

Positive Futures Caring Together

Trainer Guide

Module 1

The Legal Framework for Caring

Information for trainers – Module 1
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Unit of competency

Modules 1, 2 and 3 have been developed in accordance with the national units of competency Work within a relevant legal and ethical framework (CHCCS400A) and Identify and respond to children and young people at risk (CHCCHILD401A).

Module 1 maps specifically to the following elements in these units:

CHCCS400A Work within a relevant legal and ethical framework

Element 1: Demonstrate an understanding of legislation and common law relevant to work role and

CHCCHILD401A Identify and respond to children and young people at risk

Element 1: Implement work practices which support the protection of children and young people

The unit of competency including performance criteria, range statement and evidence guide can be found at www.ntis.gov.au or if you do a search on Google using the unit code, e.g.CHCCS400A it will take you to the unit of competence.

Learning Outcomes

At the conclusion of this module, participants will be able to:

- Demonstrate an understanding of the legal responsibilities and obligations impacting on the role of a foster carer in the ACT
- Demonstrate a child-centred approach in their role as a foster carer
- Describe their duty of care in relation to caring for children and young people.

Assessment Tasks

- Reflection sheet (Assessment workbook)
- In-class participation (relate to in class activities eg: 1.2, 1.4, 1.5, 1.7)
- Duty of care assessment task (Assessment workbook)

Recommended Reading

Essential

- Introduction to Learner Guides
- Learner Guide Module 1
- Chapter 1, Sections 350-352, 474-483, 508-523 and 863 of the *Children and Young People Act 2008*

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- Roles and responsibilities for providing out of home care services in the ACT, May 2008
- ACT Charter of Rights for Children and Young People in Out of Home Care
- An Outline of National Standards for Out-of Home Care, December 2010

Desirable

Up to date policies and procedures of Care and Protection Services are available from the Foster Care Training Coordinator.

Further information about the OCYFS and foster care can be accessed from the Foster Care Training Coordinator.

*Positive Futures Caring Together***Delivery Schedule Module 1**

Training Time required: 3 hours
Break: 30 minutes
Total session time 3 and a half hours

Module 1 The legal framework for caring				
Trainer		Section	Time	PPT Slides
	A	Welcome and Introductions Acknowledgement to Country	15 mins	1
	B	Overview of <i>Positive Futures Caring Together</i>	5mins	2-4
	C	Explain assessment - including tasks, criteria, process & options for completing	10 mins	5-6
	D	Learning outcomes and outline of Module 1		7-8
	E	Group Rules	5 mins	
	1.1	Context of foster care in the ACT	5 mins	9-12
	1.2	Working Together – The Care Team	15 mins	13
	1.3	The legal and ethical framework for working with children and young people.	5 mins	14
	1.4	Rights of children and young people <ul style="list-style-type: none"> ▪ Un Convention ▪ National Standards for Out – of Home Care ▪ Charter of Rights for Children and Young People in Out of Home Care 	20mins	15-18 19 20
		<i>Dinner Break</i>	30mins	
	1.5	<i>Children and Young People Act 2008</i> <ul style="list-style-type: none"> ▪ Introduction (5 mins) ▪ Principles (5 mins) ▪ Activity (30 mins) ▪ Parental responsibility (20 mins) 	60 mins	21 22-23 24 25-29
	1.6	Other laws impacting on foster care	5 mins	
	1.7	Duty of care	20 mins	30-31
	1.8	Summary and Close	15 mins	32

(This template can be photocopied and used by trainers for each course)

*Positive Futures Caring Together***Materials and equipment required**

- Trainer guides
- Learner guides for each participant
- Assessment Workbooks Part 1 for each participant
- Power point presentations
- Data projector
- Laptop
- Laminated Principles
- *Children and Young People Act 2008*
- Attendance sheet
- In class participation checklist
- Participant evaluation forms
- Trainer feedback form
- Whiteboard markers
- Whiteboard
- Post it posters (stick on butcher's paper)
- Name tags
- Food/hospitality

Assessors/trainers must ensure that the Assessment criteria in the workbooks part 1 and 2 is discussed and explained to participants and once completed and signed a copy taken and forwarded to NuSkills.

Recommended room set-up

It is recommended that the room be set up in a "horse shoe" shape with tables to allow participants to write in their Learner Guides.

*Positive Futures Caring Together***Module 1 –Session Plan**

(15 mins)	(A) Acknowledgement of country, Welcome and Introductions
<i>Input</i>	<p>Acknowledgment of country Before we begin our training I/we would like to acknowledge and pay respect to the traditional custodians of the land, the Ngunnawal People on which this training is being held. I/we acknowledge and respect their continuing culture and contribution they make to the life of this city and this region. I/we also acknowledge and welcome any Aboriginal and Torres Strait Islander peoples who may be attending.</p>
	<p>Welcome everyone and thank participants for coming.</p> <p>Introduce trainers and tell participants something about your background.</p>
(10 mins)	<ul style="list-style-type: none"> ▪ Participants to introduce themselves ▪ Share one or two things about themselves that they would like the group to know.
	<p>Provide “housekeeping” details including:</p> <ul style="list-style-type: none"> ▪ Confirmation of training dates ▪ Length of the session and breaks ▪ Location of toilets/use of swipes
	(B) Overview of <i>Positive Futures Caring Together</i>
	<p>Give brief overview of the training program:</p>
<i>PPT</i>	<p>PPT 2 Overview PPT 3 Receiving your GPA PPT 4 Learner Guides</p>

Trainer Notes

(A) Welcome and Introductions***Aim of this section***

The aim of this section is to put participants at ease and create a friendly, safe learning environment that will encourage participation and group cohesion.

Background information

This section needs to be kept 'tight' in terms of time, as there is a lot of content to cover in the module.

Facilitation options

It is recognised that all trainers bring their unique style and personality to the course so it is up to the trainers to decide how they would like participants to introduce themselves. It is essential however, that whatever method is chosen, the introductory activity be completed within the recommended time frame of 15 minutes.

(B) Overview of *Positive Futures Caring Together****Aim of section***

This section aims to briefly revisit information about *Positive Futures Caring Together* that participants should have received from their agency. It also aims to ensure that all participants are clear about the competency-based nature of the training program and the expectations in relation to assessment.

Background information – context of foster care

Whilst the training program is based on 4 national units of competency from the Certificate IV in Child, Youth and Family Intervention (Residential and out of home care), the program has been written specifically for foster carers.

Reference to Learner Guide

Trainers can refer to pages iv - vii of the Introduction to the Learner Guide to expand on the PowerPoint slides.

The Learner Guides are a key resource for the participants. It is important to give a brief overview of the content and structure of these guides to reinforce their importance and to encourage participants to read and refer to them on an ongoing basis. It is important that participants bring their Learner Guide to each training session.

Trainers can emphasise the importance of participants reading the Learner Guides either prior to or after the session. There may be occasions where participants will be asked to pre-read the module before the training session.

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<p>(5 Mins)</p> <p><i>PPT</i></p> <p><i>Input</i></p> <p><i>PPT</i></p>	<p>C) Explanation of assessment</p> <p>PPT 5 Assessment process PPT 6 Options for completing assessment</p> <p>Handout Assessment Workbook Part 1</p> <p>Explain the Assessment Tasks for Module 1 and assessment criteria</p> <p>Key points to emphasise:</p> <ul style="list-style-type: none"> • Couples will be discussing & formulating ideas about the training material just learnt. This is important as it assists in understanding the subject matter and in making decisions in becoming a foster carer. However as assessors we will be looking for <u>your own individually worded responses</u> as evidence of achieving the knowledge learnt during the training. • Sometimes people have learning preferences or difficulties in expressing themselves in written assessments. If you require support or a different assessment approach, please discuss this with a trainer out of session. <ul style="list-style-type: none"> ▪ Due date (2 weeks after completion of Module 5) ▪ Advisable to complete tasks at the end of each module ▪ Advisable to complete reflection sheets at the end of each session if time or as soon after as possible ▪ Explain to participants that RTO requires assessment criteria must be signed in workbooks (page 3) to indicate that participants are aware they will be marked against these. ▪ Give contact details for Trainers/Assessors and encourage participants to seek support for assessment tasks out of session if necessary. <p>D) Overview of Module 1</p> <p>PPT 7 Learning outcomes for Module 1 PPT 8 Content outline of Module 1</p>
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Trainer Notes

C) Explanation of assessment***Aim of section***

The aim of this section is to reduce anxiety regarding assessment by clarifying at the beginning of the training what tasks they are required to complete. If participants have a lot of questions or concerns about the assessment process it is probably more useful for trainers to encourage participants to discuss these concerns out of session.

Background information – context of foster care

Participants are likely to come from a range of educational backgrounds. Some participants may feel quite daunted at the prospect of completing assessment tasks, particularly the written tasks. It is important to emphasise that competency based training is required to be fair and flexible and that support will be offered to those participants who may have difficulties completing any of the assessment tasks, such as verbal assessments.

It is important for trainers to explain the in-class participation assessment method and clarify the importance of the in-class Activities in assessing this aspect of each module. It is useful to point out that observations of participant “engagement” in large and small group discussions as well as active contributions to these discussions are an important part of making these assessments. If a participant is absent from a training session, the Activities in the learning guide can be used to assess “participation” in the ongoing discussions throughout the training either by submitting these to the assessor, or making a time to meet individually with the assessor to discuss their responses to the Activities.

Reference to Assessment Workbook

Trainers can handout the Assessment Workbook Part 1 in this section and **briefly** talk through the assessment tasks for Module 1 as well as the **assessment criteria**.

D) Overview of Module 1***Aim of section***

The aim is to provide participants with a clear understanding of what they will be learning in this module and why. This will provide a ‘roadmap’ for the training session.

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<p>(5 mins)</p> <p><i>Input</i></p>	<p>(E) Group Rules</p> <p>For the group to work well together it is useful to develop some 'ground rules' that will help to create a safe and productive learning environment.</p> <p>Ask participants to list 'group rules' and record on butcher's paper.</p> <p>Check that participants are happy to agree to these rules.</p> <p>Stick group rules on the wall and remember to have them available for every session.</p>
<p>(5 mins)</p> <p><i>Input</i></p> <p><i>PPT</i></p>	<p>1.1 Context of foster care in the ACT</p> <p>Before we move into talking about the legal framework underpinning foster care in the ACT, it is helpful to have a general understanding of where foster care fits into the child protection and out of home care system in the ACT.</p> <p>PPT 9 Overview of role of Office for Children Youth and Family Support (OCYFS)</p> <p>PPT 10 Overview of role of Care and Protection Services</p> <p>PPT 11 Definition of out of home care</p> <p>PPT 12 Overview of foster care in ACT</p>

Trainer Notes

(E) Group Rules***Aim of section***

The aim of this section is to elicit some workable group rules, agreed to by all, that will assist the group to interact and work together effectively.

Facilitation options

You may have to offer some initial suggestions to get the group started, for example, mobile phones turned off or to silent, one person to speak at a time, starting on time, disagreeing with respect etc.

It is important to ensure that you generate input from as many participants as possible. Record the group's responses on butcher's paper. Having the group rules on the wall at every session will allow the group to refer to the rules if they feel they are not being adhered to, as well as to add any additional rules that they believe would be helpful for the group.

1.1 Context of foster care in the ACT***Aim of section***

The aim of this section is to give a general overview of the role of the OCYFS, Care and Protection Services and the foster care agencies and how the system is organised and structured. This knowledge and understanding will form the basis of the next section that discusses teamwork and the work of the 'care team'.

Background information – context of foster care

It is useful for foster carers to be aware of the 'outsourcing' system of out of home care in the ACT and the broad roles of the Department and agencies working in this sector. This general awareness will assist foster carers to begin to understand the formal relationships between the OCYFS and their foster care agency and will form the basis for later discussions about roles and responsibilities of members of the care team.

Facilitation options

The use of PowerPoint slides will help to keep this section brief. Trainers can inform participants that these roles and responsibilities will be discussed in more detail throughout Modules 1-5.

Reference to Learner Guide

Trainers can refer to pages 4 and 5 of the Learner Guide to expand on each PowerPoint slide.

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(15 mins)	1.2 Working Together – The Care Team
<i>Input</i>	You are probably beginning to realise that there are a number of people from different organisations that will be working with you and the child or young person in your care.
<i>PPT</i>	PPT 13 The 'care team'
<i>Input</i>	Working together with children and young people in foster care involves effective teamwork. Foster carers are an important member of the 'care team' that is declared by Care and Protection Services.
<i>Learner Guide</i>	Turn to the 'collaborative practice' diagram on page 6 of Learner Guide. The diagram represents the range of people and agencies that may be members of a declared care team involved in the planning and decision making about a child or young person in foster care.
<i>Activity</i>	Refer participants to the activity on page 7 of Learner Guide.
	<p><i>"What are some of the positive things about working in a team?"</i></p> <p><i>"What problems might arise when working in a team?"</i></p> <p><i>"What can we do to contribute to good teamwork?"</i></p>
<i>Input</i>	<p><i>Suggested summary of key points:</i></p> <ul style="list-style-type: none"> ▪ Child is the focus of the team. ▪ Unlike parenting your own children there are a range of services and agencies involved with a child or young person in foster care. ▪ Knowing what role each team member plays is important. ▪ Knowing the 'rules', for example laws and policies, helps each person understand what and why decisions are made. ▪ As they are working as part of a team it is important "not to go it alone" and seek support and advice on a regular basis.

Trainer Notes

1.2 Working Together – The Care Team***Aim of section***

The aim of this section is to introduce the concept of the 'care team' and to highlight the important role that foster carers play in the 'care team'. This section utilises discussions about teamwork to emphasise the importance of foster carers having access to the same knowledge and information about laws, policies and procedures as the care and protection workers and agency workers.

Modules 1-5 of *Positive Futures Caring Together* aim to provide foster carers with this information and knowledge.

Background information – context of foster care

Section 863 of the *Children and Young People Act 2008* allows the OCYFS to declare a care team for a child or young person with a range of people and organisations. This includes people responsible for either the care of a child or young person or the delivery of a service to a child or young person or their family. Effective planning and management of a child's placement in foster care involves input from all members of the care team. An important point to emphasise here is that unlike parenting your own children, foster care involves a system around the children that carers will need to work within.

The concept of the declared care team is important in later discussions in Module 2 about information sharing and confidentiality.

Reference to Learner Guide

Trainers can refer to pages 6 and 7 of Module 1 in the Learner Guide.

Facilitation options

This activity (page 7 of Learner Guide) has been designed for a large group discussion.

Expected responses from Activity

- Positive things about teamwork may be working towards a common goal, sharing information, supporting each other, better outcomes, sharing the problems, better problem solving, sharing skills and knowledge etc
- Problems that may arise could include poor communication, unclear roles and responsibilities, conflict, personal agendas, lack of a common goal, lack of respect etc
- Contributing to good teamwork could include clarifying roles and responsibilities, good communication including asking questions and listening, treating each other with respect, knowledge of the task and the context of the work, sharing information, collaborative problem solving, contributing to the team etc.

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(5 mins)	1.3 The legal and ethical framework for working with children and young people
<i>Input</i>	<p>This section provides an overview of the legal framework for working with children and young people and how these laws assist us to provide ethical care for children and young people.</p> <p>You are not expected to have the knowledge of a lawyer, just a broad understanding of the laws that will help you in your role as a foster carer.</p>
<i>PPT</i>	<p>PPT 14 A legal and ethical framework for working with children and young people.</p> <ul style="list-style-type: none"> ▪ Explain each layer of the circle and how the best interests of the child or young person is the focal point of each layer. ▪ Emphasise the link between each layer of the circle and the importance of every layer in assisting us to provide quality care for children and young people. ▪ This module will deal with the three outer layers relating to children's <i>rights</i> and the <i>laws</i> and <i>National Standards</i> that guide our work. ▪ Module 2 will focus on policies and procedures and Module 3 will focus on making ethical decisions using your knowledge of the law and policies.

Trainer Notes

1.3 A legal and ethical framework for working with children and young people.

Aim of section

The aim of this section is to provide a visual 'framework' for participants to think about how laws, policies and ethical behaviour link together to assist us to provide quality care for children and young people. This 'framework' provides a visual representation or 'roadmap' for the content covered in Modules 1, 2 and 3.

Background information – context of foster care

It is important to emphasise that child protection and out of home care is regulated by law and that it is essential for foster carers to have an understanding of their legal responsibilities and the legal responsibilities of others in the care team in order to work effectively together.

This is also an opportunity to introduce the concept of children's 'rights' as a component of the 'legal and ethical framework' and that the UN Convention on the Rights of the Child provides a foundation for the formulation of laws relating to children and young people in Australia.

The brief explanation of different types of law, for example, Legislation and Common Law, provides a context for later discussions about the *Children and Young People Act 2008* and the concept of duty of care.

Reference to learner guide

Trainers can refer to pages 8-10 of Module 1 in the Learner Guide. The table on page 8 of the Learner Guide provides a simple overview of the legal system.

The diagram titled "Legal and ethical framework for working with children and young people" on page 10 of the Learner Guide is a key visual tool used throughout the OCYFS training to illustrate how the content of each module builds on and links to previous modules.

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(20 mins)	<p>1.4 Rights of children and young people</p>
<p><i>Input</i></p>	<p>The outer layer of the 'legal and ethical framework for working with children and young people" ('circles'), shows how children's rights are an important foundation for the laws and policies governing foster care and child protection.</p> <p>To help us think about children's rights let's meet two of the children that we will be talking about throughout the training.</p>
<p><i>Learner Guide</i></p>	<p>Trainer to read the story of Amy on page 11 – 12 of the Learner Guide.</p> <div data-bbox="806 715 1063 994" data-label="Image"> </div>
<p><i>Activity</i></p>	<p><i>"What are your initial responses to Amy's story? What feelings does the story evoke for you?"</i></p> <p><i>If you were to list the rights of Amy what do you think they should be?</i></p>
<p><i>Learner Guide</i></p>	<p>Trainer to read the story of Sean on page 12-13 of the Learner Guide.</p> <div data-bbox="806 1380 1063 1636" data-label="Image"> </div>
<p><i>Activity</i></p>	<p><i>"What are your initial responses to Sean's story? What feelings does the story evoke for you?"</i></p> <p><i>If you were to list the rights of Sean what do you think they should be?</i></p>
<p><i>Input</i></p>	<p><i>Suggested summary of key points:</i></p> <ul style="list-style-type: none"> ▪ All children have the same rights ▪ They are rights that as adults we would expect.

Trainer Notes

1.4 Rights of Children***Aim of section***

The purpose of this section is to focus participants on the needs and rights of children and young people by introducing two of the children's stories, Amy and Sean, which will be developed throughout the training.

Background information

This section emphasises that the UN Convention on the Rights of the Child to which Australia is a signatory, provides a foundation for the laws developed in Australia in relation to children and young people. An understanding of the UN Convention aims to promote a child-centred approach to working with children and young people in foster care.

The new *Charter of Rights for Children and Young People in Out of Home Care* in the ACT is also consistent with the *United Nations Convention on the Rights of the Child*, the *ACT Human Rights Act 2004*, and *The Children and Young People Act 2008*, all of which spell out the basic human rights to which all children and young people are entitled.

Facilitation options

The stories of Amy and Sean are introduced here to focus the discussion on the rights of children. Trainers can take turns reading one of the stories or trainers could ask for a volunteer from the group to read one of the stories.

It is preferable that trainers familiarise themselves with the children's stories so that they can be 'spoken' as a story rather than read from the Learner Guide. The Activities are designed for a large group discussion.

Reference to Learner Guide

Trainers can refer to pages 11-14 of Module 1 for the children's stories and Activity and pages 14-15 for information and background on the UN Convention on the Rights of the *Child* and the *Charter of Rights for Children and Young People in Out of Home Care*.

Expected responses from Activity

- Feelings that may be evoked could include sad, angry, distressed, frustrated, sympathy for parents, shock, desire to 'fix' the situation etc
- Rights of the children could include safety, food and shelter, freedom from abuse, education, housing, childhood, health care, love and affection, stimulation, opportunities for development, to be listened to, respect etc.

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<p><i>PPT</i></p>	<p>Present overview of the three key principles underpinning the UN Convention on the Rights of the Child.</p> <p>PPT 15 Overview of the UN Convention PPT 16 Principle: Provision PPT 17 Principle: Protection PPT 18 Principle: Participation</p>
<p><i>Learner Guide</i></p>	<p>Refer participants to Resource 1, pg.40, for a child friendly version of the UN Convention on the Rights of the Child. This gives a more detailed description of each Article in the Convention.</p>
<p><i>Input</i></p>	<p>Emphasise that as a signatory to the Convention the Australian Government has to make a report to the United Nations every two years outlining how Australia has complied with the Convention.</p>
<p><i>PPT</i></p>	<p>PPT 19 National Standards for Out of Home Care</p>
<p><i>Input</i></p>	<p>Present overview of the National Standards for Out-of-Home Care in Australia, see over for discussion points</p> <p>Refer participants to Resource 2, pg. 45 for a explanatory document of the National Standards for Out-of-Home Care in Australia,</p>
<p><i>PPT</i> <i>Input</i></p>	<p>PPT 20 Charter of Rights for Children and Young People in Out of Home Care</p> <p>The <i>Charter of Rights</i> is for children and young people who are placed in short term or long term Out of Home Care in the ACT. The <i>Charter</i> outlines how children and young people can expect to be treated by the people caring and working with them. All of these rights are important but some might be viewed as being more important than others.</p> <p>Refer participants to Resource 3, pg. 47 for a full explanatory document of the <i>Charter of Rights</i>.</p> <p><i>Suggested summary of key points:</i></p>
<p><i>Learner Guide</i></p>	<ul style="list-style-type: none"> ▪ These rights reflect basic human needs. ▪ As adults we expect these needs to be met and rights to be upheld. ▪ A 'rights perspective' of children and young people underpins child-centred practice when working with children and young people in foster care.

Trainer Notes

1.4 Rights of Children (cont'd)***Background information - context of foster care***

Explanation of the UN Convention on the Rights of the Child is limited to the three key principles of 'provision', 'protection' and 'participation'. Grouping the extensive list of rights in the UN Convention into three broad categories gives the participants a framework for thinking about the way the care team works with and cares for children and young people.

These principles of protection, provision and participation are key themes that will recur throughout the training program.

Trainers can refer to pages 14-15 for information and background on the UN Convention on the Rights of the Child and the Charter of Rights for Children and Young People in Out of Home Care.

Background information on the National Standards for Out-of Home Care

The National Standards for Out-of-Home Care have been designed to deliver consistency and drive improvements in the quality of care provided to children and young people. The 13 National Standards focus on the key factors that directly influence better outcomes for those living in out-of-home care. These are: Health, education, care planning, connection to family, culture and community, transition from care, training and support for carers, belonging, identity, and safety, stability and security.

These key areas have been chosen based on broad consultation with children and young people, service providers, carers and governments.

Background information on the Charter of Rights for Children and Young People

From a recommendation in *The Territory as Parent 2004* until the 29th of May 2008, the then Minister for Children and Young People, Minister Gallagher, endorsed the *Charter of Rights for Children and Young People in Out of Home Care in the ACT*. The Rights provided in the *Charter* are consistent with the *Human Rights Act 2004*.

Facilitation options

This section should be kept brief with the use of the PowerPoint slides. The aim is to give a very brief summary of the key principles underpinning the UN Convention on the Rights of the Child and provides an opportunity to relate these principles to the previous activity and present an overview of the National Standards for Out-of-Home Care and the Charter of Rights.

Trainers can refer participants to the 'child friendly' version of the Convention at **Resource 1 pg. 40** for a more detailed description of each Article in the Convention; **Resource 2 pg. 45** for the National Standards for Out-of-Home Care and **Resource 3 pg. 47** of the *Charter of Rights for Children and Young People in Out of Home Care in the ACT*. Participants can read these sections in detail at home.

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(60 mins)	1.5 Children and Young People Act 2008
(5 mins) <i>Input</i>	Introduction This section moves into the second layer of the 'circle' diagram on page 10 of the Learner Guide. This layer represents the laws that are relevant to children and young people in care.
<i>Learner Guide</i>	Turn to the table on page 8 of the Learner Guide to illustrate the different types of law in Australia. The key law governing child protection and out of home care in the ACT is the <i>Children and Young People Act 2008</i> . As a foster carer you are not expected to have an in-depth knowledge of this law, just a general understanding of key aspects of the law that impact on your role as a foster carer.
<i>PPT</i>	PPT 21 <i>The Children and Young People Act 2008</i>
<i>Input</i>	As foster carers who will be working as part of a care team it is useful for you to have a broad understanding of some key sections in this Act so that you are aware of why decisions are made and the processes that need to be followed.
(5 mins)	You might like to read the Objects of the Act in Resource 4 page 50 at home. You will recognise the similarities between these objectives and the UN Convention on the Rights of the Child.
<i>Input</i>	Principles of the Act We are going to focus on talking about the Principles of the Act and the concept of "parental responsibility" which directly affects you as foster carers.
<i>PPT</i>	PPT 22 The Principles of the Act PPT 23 What are the Principles?
<i>Activity</i>	Handout laminated principles around the group and ask each person to read out their principle(s). <i>What comments or observations do you have about these principles?</i> <i>Suggested summary of key points:</i> <ul style="list-style-type: none"> ▪ It is important to remember that as you are <i>authorised</i> by the Director-General to care for a child, foster carers must also take these Principles into account when making decisions about children and young people. ▪ Doing this can be a juggling act, however, the 'best interest' principle overrides all others.

Trainer Notes

1.5 Children and Young People Act 2008***Aim of section***

The aim of this section is to provide an overview of some of the key sections of the *Children and Young People Act 2008* that are relevant to foster carers. It does not intend to cover all aspects of the Act or provide details beyond what is relevant to foster carers.

Background information – context of foster care

It is important to highlight this piece of legislation as the key law regulating child protection and out of home care in the ACT and that care and protection workers and the Children's Court are bound by this Act when making decisions about children and young people.

Knowledge about the key sections of the *Children and Young People Act 2008* covered in this session will assist foster carers to have a clearer understanding of what their legal responsibilities and obligations are under the Act as well as the legal obligations of others in the care team. This knowledge will increase their understanding of why certain decisions are made by the Court and Care and Protection Services in relation to a child or young person.

Reference to Learner Guide

Trainers can refer to pages 15-23 of the Learner Guide to expand on the PowerPoint slides.

Facilitation Options

The power point slides of the Principles provide a visual method for summarising the key points under each. The laminated Principles are a visual method for highlighting the principles, particularly the 'best interest' principle.

Trainers are to hand each participant one (or two, depending on numbers of participants) Principle. Ask each participant to read out their Principle, starting with the first one, 'best interests of the child' (Section 8).

Trainers can refer participants to pages 16 -23 of the Learner Guide for a more detailed description of each of the Principles. Trainers can allow for some discussion and clarification of each principle throughout the presentation but this should be kept brief.

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(30 mins)	Putting the Principles into Practice
<i>Input</i>	We are going to be doing an Activity that applies some of these important Principles to a child or young person in foster care. To do this, we are going to meet 2 more children that you will get to know throughout the training. Their names are Sam and Carley.
<i>Learner Guide</i>	Trainer to read the story of Sam on page 24 of the Learner Guide.
<i>Activity</i>	 <p><i>What are your initial responses to Sam's story? What feelings do the stories evoke for you?</i></p> <p>Trainer to read through Carley's story on page 25 of Learner Guide.</p> 
<i>Activity</i>	<p><i>What are your initial responses to Carley's story? What feelings do the stories evoke for you?</i></p>

Trainer Notes

Putting the Principles into Practice***Aim of section***

The Principles of the Act provide guidelines for delegates making decisions under the Act. The aim of this section is to demystify the principles and highlight their practical relevance to everyday care of children and young people in foster care. This section also provides the opportunity to introduce Sam and Carley's stories by using them as a focal point for the Activity.

Background information – context of foster care

These Principles must be taken into account by anyone making a decision under the Act about a child or young person. Having a general knowledge of these Principles and how they are applied will help foster carers to understand why certain decisions are made. It also emphasises that foster carers also need to apply these Principles in their care of a child or young person.

Facilitation Options

Trainers are to read the story of Sam and discuss participant reactions. Trainers then read the story of Carley and discuss participant reactions to her story.

Trainer Notes

Putting the Principles into Practice (cont'd)***Facilitation options***

Depending on the size, nature of the group and time allowed, trainers can choose to do this as a large group discussion or a small group activity,

Option 1 - Small groups

- In four small groups, participants are to address **one** of the Principles suggested below for either Sam or Carley and complete the Small Group Activity on page 24 of the Learner Guide.
- Trainers to distribute one of the laminated Principles to each group. It is recommended that the following Principles be used with Carley and Sam

Carley Principle 9(1)(a) relating to racial and cultural identity (Group 1)
Principle 350(1)(c) relating to importance of contact (Group 2)

Sam Principle 351 (2) relating to participating in decision making (Group 3)
Principle 9(10)(b) relating to education (Group 4)

- Record responses on butcher's paper.
- Small groups to feedback their responses to the task.

Option 2 – Large group

- Trainers to choose 2-3 of the suggested Principles depending on time.
- Write each Principle on a piece of butcher's paper.
- Using the Small Group Activity on page 26 of the Learner Guide, trainers to facilitate a large group discussion about each Principle in relation to Sam or Carley.
- Record responses on butcher's paper/whiteboard.

Expected responses

The responses should include practical examples of what foster carers would be doing in their everyday care of Sam and Carley. For example, in relation the Principle about 'education', making sure that Sam attends school, attends excursions, participate in activities including sport, music, arranging tutoring or assistance with issues at school if required etc.

Positive Futures Caring Together

(20 mins)	<p>Parental responsibility</p>
<i>Input</i>	<p>We have just looked at the Principles of the Act and how they apply to foster care. This session covers another important section of the <i>Children and Young People Act 2008</i> that defines the legal basis and authority for you to be a foster carer.</p>
<i>PPT</i>	<p>PPT 25 Define parental responsibility PPT 26 Authorising parental responsibility PPT 27 Authorisations for foster carers</p>
<i>Learner Guide</i>	<p>Trainers can refer to the table on Page 28 of Learner Guide to explain the difference between a GPA and SPA.</p> <p>Advise participants that samples of SPA and GPA are in Resources 4 and 5 on page 52 -53.</p>
<i>PPT</i>	<p>Aspects of parental responsibility</p> <p>PPT 28 Aspects of parental responsibility</p>
<i>Learner Guide</i>	<p>Read through Table on page 30 of Learner Guide to give examples of decisions that carers with day today parental responsibility can make in relation to a child or young person in their care.</p>
<i>PPT</i>	<p>PPT 29 Are the following scenarios examples of daily care or long-term care parental responsibility?</p> <ul style="list-style-type: none"> ▪ Carley wants to get her ears pierced (long term) ▪ Sam wants to go to a friend's place for a sleepover birthday party (daily care but need to discuss with agency worker) ▪ Sean wants his bedtime changed to 9:30pm (daily care) ▪ Amy needs to go to the doctor because she has a fever (daily care but would inform agency worker asap)
<i>Input</i>	<p><i>Suggested summary of key points:</i></p> <ul style="list-style-type: none"> ▪ Foster carers usually only have authorisation for daily care parental responsibility. May become more flexible if a child with a carer until age 18. ▪ Carers should always ask their agency worker if they are unsure about what decisions they can make. ▪ It is also important for foster carers to inform their agency worker when something of significance has happened for a child or young person in their care. ▪ Good communication is vital for good 'teamwork'.

Trainer Notes

Parental Responsibility***Aim of section***

This section aims to clearly define the concept of 'parental responsibility' in the *Children and Young People Act 2008*, how this is authorised for foster carers and what this means to them in practical terms when making decisions about a child or young person in their care.

Background information – context of foster care

It is important for foster carers to understand that caring for a child or young person in foster care is different from caring for their own children. They are one member of a care team making decisions about the child or young person in accordance with the *Children and Young People Act 2008* and the policies and procedures of Care and Protection Services and their foster care agency.

The authorities (GPA and SPA) indicating approval of foster carers are necessary to demonstrate their legal authority to care for the child or young person and are important documents to be able to present in certain circumstances, for example, when taking the child to the doctor, when discussing issues at school etc.

This section also explains the difference between daily care parental responsibility and long-term care parental responsibility. It emphasises that foster carers are only able to make 'daily care' decisions about a child or young person in their care as they are exercising parental responsibility on behalf of the Director-General of the OCYFS. For stable and permanent placements the Director-General has the ability to authorise a foster carer to exercise all or part of long term care responsibility for that child or young person. (Section 518(2))

The issue of parental responsibility is often an area that is confusing and unclear for foster carers. This section gives broad guidelines for foster carers in relation to daily care parental responsibility and what this means for them in practical terms.

Facilitation options

PowerPoint slides are used to keep this section succinct. Trainers can refer to the Learner Guide for further information. There may be a lot of discussion in the group around the limitations for a foster carer when making decisions about a child or young person. The key point to emphasise here is that foster carers should always discuss any queries or concerns about making decisions with their agency worker.

The purpose of the scenarios relating to the children is to encourage participants to apply the broad guidelines relating to daily care parental responsibility to some practical examples. This activity should be kept brief.

Reference to Learner Guide

The table on page 28 of the Learner Guide can be used to provide a summary of the General Parental Authority (GPA) and a Specific Parental Authority (SPA). The table on page 30 provides guidelines in relation to daily care parental responsibility.

Positive Futures Caring Together

<p>(5 mins)</p> <p><i>Input</i></p>	<p>1.6 Other laws impacting on foster care</p> <ul style="list-style-type: none">▪ There are a number of <i>other laws</i> that you may come across in your role as foster carers. A list of these and how they may be relevant to you can be found on pages 31-37 of the Learner Guide.▪ An important law for you to be aware of is the <i>Privacy Act</i> 1988 as it will affect what information can be shared with you and what information you can share with other people about a child or young person. You will learn more about this in Modules 2 and 3.▪ Ask participants to read through this section in Module 1 at home.
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Trainer Notes

1.6 Other laws impacting on foster care

Aim of section

This brief section aims to highlight that there are a range of other laws that impact on foster care and that it is useful for foster carers to know about these laws.

Background information – context of foster care

There is a range of laws that impact on foster care. It is helpful for foster carers to be aware of some of these laws, as they will impact on their role. In particular, it is important for foster carers to be aware of the *Privacy Act 1988*, *Freedom of Information Act 1989*, *Health Records (Privacy and Access) Act 1997*, and *Domestic Violence and Protection Orders Act 2008*.

Facilitation options

This section is to be kept very brief. If time allows, trainers can briefly talk through some of the laws in the Learner Guide, highlighting those particular laws mentioned above. Alternatively, after a brief mention of these other laws, trainers can encourage participants to read the relevant section in the Learner Guide at home.

However, it is important for trainers to highlight the *Privacy Act 1988* as the issue of confidentiality and information sharing will be further discussed in Modules 2 and 3.

Reference to Learner Guide

Trainers can refer participants to pages 31 -37 of the Learner Guide for information and web links for key laws as well as a description of how these laws relate to the role of foster carers.

Positive Futures Caring Together

(20 mins)	1.7 Duty of Care
<i>Input</i>	<p>You are probably beginning to realise that there is much more involved in being a foster carer than you may have first thought.</p> <p>So far you have learned about the rights of children, the important Principles underpinning the <i>Children and Young People Act 2008</i>, the decisions you are allowed to make as a foster carer and your role as a member of a 'care team' working with a child or young person.</p> <p>Another important legal concept that applies when someone is in a position where they are responsible for the safety and well-being of another person is 'duty of care'.</p> <p>Every member of the care team owes a duty of care to children and young people.</p>
<i>PPT</i>	<p>PPT 30 Definition of duty of care PPT 31 Definition of 'reasonable care'</p>
<i>Input</i>	<p>You will remember from the table on page 8 of the Learner Guide that 'duty of care' and acts of negligence come under the category of Common Law.</p>
<i>Activity</i>	<p>As a large group, discuss the Activity on page 38 of the Learner Guide.</p> <p style="background-color: #e0e0e0;"><i>What would you consider to be 'reasonable care' for children and young people in foster care in relation to:</i></p> <p style="background-color: #e0e0e0;"><i>(i) home safety</i> <i>(ii) health</i> <i>(iii) discipline</i></p>
<i>Input</i>	<p><i>Suggested summary of key points:</i></p> <ul style="list-style-type: none"> ▪ Many of these responses are the same as what you would do for you own children. ▪ Additional areas of duty of care for foster carers and other team members. ▪ Your duty of care is informed by the laws and policies governing foster care eg: Principles of the Act, parental responsibility, children's rights etc.

Trainer Notes

1.7 Duty of Care***Aim of section***

The aim of this section is to provide participants with a clear understanding of the concept of duty of care and how it applies to the role of a foster carer. This section reinforces the fact that being a foster carer is different to parenting your own children.

Background information – context of foster care

Duty of care is an important common law concept that applies if you are in a position where it is reasonable for another person to rely on you for their safety and well being. It is important for foster carers to understand the duty of care owed to children and young people by every member of the care team and how the law helps to define what this is. It is important to emphasise that *Positive Futures Caring Together* aims to provide carers with the knowledge and skills that will equip them to fulfil their duty of care to a child or young person that comes into their care.

Facilitation options

The discussion question used to open this section aims to draw out a definition of duty of care from the participants and an understanding of the duty of care of a foster carer. The PowerPoint slides give a brief definition of duty of care and the term 'reasonable care'.

This information should be presented in a way that does not excessively raise anxiety or concern in participants about taking on the role of a foster carer. This can be done by relating their duty of care to their own children, to having other children in their homes and perhaps to the jobs that they do.

Reference to Learner Guide

Trainers can refer to the information and Activity on page 37 - 38 of the Learner Guide to facilitate this section.

Expected responses to Activity

Home safety: Physical safety e.g.: knives and sharp objects out of reach, medications locked away, child locks, pool fences etc.

Health: Attending to health needs, nutrition, dental checks, exercise, taking to doctor when sick, following medical advice, informing worker if child sick or needing to see doctor or dentist etc.

Discipline: Setting boundaries, being clear and consistent in enforcing them, try not to raise voice, no physical punishment, fair, consistent, seeking support from worker if stressed by child's behaviour etc.

Positive Futures Caring Together

<p>(15 mins)</p> <p><i>Discussion</i></p> <p><i>Input</i></p> <p><i>Assessment workbook</i></p> <p><i>Input</i></p>	<p>1.8 Summary and Close</p> <p>PPT 32 <i>“What are some key things that you have learned from this session about being a foster carer?”</i></p> <p>Link learning from this module to Module 2. Explain that we will be talking about how these laws are put into practice using policies and procedures.</p> <p>Remind participants about the assessment tasks:</p> <ul style="list-style-type: none"> ▪ Refer participants to instructions for completing reflection sheets before completing this task. ▪ Talk through the written assessment task on duty of care. ▪ Encourage participants to complete each task as they work through the modules. <p>Handout evaluation sheets for this module.</p> <p>Thank them for their participation and confirm details of next module.</p> <p>Ask participants to read the Learner Guide for Module 2 before the next training session as there is a lot of information to cover.</p>
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Trainer Notes

1 .8 Summary and Close***Aim of this section***

The aim of this section is to summarise the key messages from the module and to provide further explanation and clarification of the assessment tasks for Module 1.

Background information – context of foster care

It is helpful for participants to leave the training session with some key take home messages, a clear understanding of the requirements of the assessment tasks, and to have a brief overview of what will follow in the next Module.

Given the amount of detail covered in Module 2 it is important for participants to read the Learner Guide for that module in order to familiarise them with the content. Activities in the next module are based on the assumption that participants will have read the Learner Guide for Module 2.

Participants are encouraged to complete the reflection sheets before they leave the training session while their thoughts and feelings about what they have learned is uppermost in their minds. However, many participants will choose to complete the reflection sheets at home.

In order to gain feedback about the training and contribute to the continuous improvement of the program it is important for all participants to complete an evaluation form. Again, many participants will choose to complete this at home and return it at the following training session.

Facilitation options

Trainers can ask participants to report one or two key things that they learned from the training session. This method will encourage participants to reflect on their own learning and will provide feedback for the trainers as to whether the key messages from the module have been well communicated.

It is important to get at least one response from every participant.

An **alternative method** would be to read through the 'take home messages' from the Learner Guide at the end of the module.

Reference to Assessment Workbook Part 1

Trainers can refer to the Assessment Workbook Part 1 in order to talk through the assessment tasks, particularly the written task on 'Duty of Care'.