHC Case Plan 2a.7 – ACT Foster Care Procedures Manual 2a.8 – NSW Foster Care Procedures Manual</p>	<p>All CYP have a designated caseworker within the agency.</p> <p>All CYP are visited at a minimum of every 4-6 weeks by their designated caseworker.</p> <p>Each CYP’s placement and progress is reviewed through formal case conferences and through regular engagement with the CYP and their carer.</p>
<p>b. Practices which your agency has adopted in order to encourage disclosure by children of sexual abuse in out of home care.</p>	<p>2b.1 Leadership Team Meeting (3Ms) Agendas</p> <p>Training Register (See document 1d.3)</p> <p>ACT Foster Care Procedure Manual (see document 2a.7)</p> <p>NSW Foster Care Procedure Manual (see document 2a.8)</p> <p>NSW Home Visit/ CYP Engagement Reports (see document 2a.3)</p> <p>ACT Home Visit Reports (see document 2a.4)</p> <p>2b.2 Client Weekly Update 2b.3 NSW 16A Requests 2b.4 NSW Case Management Transfer Documentation</p>	<p>Child Safe Environment is a standing item on Leadership Team meetings (3Ms)</p> <p>Practices documented within the Procedures Manuals include:</p> <ul style="list-style-type: none"> • engaging CYP in life story work; • engaging with caseworkers independently away from their primary carers; • developing therapeutic alliances with key adults to encourage and support CYP to disclose any abuse. <p>Marymead also requests and obtains documentation from third parties that provide background information on the child, including reasons for entering care and placement breakdowns, to ensure that Marymead is well informed to make adequate arrangements for the child or young person.</p> <p>Regular visits with caseworker to monitor behaviour and respond to changes.</p>

<p>c. What is the mechanism by which other authorities for example law enforcement, health and schools exchange information with the out of home care agency about risks of sexual abuse of the child in care?</p>		<p>NSW Chapter 16A provisions in the Children and Young Persons (Care and Protection) Act 1998 enable the exchange of information between prescribed bodies where it relates to the welfare and wellbeing of a child or young person. Marymead's NSW operations utilise the Chapter 16A provisions to exchange information about children in care.</p> <p>ACT Equivalent information sharing provisions without legal consent do not exist in the ACT. Therefore, all information regarding children in care must be gathered and disseminated by ACT Care and Protection Services.</p>
<p>d. Is there a requirement that your agency as an out of home care provider be accredited, registered or licensed or otherwise be subject to conditions about the provision of out of home care? If so please describe those requirements?</p>		<p>NSW : Marymead achieved provisional registration from the Office of Children and Guardian in 2012. We are currently preparing for full accreditation and seeking to be fully accredited by the end of 2015.</p> <p>ACT: OOHC services in the ACT do not currently require accreditation, registration or licencing. Currently the ACT Government requires six-monthly reporting as part of the contract arrangement.</p> <p>The ACT Community Services Directorate is currently enhancing their accreditation and monitoring mechanisms through the development of a Regulatory Framework for OOHC. Marymead has participated in the recent consultation opportunities in this process, and we have strongly supported a compliance system.</p> <p>The ACT government has recently released their 2015-2020 OOHC Strategy which highlights the development of a regulatory system with ongoing monitoring for all services on the OOHC continuum.</p>

		<p>Organisations will need to undertake a pre-registration process prior to delivering services under the new Strategy, and be required to maintain this registration through ongoing monitoring and evaluation. This process will be administered by the ACT Human Services Registrar.</p>
<p>e. What mechanisms are there for children in out of home care to talk to someone outside the immediate out of home care placement?</p>	<p>2e.i Charter of Rights 7-12 years 2e.ii Charter of Rights 13-18 year olds 2e.iii Privacy, Confidentiality and Access to Records/ Feedback and Complaints Booklet</p>	<p>All children receive age appropriate Charter of Rights and are supported to link in with appropriate supports.</p> <p>All Marymead clients receive the Privacy, Confidentiality and Access to Records/ Feedback and Complaints Booklet.</p> <p>All Children/Young People currently attend school and have access to support provided at school such as trained teachers, school counsellors etc where they have opportunities to raise their concerns externally, should a need arise.</p> <p>All children have regular visits from ACT Care and Protection and NSW Families and Community Services caseworkers.</p> <p>Children/Young People are all linked to external services such as The Junction, CAMHS or private psychologists.</p> <p>The establishment of the Children and Young Person Human Rights Commission and having an ACT Children and Young Persons Commissioner to consult with children and young people, resolve complaints and concerns about services for children & young people and review issues of systematic concerns. The Commission provides advice to government and community organisations about how to improve services for children and young people.</p>

3. SYSTEMS POLICIES, PRACTICES AND PROCEDURES FOR REPORTING ALLEGATIONS

Requirement	Documentation	Notes
<p>a. What are the requirements or practices for reporting allegations of child sexual abuse within the agency?</p>	<ol style="list-style-type: none"> 1. Child Protection Policy 2. NSW Reportable Conduct Policy 	<p>ACT</p> <p>At any time that an employee reports an allegation of sexual abuse, the employee must inform their Program Manager as soon as possible regardless of whether they are a mandatory reporter. The Manager is kept informed at all stages of the reporting process. The relevant Director is informed of notification and the Director will ensure the CEO is informed.</p> <p>Where the allegation of sexual abuse involves an employee or volunteer, the Program Manager and/or Director is to be informed immediately. A report will be made with the knowledge of the Manager and/or Director. As soon as the report is made the relevant Director, if uninformed at this stage, will be notified and the CEO will be briefed about the situation.</p> <p>NSW</p> <p>The reportable conduct policy must be followed. The CEO is to be informed as soon as practical of any allegations against Marymead employees or volunteers. Any staff member can inform the CEO to prevent delays.</p>

<p>b. What are the requirements or practices for reporting allegations of child sexual abuse outside of the agency?</p>	<ol style="list-style-type: none"> 1. Child Protection Policy 2. NSW Reportable Conduct Policy 	<p>Marymead abides by all relevant child protection legislation and reports all suspected cases of abuse including sexual to the appropriate authorities. This is highlighted in Marymead's Child Protection Policy and Procedures and the NSW Reportable Conduct Policy.</p> <p>ACT</p> <p>The majority of ACT employees are not classed as mandated reporters under section 256 of the Child and Young People ACT 2008. However to promote and protect the safety and wellbeing of all children using Marymead services, staff are required to report concerns in consultation with their Manager if they suspect, on reasonable grounds, that a child or young person has experienced sexual abuse.</p> <p>Employees and Managers are required to refer to the Community Services Directorate publication, <i>'Keeping Children and Young People Safe, A Shared Community Responsibility: A Guide to Reporting Child Abuse and Neglect in the ACT for definition and indicators of abuse'</i>.</p> <p>Reports are made to the Care and Protection Services centralised intake team. The person with the most direct knowledge of the abuse will conduct discussions with Care and Protection.</p> <p>If any employee, volunteer or foster carer is believed to have engaged in sexual misconduct with a child or young person, Marymead will refer the matter to the Community Services Directorate through the Centralised Intake Team. Marymead will follow the Community Service Directorate procedures after a notification is made.</p>
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c. What data is collected of these reports?	Child Protection Policy	<p>ACT Documentation is kept on the service users files in the form of a formal record. Information that is collected includes:</p> <ul style="list-style-type: none"> • Time and date • Details of the Marymead staff member who made the notification/allegations/engaged in discussions • Who the notification/discussion was about and the name of the receiving officer at Care and Protection Services.

		In NSW the same documentation requirements are needed as well as the details of the report including a copy of the outcome of online report and any receipt of lodgement.
d. With which agencies or authorities does your agency exchange information about these reports?	<ol style="list-style-type: none"> 1. Child Protection Policy 2. NSW Reportable Conduct Policy 	<p>NSW Ombudsman ACT Community Services Directorate</p>
e. Merits of a consistent national approach.		<p>Marymead would support a consistent national approach to reporting allegations of sexual abuse. Currently Marymead works across two jurisdictions, ACT and NSW, with different requirements placed upon the agency, as well as different processes established outside the agency to monitor allegations and protect children. This leaves the possibility of different outcomes for vulnerable children in care when there is an allegation of abuse. All children have the right to the same best practice processes and protections no matter where they reside in Australia.</p> <p>Marymead would also support a national approach to working with vulnerable children checks, including a national available clearance for recruitment and employment screening in relation to sexual abuse allegations.</p>

4. SYSTEMS, POLICIES, PRACTICES AND PROCEDURES FOR RESPONDING TO ALLEGATIONS

Requirement	Documentation	Notes
<p>a. What does the agency do about each allegation of child sexual abuse of a child in out of home care which is reported to them?</p>	<p>NSW Reportable Conduct Policy Child Protection Policy</p>	<p>ACT When an allegation of sexual abuse occurs in the ACT, Marymead will follow the reporting requirements outlined in the Child Protection Policy and are then required to follow Community Service Directorate (CSD) policies around how the matter is handled. These procedures are made available to Marymead upon reporting the allegation. Some actions may involve immediate removal of the child, immediate suspension of a staff member or transfer of the staff member to other duties.</p> <p>Marymead staff are not to investigate or question staff, children or volunteers involved unless it has been authorized by CSD. CSD staff will determine whether the investigation will be handled by CSD or the police.</p> <p>NSW Marymead staff are required to follow the Reportable Conduct Policy when allegations of sexual abuse are made against a staff member or volunteer. This involves reporting to the Ombudsman as outlined above as well as investigating and assessing the ongoing risk to the child.</p> <p>If an allegation of reportable conduct is made against a NSW staff member or volunteer, the Chief Executive Officer will authorise an investigation in relation to both allegations of reportable conduct and exempt matters and appoints a Director to manage the process, including an assessment in relation to the safety of the child(ren) involved.</p>

		<p>The Chief Executive Officer decides on what action is taken as a result of any investigation and appoints a Director to assess and monitor the risk of the employee having continued access to children using Marymead services.</p> <p>Marymead staff members are required to make a formalised record of the notification and store it on the service users file so it is confidentially stored.</p> <p>In all cases, the child who makes the disclosure will receive reassurance, information and appropriate focus on their wellbeing and safety.</p>
b. What data is collected about these actions?	<ol style="list-style-type: none"> 1. Critical Incident Report 2. NSW Reportable Conduct Policy 	<p>The staff member who either observed or heard the disclosure of abuse will be asked to write a critical incident report as soon as possible. This report will be passed on to the CSD and the AFP if involved in the investigation.</p> <p>NSW Reportable Conduct- Comprehensive documentation, dated and signed appropriately, is kept of any investigation. Confidentiality and security of documents are given the utmost priority and access limited to senior staff involved in the resolution of the matter. Files are kept securely and separately to the employee's personnel file whilst an investigation is undertaken. However, in the event of a substantiation of reportable conduct, notations to this effect will be recorded on the employee's personnel file.</p>
c. With which agencies or authorities does your agency		<p>NSW Office of Ombudsman ACT Community Services Directorate</p>

exchange information about these responses?		
d. Merits of consistent national approach.		Again, Marymead would support a consistent national approach to defining and establishing the best practice expectations in relation to responding to allegations. This is to ensure all children can be assured of a consistent best practice approach to protect their safety and wellbeing.

5. SYSTEMS, POLICIES, PRACTISES AND PROCEDURES FOR SUPPORTING CHILDREN WHO HAVE BEEN SEXUALLY ABUSED IN OOHC

Requirement	Documentation	Notes
a. What does your agency do to support children who have been sexually abused in out of home care including providing counselling, support services, specialist services, financial assistance or recompense while in care and after exiting care?		<p>Marymead follows reporting processes as outlined above.</p> <p>NSW</p> <p>To support children who have made a disclosure, Marymead ensures that appropriate supports are put in place. In a recent case, Marymead adopted the following processes:</p> <ul style="list-style-type: none"> • Engagement of new counselling services or expertise in the field • Engaging with JIRT team • Development and implementation of safety plans • Referrals made to CPCS. <p>A de-identified case study can be provided to the commission if requested.</p>

6. NATIONAL INITIATIVES

Requirement	Documentation	Notes
<p>a. What has your agency done to support outcomes 2.2, 6.1, 6.2 and 6.4 of the national framework for protecting Australia's children 2009-2020?</p>	<p>Standard 2.2 NSW 16A requests (see document 2b.3)</p> <p>Standard 6.1 ACT – Positive Futures Caring Together Package (see document 1c.1)</p> <p>NSW – CARE Training Package (see documentation 1c.3)</p> <p>Standard 6.2 Working With Vulnerable People Screening Policy (See document 1.a.ii)</p>	<p>Standard 2.2 ACT Marymead has participated in the ACT Government's OOHC Strategy consultative process which includes the development of a OOHC Regulatory Framework. This process will progress achievement of the National Framework which will include information sharing protocols.</p> <p>NSW Marymead is engaged in information sharing protocols outlined under 16A of the Child and Young Persons (Care and Protection) Act 1998.</p> <p>Standard 6.1 Marymead ensures that all staff and foster carers receive information training around sexual abuse of children.</p> <p>We actively support the ACT Human Rights Commissioner for Children and Young People in their goal to create child safe communities and organisations.</p> <p>Child Safe Environment is a standing item on Leadership Team meeting (3Ms).</p> <p>Standard 6.2 We are working within the ACT and NSW jurisdictional requirements for the exchange of criminal history information about people working with children. We will continue to observe the appropriate protocols as they develop.</p>

		<p>Marymead supports an inter-jurisdictional exchange of criminal history as we currently work across two jurisdictions.</p> <p>Standard 6.4 Please refer to processes outlined in Section 5.</p>
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