

Positive Futures Caring Together

Trainer Guide

Module 3

Caring ethically for children and young people

Information for trainers – Module 3
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Unit of competency

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

Module 3 maps specifically to the following elements in these units:

CHCCS400A Work within a relevant legal and ethical framework

Element 3: Work ethically

Element 4: Recognise and respond when client's *rights* and interests are not being protected 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 impact of individual values and beliefs in foster care
- Recognise ethical dilemmas and problems
- Apply their knowledge of the law, policies and problem-solving processes to making ethical decisions in their role as a foster carer
- Demonstrate child-centred practice in their role as a foster carer
- Seek appropriate support to manage difficult situations and solve problems
- Make a complaint according to relevant policy and procedures.

Assessment Tasks

- Reflection sheet (Assessment workbook or on-line facility)
- In-class participation (Relate to in class activities eg: 3.2, 3.6)
- Making ethical decisions assessment task (Assessment workbook)

*Positive Futures Caring Together***Recommended Reading***Essential*

- Learner Guide Module 3
- *Children and Young People Act 2008*, Chapters 1 and 25.
- Privacy Principles from the *Privacy Act 1988* (Resource 13, Module 2 Learner Guide)

Desirable

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

*Positive Futures Caring Together***Delivery Schedule Module 3**

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

Module 3 Caring ethically for children and young people				
Trainer		Section	Time	Slides
	3.1	Introduction <ul style="list-style-type: none"> • Welcome • Overview and learning outcomes • Assessment task 	15 mins	1-4
	3.2	What are values	25 mins	5-7
	3.3	What are ethics	5 mins	8
	3.4	Ethical dilemmas and making ethical decisions	15 mins	9 -12
	3.5	Putting ethics into practice	30 mins	
		<i>Dinner Break</i>	30 mins	
	3.6	Having a go – putting ethics into practice <ul style="list-style-type: none"> □ Small group work □ Feedback 	70 mins (40 mins) (30 mins)	
	3.7	Making a complaint to ACT Care and Protection Services	10 mins	13-14
	3.8	Close	10 mins	15

(This template can be photocopied and used by trainers)

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

- Trainer guides
- Learner guides
- Power point presentation
- Data projector
- Laptop
- *Children and Young People Act 2008*
- Attendance sheet
- In class participation checklist
- Participant evaluation forms
- Trainer feedback form
- *"Scrapbook of family strengths"* (St Lukes cards) for ice breaker
- Whiteboard markers
- Whiteboard
- Post it posters (stick on butcher's paper)
- Name tags
- Food/hospitality

Recommended room set-up

At the discretion of the trainers, the room may be set up in a "horse shoe" shape as with previous modules, or set up with chairs in a circle and tables placed in other parts of the room for small group work. This set up encourages engagement and discussion in the "guided discussions" and provides "break out" tables for small group activities.

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Module 3 –Session Plan	
(15 mins)	<p>3.1 Introduction</p>
<i>Input</i>	Welcome participants back to the training.
<i>Activity</i>	<p>Icebreaker</p> <p>On arrival, ask participants to choose a card from the "<i>Scrapbook of family strengths</i>" (St Lukes) that represents what strength(s) they think their family will bring to the role of fostering. Ask participants to share this with the group.</p>
<i>Input</i>	In Module 2 you learned how policies and procedures put the law into practice by providing guidance for our everyday care of children and young people.
<i>PPT</i>	<p>PPT 2 Legal and ethical framework</p> <p>This module will talk about the 'inner circle' closest to the child, where we are making ethical decisions and judgements on a daily basis when caring for children and young people.</p> <p>As parenting foster children is different from parenting our own children, knowing what is 'ethical' when working with children and young people in foster care is guided by the law, policies and procedures, ethical codes and standards, and our own values.</p> <p>Working ethically also involves respecting the rights, roles and responsibilities of members of the care team, including foster carers, and knowing how to address issues or conflicts that may arise between team members.</p> <p>Overview of Module 3</p>
<i>PPT</i>	<p>PPT 3 Learning outcomes</p> <p>PPT 4 Outline of session</p>
<i>Input</i>	<p>Assessment Task</p> <p>Your assessment task is based on all the activities covered in the session today. We will be discussing the task in detail at the end of the session.</p>

Trainer Notes

3.1 Introduction

Aim of section

The aim of this section is to provide an opportunity for participants to review key learning from the last module and to make the link between Modules 1, 2 and 3 using the "circle" diagram.

Background information – context of foster care

This module focuses on ethical decision making in relation to children and young people in foster care. By using the 'circles' to navigate progress through the training program, trainers can emphasise that making ethical decisions is informed by our knowledge of the law, policies, values, standards or codes of ethics. Working within the laws and policies outlined in Modules 1 and 2 is a key difference between caring for our own children and caring for children and young people in foster care. That is, foster carers are part of a care team with authorisation to exercise parental responsibility for a child or young person from the Chief Executive of the Department of Disability Housing and Community Services.

With this authorisation come responsibilities for children and young people in foster care that are defined by the *Children and Young People Act 2008* and the policies and procedures of foster care agencies and ACT Care and Protection Services.

This module provides an opportunity for participants to explore and put into practice, ethical problem solving in relation to making decisions and judgements in their day to day care of children and young people.

Facilitation options

Once again, the 'circle' diagram used as a PowerPoint slide provides a useful tool for trainers to reinforce how each module builds on the other. The learning outcomes and overview of the content of the module are also presented briefly using PowerPoint slides.

Any questions relating to the assessment tasks from Module 2 should be dealt with in the break unless the concerns are common to the group as a whole.

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(25 mins)	3.2 What are Values
<i>Input</i>	Before we move on to talk about working ethically it is important to be aware of our own values and how they might impact on how we deal with difficult or challenging situations.
<i>Discussion</i>	<i>What do we mean by values?</i>
<i>PPT</i>	PPT 5 What are values?
<i>Activity</i>	<p>Participants to complete this part of the activity on their own</p> <p><i>Turn to the Activity on page 5 of Learner Guide – “Thinking about our values” and think about the two common issues listed. Write down 2 or 3 strongly held values (ideas/beliefs) that you have about these two issues.</i></p> <p>Complete this part of the activity, on page 6, as a large group.</p> <p><i>“Where do our values come from?”</i> <i>“If any of your values have changed what has influenced them to change?”</i> <i>“Think about a time when you experienced a clash of values with someone else. How did you feel, what did you observe and what happened?”</i></p>
<i>Input</i>	<p><i>Suggested summary of key points</i></p> <ul style="list-style-type: none"> ▪ Values are unique to each individual and can change over time as a result of the interaction between life experiences and values. ▪ Clashes of values can lead to strong emotions in people and impact on the decisions and choices that we make.
<i>Input</i>	Most organisations also have a set of stated values that are often written in ‘mission or vision statements’.
<i>PPT</i>	PPT 6 Organisational Values PPT 7 Interaction of Values
<i>Input</i>	<ul style="list-style-type: none"> ▪ Some values of different organisations and individuals on the care team may be shared while others may not. ▪ Developing a common understanding of laws, policies and procedures will help reduce the potential for values to ‘clash’.

Trainer Notes

3.2 What are values?***Aim of section***

The aim of this section is to explore the concept of values and how they can impact on the way we think, feel and behave in relation to particular issues or problems.

Background information – context of foster care

Values play an important role in the decisions, choices and judgements that we make throughout our lives. Individuals are not “value-free” and are not expected to be. However, being aware of our own values is a vital step in being able to manage any value conflicts and ethical dilemmas that we may experience when working with children and young people in foster care. Organisations often have a set of stated values that are underpinned by the work that they do and the laws that regulate what they do. (See Resource 13 pg 30 for the OCYFS statement of ‘Values and Culture’).

Facilitation options

A simple definition of ‘values’ is provided using the PowerPoint slide. Any discussion around this definition should be kept brief.

The purpose of the activity is to encourage participants to articulate some of their values in relation to two common issues, racial/cultural diversity and raising children and young people. Many people are aware when they react strongly to particular issues or situations, but rarely have the opportunity to think about their values that lie beneath these reactions. This activity will help participants develop this self-awareness.

If differences in values do arise during this activity this is a useful learning point for the group. It allows the trainers to demonstrate respect for different values and beliefs and to promote understanding of where these values may come from.

Expected responses from Activity

The discussion questions should bring out some important points about values and may include:

- Values are unique to each individual: Values are not always consistent:
- Values come from our childhood, family of origin and early experiences.
- Values can change over time as a result of life experience, education, etc:
- Values define who we are: We are sometimes reluctant to give them up, depending on how strongly they are held: Some values are more open to change than others.

Reference to Learner Guide

Trainers can refer to pages 4-7 of the Learner Guide for more information about values and the instructions for the Activity.

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<p>(5 mins)</p> <p><i>PPT</i></p> <p><i>Discussion</i></p> <p><i>Input</i></p>	<p>3.3 What are Ethics</p> <p>PPT 8 Definition of Ethics – “What ought one to do?”</p> <p><i>“What do you think is meant by this?”</i></p> <p><i>Suggested summary of key points:</i></p> <ul style="list-style-type: none"> ▪ Fostering is different to parenting your own children so knowing “what you ought to do” is particularly important. ▪ Working with children and young people can be very emotive. ▪ Laws, policies and knowledge of the needs of children and young people in foster care guide us in knowing “what we ought to do”.
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Trainer Notes

3.3 What are Ethics?

Aim of section

The aim of this section is to introduce the concept of ethics by using the simple, yet powerful question of ethics from the St James Ethics Centre.

Background information – context of foster care

This question, “what ought one to do?” is a key question used throughout the module to assist participants to think about whether their judgements, decisions and actions as a foster carer are ‘ethical’ in the context of caring for children and young people in foster care.

The previous section that explored values, demonstrated that personal values often come out strongly on certain issues, particularly when faced with a difficult situations where our values may be challenged. Knowing what the laws and policies in relation to children and young people in care require, will support and inform foster carers to make ethical judgements and decisions in their day to day care.

Facilitation options

The simple definition of ethics is presented using a PowerPoint slide. The discussion question aims to explore the difference between doing what you ‘want to do’ and doing what you ‘ought to do’.

Reference to Learner Guide

Trainers can refer to pages 8 and 9 of the Learner Guide in Module 3 for more information about the definition of ethics. The St James Ethics Centre website is a great resource about anything to do with the subject of ethics. The website address is www.ethics.org.au

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(15 mins)	3.4 Ethical dilemmas and making ethical decisions
<i>Input</i>	<p>The subject of ethics and making ethical decisions can be a bit daunting for many people. Discussions and debates about ethics often take place between academics in universities</p> <p>The aim of this next section is to try and present the concept of ethical decision making in a simple way that will help you in your role as a foster carer.</p> <p>Close your Learner Guides sit back and listen to the following conversation about ethical dilemmas and making ethical decisions.</p>
	Dialogue
<i>PPT</i>	<p>PPT 9 “What I ought to do?” (Animated slide of Framework for ethical decision making)</p> <p>“As we discussed before, ethics is about knowing what you ought to do”</p> <p><i>“So how do I know “what I ought to do”?”</i></p>
<i>PPT</i>	<p>PPT 9 “First of all we need to consult the law because we are bound by what these laws say.”</p> <p><i>What other information do I need to consider?</i></p>
<i>PPT</i>	<p>PPT 9 “Then you need to consult the relevant policies and procedures, as they will provide a more detailed guide for what you should do based on the law.”</p> <p><i>Is there anything else I need to think about?</i></p>
<i>PPT</i>	<p>PPT 9 You may have a code of conduct in your role. I know that certain professional groups have a code of ethics that provide guidelines or standards for ethical behaviour.</p> <p><i>So how does all this help me to solve a problem or dilemma?</i></p>
<i>PPT</i>	<p>PPT 9 You need to know how to go about thinking through and solving problems rather than just reacting to the problem. A simple problem solving process that you can follow will help you to do this.</p>

Trainer Notes

3.4 Ethical dilemmas and making ethical decisions

Aim of section

The aim of this section is to present the framework for ethical decision making in a simple and engaging way, 'unpacking' particular components of the framework such as the problem solving process and the principles underpinning ethical decision making.

Background information – context of foster care

The subject of ethics can seem like a daunting topic for many people. This section pulls together the participant's learning in relation to laws and policies and applies it to the day-to-day decisions and dilemmas that they may face in their role as a foster carer. The framework for ethical decision making on page 10 of the Learner Guide for Module 3 is explained using a 'dialogue' technique.

Facilitation options

Option 1 – Dialogue

The dialogue method is the preferred option for a number of reasons including:

- To model the dialogue that needs to happen when making ethical decisions
- To make the session more lively and engaging
- To keep the message simple in relation to the process of making ethical decisions.

One trainer is to play the **role of the person seeking knowledge** (asking the questions) and understanding about ethics by asking the questions.

Another trainer plays the **role of the person answering the questions**. An animated PowerPoint slide of the framework for ethical decision-making is provided to accompany the dialogue between trainers.

The trainer answering the questions should also operate the power point.

For each answer given, a component of the framework will appear.

Option 2 – Mini-PowerPoint presentation

One trainer may choose to present the *Framework for making ethical decisions* (using animated PPT 9, PPT 10, & PPT 11)) by talking through and explaining each component of the framework using the explanations provided in the dialogue.

Reference to Learner Guide

Trainers can refer to pages 10-11 of the Learner Guide for more information on the framework for ethical decision making.

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PPT	<p><i>What about my own values? Do values matter when working out what I ought to do?</i></p> <p>PPT 9 "Yes, your values and beliefs are important and it is very important to be aware of what they are and how they are impacting on your decisions. However, the law, policies and procedures always need to be put before your own values as they may leave you focussed more on "what you would like to do" rather than "what you ought to do".</p> <p><i>So is this process completely free of values? Is it all about laws and policies?</i></p>
PPT	<p>PPT 9 "Actually, there are 5 principles that underpin ethical decision making that give this process some "heart". They are like the foundations of a house, not always seen but without them, the house would fall down."</p> <p><i>What are these principles?</i></p>
PPT	<p>PPT 10 Principles of Ethical Decision Making</p> <p>By asking yourself whether all your possible solutions meet all these principles, you will be doing "what you ought to do".</p> <p><i>So can you tell me about the problem solving process?</i></p> <p>"There is a simple problem solving process that will help you to work through a problem rather than reacting to it."</p>
PPT	<p>PPT 11 Decision making process (Talk through each step in the process. Refer participants to page 10 -11 of Learner Guide.)</p>
Activity	<p><i>Circle perspective exercise for Step 2 of the problem solving process.</i></p> <p><i>Ask participants to stand. Slowly turn around 360 degrees and observe the room as you turn around. What did you notice as you turned around? Is there any point that you could see the whole room?</i></p> <p><i>You can see that wherever you are as you are turning you are getting a particular perspective of the room at that point. At no time are you able to see the whole room.</i></p> <p>Continue to talk through the remaining steps in the problem solving process.</p>

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[Same as above]

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[Same as above]

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(30 mins)	<p>3.5 Putting ethics into practice – Guided discussion</p>
<i>Input</i>	<p>Remember in Modules 1 and 2 we talked about the importance for children and young people of maintaining family connections through contact. This isn't always as easy as it sounds and can often evoke strong feelings and reactions in foster carers, children and young people, birth parents and workers.</p> <p>We are going to talk about Amy and how the issue of contact with her birth parents is managed during her placement. Amy's foster carer is going to tell us about her dilemma with Amy's contact and at various points throughout the discussion; we will open up the discussion to you as a group.</p>
<i>Foster carer</i>	<p><i>Scenario – Contact</i></p> <p><i>“After Amy was removed from her mum and dad the court granted an interim care and protection order for 6 months and she ended up staying with me. The court order and care plan says that she is to have contact twice a week with mum on her own, once a week with mum and dad together and once a week with dad on his own.</i></p> <p><i>The contact is supervised by the Marymead Facilitated Contact Program at Marymead and usually lasts for about 45 minutes. A transport driver takes Amy to and from contact and unfortunately this person can be different each visit.</i></p> <p><i>Amy gets really agitated when she sees me packing her bag for the contact visit. When the driver arrives she becomes really distressed; screaming and kicking and clings to my legs and won't let go. I feel really upset and angry when I see her like this. When she comes home from the contact visits she doesn't want anything to do with me for a while and seems to “shut down” from all of us.</i></p> <p><i>These nights Amy doesn't sleep very well. She often wakes up screaming or calling out in her sleep. When I asked the transport drivers how Amy is in the car they all say that she settles down and doesn't say, “boo”. She just stares out the window.</i></p> <p><i>My dilemma is that I feel really confused because I feel upset and angry that Amy is put through this yet I know that the court has ordered that contact take place and this often. What ought I do?”</i></p>

Trainer Notes

3.5 Putting ethics into practice

Aim of section

The aim of this section is to apply the framework for ethical decision-making to a specific scenario involving Amy and her contact visits with her mum and dad.

Background information – context of foster care

The issue of contact can often be a contentious area in foster care. It is an issue where the 'values' and 'beliefs' of the care team members may come into conflict, leading to strong emotions and divergent opinions about the appropriateness of the contact, and the purpose and nature of the contact.

Using the scenario of Amy's contact with her birth parents provides participants with the opportunity to work through the ethical dilemma experienced by the foster carer in the scenario using the problem solving process and the framework for ethical decision-making.

Facilitation options

A combination of the 'dialogue' technique with the foster carer and a 'guided discussion' with the group provides an opportunity for the group to participate in the story. This is achieved by pausing to invite the group to brainstorm responses to specific questions (indicated by 'Discussion').

It is useful for the foster carer to sit in the circle with participants as a way of helping the group to feel part of the discussion.

One trainer is required to facilitate the discussion and invite the foster carer to contribute new information to the story. The third trainer is to whiteboard the responses from the group discussion.

Reference to Learner Guide

Trainers can refer to **page 12** of the Learner Guide for the scenario about Amy's contact with her parents. Trainers **can invite participants to record key aspects** from the discussion in the space provided on **page 13** of their Learner Guide for Module 3.

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<i>Input</i>	Let's work through the foster carer's dilemma using the problem-solving process and the framework for ethical decision making.
<i>PPT</i>	PPT 11 Decision making process
<i>Input</i>	<p>Step 1: The foster carer defined the dilemma as feeling really confused, upset and angry that Amy is put through this yet you know that the court has ordered that contact take place and this often.</p> <p>Step 2: Now we need to know the whole problem. Let's get a visual picture of what you know so far. (Draw pre-contact/travel time/contact visit/post contact on whiteboard)</p>
<i>Discussion with group</i>	<i>"How was Amy behaving prior to and after the contact visit? (Record Amy's behaviour on the whiteboard)"</i>
<i>Discussion with group</i>	<i>"How was Amy behaving during the car trip to and from Marymead?" (Record Amy's behaviour during transport on the whiteboard)"</i>
<i>Input</i>	So the part that is missing from this picture is how Amy is responding during the contact visit with mum and dad.
<i>Question for carer</i>	<i>"How did you get more information about how Amy is during the contact visit and what did you learn?"</i>
<i>Foster carer</i>	<i>Foster Carer: I thought it was a good idea to talk to my agency worker about how I was feeling and to ask about how Amy was responding during the contact visits. She told me that Amy takes a little while to warm up with mum and dad but once she does she interacts well with them – she cuddles them and Mandy is making a big effort to play with Amy. But when it comes time to leave, Amy becomes distressed again and clings on to mum in the same way she does to me and doesn't want to go into the car with the driver.</i>
<i>Discussion with group</i>	<p><i>How might Mandy and Eric be viewing Amy's behaviour?</i></p> <p>Now we have a fuller picture of what is happening for Amy. Let's ask the foster carer what happened next.</p>

Trainer notes

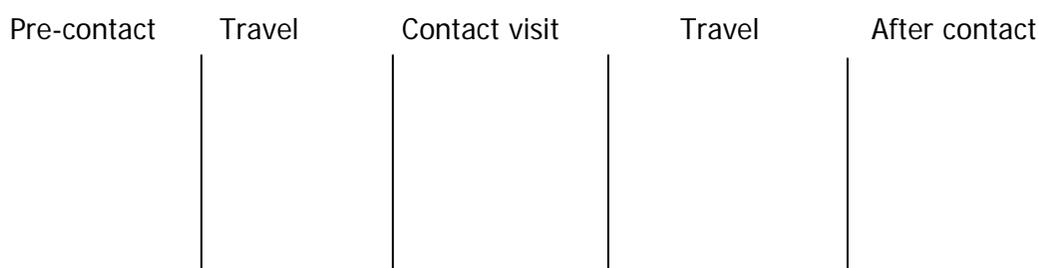
3.5 Putting ethics into practice (cont'd)*Expected responses from discussion*

The foster carer defines the ethical dilemma, which completes **Step 1** in the problem solving process.

The guided discussion addresses **Step 2** in the problem solving process. This step requires “knowing the whole problem” by gathering as much information as possible to get a fuller picture of what is going on.

Part of getting a ‘fuller picture’ of what is happening for Amy involves gathering as much information as possible about how she is reacting and behaving throughout the entire process of attending contact visits.

On the whiteboard, the trainer who is scribing is to draw the following diagram showing the chronology of Amy’s contact, and record what we know about Amy’s responses during each of these time slots. The aim of the group discussion is to identify where the foster carer needs more information to get the “fuller picture”



The dialogue with the foster carer reveals that she gained further information about Amy’s response during the contact visit with Mandy and Eric. This information can be recorded on the whiteboard under ‘contact visit’.

This discussion also encourages participants to explore the perspective of Amy’s birth parents, Mandy and Eric, in relation to Amy’s reactions to the contact visits and what interpretation they may be applying to Amy’s behaviour when leaving them after the contact visit.

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<i>Question for carer</i>	"Did getting the fuller picture change how you saw the situation?"
<i>Foster carer</i>	<i>"Getting this fuller picture made me realise that the problem is not just about Amy going to contact given that Amy has the same reaction when she leaves mum and dad to come back to us. When I thought about it, I began to wonder if Amy is feeling really confused."</i>
<i>Input</i>	Step 3: Now we have the fuller picture let's brainstorm some solutions to the foster carer's dilemma.
<i>Discussion with group</i>	<p><i>What are the possible solutions to the foster carer's dilemma?</i></p> <p>For example:</p> <ul style="list-style-type: none"> ▪ <i>Stop contact</i> ▪ <i>Reduce contact</i> ▪ <i>Change time and day of contact</i> ▪ <i>Same driver to reduce disruption for Amy</i> ▪ <i>Foster carer does transport etc</i>
<i>Input</i>	Step 4: Now we need to weigh up each of these solutions to see what the potential outcome of each one might be using what we know about the laws and policies.
<i>Discussion with group</i>	<p><i>Does each solution comply with the law?</i></p> <p><i>Does each solution adhere to policies?</i></p> <p><i>Does each solution meet ALL the ethical principles? (PPT 10)</i></p> <p><i>Eliminate solutions that don't comply with laws and policies</i></p>

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3.5 Putting ethics into practice (cont'd)

Expected responses from discussion

Step 3 involves brainstorming all the possible solutions to the dilemma faced by the foster carer.

It is important to be specific about all possible solutions even if they seem implausible. List all the possible solutions, which may include:

- *Stopping contact*
- *Reducing contact*
- *Changing time and day of contact*
- *Having the same driver to reduce for disruption for Amy*
- *Foster carer doing the transport.*

Step 4 involves weighing up all the possible solutions brainstormed by the group using the framework for ethical decision making on page 10 of Module 3 Learner Guide. In evaluating each solution the trainer needs to ask:

- Does each solution comply with the law?
- Does each solution adhere to policies?
- Does each solution meet ALL the ethical principles?

Eliminate solutions that don't comply with laws and policies or meet with all the ethical principles. These will include, 'stopping contact' and 'reducing' contact, as these would require a new application to the Court for a variation of the terms of the court order and changes to the Care Plan. Whilst this is always possible, this would be a longer term solution that would need further assessment by Care and Protection Services.

Changing the time and day of contact may also not be an option if this interferes with Amy's sleep and meal routines.

Example:

Brainstorm	Comply with Law	Adhere to policies	Meet Ethical Principles
<i>Stopping contact</i>	✗	✗	✗
<i>Reducing contact</i>	✗	✗	✓
<i>Changing time and day of contact</i>	✓ (providing no. of contacts is maintained)	✓	✓ (see above re sleep)
<i>Having the same driver to reduce for disruption for Amy</i>	✓	✓	✓
<i>Foster carer doing the transport</i>	✓	✓	✓

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<i>Input</i>	Step 5: Now that we've weighed up each of these possible solutions we can now choose the solution that fits with the laws and policies that we need to follow.
<i>Discussion with group</i>	<p><i>Which of the remaining solutions would you choose?</i></p> <p>You may find that there will be more than 1 solution that meets these criteria.</p>
<i>Input</i>	Step 6: Now that we have come up with an ethical solution we need to work out how to put it into practice.
<i>Question for carer</i>	<i>"Which solution did you choose and how did you implement this solution"?</i>
<i>Foster carer</i>	<i>"The agency worker and I managed to negotiate times for the contact visits with Marymead as well as with Mandy and Eric that also fitted in with my schedule so that I could drive Amy to and from contact."</i>

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3.5 Putting ethics into practice (cont'd)

Step 5 involves choosing a workable solution. It may be that the group arrives at two possible solutions, such as having the same driver for Amy for every trip, or the foster carer to transport Amy to contact.

Suggesting changes to the care plan or court order may be proposed by the group. Whilst this solution is not impossible, it is important to highlight the longer term nature of this solution and that such a solution would require consultation and feedback with other members of the care team and perhaps further assessment of the contact arrangements by Care and Protection Services

Step 6 involves working out how to put the ethical solution into practice. The continuing 'dialogue' with the foster carer reveals which solution was chosen by the foster carer and how she and the care team implemented the solution.

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<i>PPT</i>	Step 7: (PPT 11) Evaluate how its going
<i>Question for carer</i>	"It's been 4 weeks now since you have been transporting Amy to contact visits. How have these new arrangements been working out?"
<i>Foster carer</i>	<p><i>"Amy does not scream and cling to me when we drive to the contact visit. However, she does seem a bit agitated when she sees her bag being packed and when we get there. She runs around the house then constantly checks on what I am doing. The agency worker says that Amy still takes a little time to warm up to mum and dad and I guess that's natural given the circumstances. When it comes time to come with me I have noticed that she is very quiet and distant but not for as long as she was before. Her sleep at night has improved although she still has the occasional nightmare and restless night.</i></p> <p><i>So from Amy's perspective it seems to be working. However, I am finding the driving 4 times a week difficult at times. I know that I could manage 3 times a week OK so I'm negotiating with the agency worker about the possibility of getting a consistent driver to commit to the other contact visit."</i></p>
<i>Question for carer</i>	"So how does this solution feel for you now?"
<i>Foster carer</i>	<i>"I'm really glad I was able to work out what I ought to do rather than reacting to my initial feelings about Amy's contact by suggesting it be stopped. Standing back and getting the whole picture changed the way I saw the situation. This has been a really good outcome for everybody, particularly Amy."</i>
<i>Input</i>	<p>Now that we have worked through this scenario together we can see that having a process to guide us makes it easier to work out "<i>what we ought to do</i>".</p> <p>Ask participants for any comments or questions.</p> <p><i>Suggested summary points</i></p> <ul style="list-style-type: none"> ▪ Having a process to work through helps us to "step back" from reacting to a situation and assists us to make ethical decisions. ▪ Working through this process with other people such as your agency worker is also helpful. <p>After the dinner break explain to participants that they will be 'having a go' by breaking into three groups and working through some scenarios.</p>

Trainer Notes

3.5 Putting ethics into practice (cont'd)

Step 7 involves evaluating how effective the chosen solution has been. The question to the foster carer demonstrates how circumstances may change, and that solutions may need to be modified over time.

Summary

At the end of the guided discussion and dialogue, it is important to emphasise that having a problem solving process and a framework for making ethical decisions, assists us to “think through” ethical dilemmas in a way that makes it easier to know “what we ought to do” rather than doing “what we want to do”.

It helps us to ‘step back’ from a problem and think it through rather than reacting to how we are feeling about the issue.

Trainer Notes

3.6 Having a go – putting ethics into practice***Aim of section***

The aim of this section is to provide participants with the opportunity to apply the problem solving process and the framework for ethical decision making to a range of scenarios relating to sharing information about a child or young person in foster care. The activity involves participants working through an ethical dilemma in a small group using the same steps that were applied in the guided discussion. This opportunity to practice applying what they have learned in the session will equip participants to complete a similar assessment task at home.

Background information

Privacy and confidentiality and the need to safeguard a child or young person's story are a vitally important obligation for all members of the care team, including foster carers. The number of people involved in the life of a child or young person in foster care means that details about their life are routinely talked about and shared during the process of managing the foster care placement.

It is therefore important that foster carers have a chance to think about what personal information about a child or young person in their care is able to be shared with other people so that the child or young person's privacy is respected. This will require consideration of what they have learned in Module 2 about information sharing and confidentiality.

Facilitation options

Small groups are recommended for this activity so that 3 different scenarios using Sean, Sam and Carley can be fully explored.

Reference to Learner Guide

Trainers can allocate one of the three scenarios to each group. The scenarios and steps for making ethical decisions that participants are to use to record their responses to their scenario are documented on pages 14 -25 of the Learner Guide.

Positive Futures Caring Together

<p><i>Input</i></p>	<p>Feedback Process</p> <p>We have given you 3 scenarios relating to privacy and confidentiality, each with their own issues and challenges to consider. Rather than ask each group to feedback on all problem solving steps, we are going to hear one or two of the steps from each group.</p> <p>Following that, all groups will have the opportunity to feedback on their 'solution' and how they implemented the solution.</p>
<p><i>Feedback</i></p>	<p>Group 1:</p> <ul style="list-style-type: none"> ▪ Read your scenario to the group and <i>define your dilemma. (Step 1)</i> ▪ Feedback your response to Step 2: Know the whole problem <p>Group 2:</p> <ul style="list-style-type: none"> ▪ Read your scenario to the group and <i>define your dilemma. (Step 1)</i> ▪ Feedback your response to Step 3: Brainstorm possible solutions <p>Group 3:</p> <ul style="list-style-type: none"> ▪ Read your scenario to the group and <i>define your dilemma. (Step 1)</i> ▪ Feedback your response to Step 4 Weighing up solutions <p>All Groups:</p> <p>Ask each group to feedback:</p> <ul style="list-style-type: none"> ▪ Step 5 Choose a Solution ▪ Step 6 Implement the Solution (verbatim)
<p><i>Discussion</i></p>	<p>Summary Questions</p> <ul style="list-style-type: none"> ▪ What were some of the challenges or issues about deciding what to do in your particular scenario? (drawing out differences between each scenario) ▪ What are some of the benefits of having a problem solving process to work through?

Trainer Notes

3.6 Having a go – putting ethics into practice (cont'd) – Feedback process***Aim of section***

It is important for trainers to clearly explain how the feedback process will occur.

To set the scene, each group is to read out their scenario and define their dilemma before feeding back on one or two steps in the problem solving process. This is to reduce repetition in the feedback process.

All groups have the opportunity to feedback their responses to Step 5: Choose the solution and Step 6: Implement the solution.

Using the discussion questions at the end of the feedback process, trainers can draw out some of the issues and challenges that may be specific to each scenario.

Positive Futures Caring Together

<i>Activity</i>	 <p data-bbox="1020 367 1281 560"><i>Scenario 1</i> <i>Sean and the transport driver</i> <i>Pages 14-17</i></p> <p data-bbox="492 838 926 878">Step 1: Define the problem</p> <p data-bbox="492 994 1017 1034">Step 2: Know the whole problem</p> <p data-bbox="492 1150 1091 1189">Step 3: Brainstorm possible solutions</p>
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Trainer Notes

Expected Responses - Sean**Step 1: Define the problem**

The ethical dilemma has already been defined in order to save time and to keep the group focused on the task of resolving the dilemma.

Step 2: Know the whole problem

This scenario involves Sean's carer being "put on the spot" by the transport driver Craig's question. Unlike the previous scenario about Amy's contact where you needed more information about Amy's reactions during transport as well as during the contact visit, this scenario doesn't require getting information from other people in order to get the full picture.

Getting the fuller picture in this scenario will require participants to identify their obligations under the *Privacy Act 1988* and the *Children and Young People Act 2008*. This will include the fact that foster carers become 'information holders' once they are given information about a child or young person, requiring them to treat that information accordingly. (See Modules 1 and 2). There are also restrictions on members of the care team sharing sensitive information with others who are not part of the care team. So the question that needs to be asked is, "is this person asking for information part of the care team and do they need to know that information".

Step 3: Brainstorm possible solutions

Possible responses may include:

- Answering Craig's question directly by giving a lot of information about why Sean has come into care.
- Giving Craig some details of why Sean came into care.
- Giving Craig a general response like "Sean is unable to live with mum at the moment"
- Explaining to Craig that because of certain laws that are there to protect the privacy of children, young people and their families, you are unable to answer that question.

	 <p data-bbox="1047 409 1306 599"><i>Scenario 1</i> <i>Sean and the</i> <i>transport driver</i> <i>Pages 14-17</i></p> <p data-bbox="485 994 1219 1031">Step 4: Weighing up all the possible solutions</p> <p data-bbox="485 1145 893 1182">Step 5: Choose a solution</p>
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Trainer Notes

Step 4: Weighing up all the possible solutions

This step involves participants discussing and evaluating all the solutions put forward in the brainstorm. This will involve evaluating the potential outcomes of each possible solution taking into account the relevant laws and policies. It also involves assessing whether each solution meets with all the ethical principles. By going through this process systematically, participants will be able to rule out solutions that at first glance may appeal to their need to be 'nice and helpful'.

Going through this process will help them focus on what they 'ought to do' rather than what they would 'like to do'. Participants will need to focus on their obligations as an information holder under the *Children and Young People Act 2008* and establish whether Craig "needs to know" this information and whether he is part of the declared care team. The obvious answer to this question is 'no' as knowing details about Sean's background and why he came into care is not necessary for Craig to perform his role of driving Sean to and from contact.

Step 5: Choose a solution

This step requires participants to choose the solution that represents what they "ought to do" rather than what they would "like to do". They need to choose the most appropriate solution that complies with the relevant laws and policies and meets all the ethical principles.

The preferred solution to be reached is: *"Explain to Craig that because of certain laws you are unable to answer that question"*.

Now that the appropriate solution has emerged the trainers need to draw the participant's attention back to the original dilemma which also involves wanting to maintain a good relationship with Craig. The trainer points out that "now we need to think about **how** we respond to Craig as well as **what** we say.



Scenario 1

***Sean and the
transport driver
Pages 14-17***

Step 6: Implement the solution

Step 7: Evaluate how it's going

Trainer Notes

Step 6: Implement the solution

This step involves working out **how** you are going to implement the solution and doing it so that the ethical dilemma is resolved.

Participants are reminded that in Step 5, when they chose the most appropriate solution, that they needed to think about how they could implement the solution and continue to have a good relationship with Craig. In their small groups participants are therefore required to write a verbatim (word for word) of what they would say to Craig that shows that they are complying with the law and policies as well as maintaining a good relationship with Craig.

Step 7: Evaluate how it's going

This step occurs after the solution has been implemented. Participants will need to imagine what they might do to evaluate the impact of the solution and how things are going since its implementation.

Some of the ways that the solution could be evaluated may include observing and monitoring how Craig and Sean have been relating to each other since this conversation.

	 <p data-bbox="991 383 1313 581">Scenario 2 Carley at age 9 and the GP Pages 18 - 21</p> <p data-bbox="487 964 916 1010">Step 1: Define the problem</p> <p data-bbox="487 1127 1015 1173">Step 2: Know the whole problem</p> <p data-bbox="487 1278 1082 1324">Step 3: Brainstorm possible solutions</p>
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Trainer Notes

Expected responses - Carley**Step 1: Define the problem**

The problem has already been defined in order to save time and to keep the group focused on the task of resolving the dilemma.

Step 2: Know the whole problem

This scenario involves the carer being “put on the spot” by the GP Dr Findlay’s question. Unlike the previous scenario about Amy’s contact where you needed more information about Amy’s reactions during transport as well as during the contact visit, this scenario doesn’t require getting information from other people in order to get the full picture.

Getting the fuller picture in this scenario will require participants to identify their obligations under the *Privacy Act 1988* and the *Children and Young People Act 2008*. This will include the fact that foster carers become ‘information holders’ once they are given information about a child or young person, requiring them to treat that information accordingly (See Modules 1 and 2). There are also restrictions on members of the care team sharing sensitive information with others who are not part of the care team. So the question that needs to be asked is, “is this person asking for information part of the care team and do they need to know that information”.

In this scenario participants need to consider the purpose of the visit to the GP and whether the sharing of this sensitive information about why Carley came into care is relevant to that purpose. Carers would need direction from Care and Protection Services on whether sensitive information can be shared with a person outside of the care team.

Step 3: Brainstorm possible solutions

This step requires participants to ‘brainstorm’ as many solutions as possible including those that are not the most appropriate. The reason for this is that all the solutions are ‘tabled’.

Possible responses may include:

- Answering Dr Findlay’s question directly by giving a lot of information about why Carley has come into care.
- Giving Dr Findlay some details of why Carley came into care.
- Giving Dr Findlay a general response like “Carley is unable to live with mum at the moment”.
- Explaining to Dr Findlay that because of certain laws that are there to protect the privacy of children, young people and their families, you are unable to answer that question unless it is relevant to her presenting medical condition.



Scenario 2

*Carley at age 9 and
the GP
Pages 18 - 21*

Step 4: Weighing up all the possible solutions

Step 5: Choose a solution

Trainer Notes

Step 4: Weighing up all the possible solutions

This step involves participants discussing and evaluating all the solutions put forward in the brainstorm. This will involve evaluating the potential outcomes of each possible solution taking into account the relevant laws and policies and whether each solution meets all the ethical principles. By going through this process systematically participants will be able to rule out solutions that at first glance may appeal to their need to be 'nice and helpful' or feel compelled to answer Dr Findlay's questions because of his status as a doctor.

Going through this process will help participants to focus on what they 'ought to do' rather than what they would 'like to do'. Participants will need to focus on their obligations as an information holder and establish whether Dr Findlay "needs to know" this information on this occasion. The obvious answer to this question is 'no' as knowing details about Carley's background and why she came into care is not necessary for Dr Findlay to diagnose and treat Carley's ear ache and temperature.

Step 5: Choose a solution

This step requires participants to choose the solution that represents what they "ought to do" rather than what they would "like to do". They need to choose the most appropriate solution that complies with the relevant laws and policies and that meets all the ethical principles.

The preferred solution to be reached is: *"Explain to Dr Findlay that because of certain laws relating to sharing personal information about Carley, you are unable to answer that question".*

Now that the appropriate solution has emerged the trainers need to draw the participant's attention back to the original dilemma, which also involves you being aware that on future occasions you may need to share certain information with Dr Findlay. The trainer points out that "now we need to think about how we respond to Dr Findlay as well as what we say.



Scenario 2
Carley at age 9 and
the GP
Pages 18 - 21

Step 6: Implement the solution

Step 7: Evaluate how it's going

Trainer Notes

Step 6: Implement the solution

This step involves working out how the foster carer is going to implement the solution and doing it. Participants are reminded that in Step 5 when they chose the most appropriate solution that they needed to think about how they could implement the solution and continue to have a good working relationship with Dr Findlay. In their small groups participants are therefore required to write a verbatim (word for word) of what they would say to Dr Findlay that shows that they are complying with the law and policies as well as maintaining a good working relationship with him.

Step 7: Evaluate how it's going

This step occurs after the solution has been implemented. Participants will need to imagine what they might do to evaluate how the impact of the solution and how things are going since its implementation.

Some of the ways that the solution could be evaluated may include checking back with the information provided in the Learner Guide on privacy and confidentiality and the relevant laws given that they were put on the spot by an unexpected question.

It may also include talking to Carley about how she felt during the doctor's visit and the response that was given to Dr Findlay. The value in doing this could be that it builds Carley's trust in the carer and allows the carer to have the discussion again with Carley about how she wants to respond to this type of question by other people.

Cares could also follow up with Dr Findlay and explain that you felt put on the spot by his question. Carers could reiterate their legal obligations but reassure the GP that they are able to share information when it is relevant to the purpose of the visit. For example, if Carley had chronic urinary tract infections it may be appropriate to tell Dr Findlay about Carley's sexual abuse.



Scenario 3

***Sharing
information with a
friend about Sam
Pages 22 - 25***

Step 1: Define the problem

Step 2: Know the whole problem

Step 3: Brainstorm possible solutions

Step 4: Weighing up all the possible solutions

Trainer Notes

Expected responses - Sam**Step 1: Define the problem**

The problem has already been defined in order to save time and to keep the group focused on the task of resolving the dilemma.

Step 2: Know the whole problem

This scenario involves the carer being “put on the spot” by the Jenny’s question. Getting the fuller picture in this scenario will require participants to identify their obligations under the *Privacy Act 1988* and the *Children and Young People Act 2008*. This will include that fact that foster carers become ‘information holders’ once they are given information about a child or young person, requiring them to treat that information accordingly. (See Modules 1 and 2) There are also restrictions on members of the care team sharing sensitive information with others who are not part of the care team. So the question that needs to be asked is, “is this person asking for information part of the care team and do they need to know that information”.

Step 3: Brainstorm possible solutions

This step requires participants to ‘brainstorm’ as many solutions as possible including those that are not the most appropriate. The reason for this is that all the solutions are ‘tabled’.

Possible responses should include:

- Answering Jenny’s question directly by giving a lot of information about what has happened to Sam.
- Giving Jenny some details of what has happened to Sam.
- Giving Jenny a vague response like “*I’m not really sure...obviously something’s happened but I don’t really know...*”
- Explaining to Jenny that because of certain laws that are there to protect the privacy of everyone, you are unable to answer that question.

Step 4: Weighing up all the possible solutions

This step involves participants discussing and evaluating all the solutions put forward in the brainstorm. This will involve evaluating the potential outcomes of each possible solution taking into account the relevant laws and policies and whether each solution meets all the ethical principles. By going through this process systematically participants will be able to rule out solutions that at first glance may appeal to their need to be ‘nice and helpful’ and a ‘good friend’. Going through this process will help them focus on what they ‘ought to do’ rather than what they would ‘like to do’.

Participants will need to focus on their obligations as an information holder and establish whether Jenny “needs to know” this information. The obvious answer to this question is ‘no’ as knowing details about Sam’s background is not necessary for Jenny.

	 <p data-bbox="1015 383 1329 615">Scenario 3 Sharing information with a friend about Sam Pages 22 - 25</p> <p data-bbox="487 917 867 964">Step 5: Choose a solution</p> <p data-bbox="487 1069 949 1115">Step 6: Implement the solution</p> <p data-bbox="487 1220 949 1266">Step 7: Evaluate how it's going</p>
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Trainer Notes

Step 5: Choose a solution

This step requires participants to choose the solution that represents what they “ought to do” rather than what they would “like to do”. They need to choose the most appropriate solution that complies with the relevant laws and policies. The preferred solution to be reached is: *“Explain to Jenny that because of certain laws about protecting the privacy of children you are unable to answer that question”*.

Now that the appropriate solution has emerged the trainers need to draw the participant’s attention back to the original dilemma, which also involves you feeling that you don’t want to offend Jenny and that you don’t want her to think you don’t trust her. You also believe that part of being a good friend is sharing things with each other so you want to maintain your friendship with Jenny. Participants need to think about how they respond to Jenny as well as what they would say.

Step 6: Implement the solution

This step involves working out how you are going to implement the solution and doing it. Participants are reminded that in Step 5 when they chose the most appropriate solution that they needed to think about how they could implement the solution and continue to have a good friendship with Jenny.

In their small groups participants are therefore required to write a verbatim (word for word) of what they would say to Jenny that shows that they are complying with the law and policies as well as maintaining a good friendship with her.

Step 7: Evaluate how it’s going

This step occurs after the solution has been implemented. Participants will need to imagine what they might do to evaluate how the impact of the solution and how things are going since its implementation.

Some of the ways that the solution could be evaluated may include checking back with the information provided in the Learner Guide on privacy and confidentiality and given that they were put on the spot by an unexpected question. It may also include checking in with Jenny about how she feels about not being able to discuss Sam’s situation as well as monitoring and observing how your relationship is going with Jenny.

Positive Futures Caring Together

<p>(10 mins)</p> <p><i>Input</i></p> <p><i>PPT</i></p> <p><i>Learner Guide</i></p>	<p>3.7 Making a Complaint</p> <p>There may be times when you either observe what you consider to be unethical behaviour or decisions by others. You may be unhappy with a decision taken or the actions of someone else on the care team.</p> <p>In these cases, it is important to know about the Complaints Management Process in both the foster care agency and the OCYFS.</p> <p>Slide 13 Making a complaint Slide 14 Steps in the complaints process</p> <p>Use pages 27 - 28 of the Module 3 Learner Guide for an explanation of each step in the process.</p> <p>It is important to emphasise that foster carers should always talk to their agency worker first if they wish to make a complaint to Care and Protection Services. They will assist the foster carer through the process.</p> <p>It is also important to highlight that it is always best to try and resolve problems by following the complaints process.</p>
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Trainer Notes

3.7 Making a Complaint***Aim of section***

The aim of this section is to briefly discuss the process for making a complaint to ACT Care and Protection Services when carers may have concerns about unethical behaviour about a caseworker or the actions or decision taken by a caseworker. It is important to note that this section focuses on the complaints policy of ACT Care and Protection Services, **not** the foster care agencies. Participants should be directed to their agency's complaints management policy for more information on making a complaint relating to the foster care agency.

Background information – context of foster care

As discussed throughout this module and in previous modules, there may be times when the values, beliefs, perspectives and roles of care team members come into conflict. Being able to resolve and discuss a concern, issue or ethical dilemma with Care and Protection Services in a way that will maximise the chances of a good outcome for all concerned, will involve knowledge and application of the appropriate complaints management process. This knowledge can be viewed within the “policies and procedures” component of the Framework for Ethical Decision Making”.

It is important to emphasise that communication skills and problem-solving skills are crucial to achieving a good outcome from this process. It would be helpful for trainers to link discussion about good communication and working together to resolve problems back to the section on teamwork covered in Module 1.

Facilitation options

This section is to be kept brief by providing a ‘snapshot’ of the complaints process using PowerPoint slides and referring participants to the relevant information in the Learner Guide. It is important for trainers to emphasise that by engaging the assistance of their agency worker and by following the complaints process in ACT Care and Protection Services, they are more likely to achieve an effective resolution of the issue or dilemma.

Reference to Learner Guide

Trainers can refer to pages 26-28 in the Module 3 Learner Guide for information about the complaints process in ACT Care and Protection Services. Trainers can guide participants towards Resource 14 on page 31 which provides “frequently asked questions” about making a complaint. It also provides a website address within the Department of Disability Housing and Community Services that provides more information about making a complaint.

Positive Futures Caring Together

(10 mins)	3.8 Close
<i>Discussion</i>	PPT 15 <i>“What are some key things that you have learned from this session about being a foster carer?”</i>
<i>Input</i>	Link learning from this module to Module 4. Explain that we will be talking about how laws and policies come into play when responding to concerns about children and young people.
<i>Assessment workbook</i>	Remind participants about the assessment tasks: <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 making ethical decisions. ▪ Encourage participants to complete each assessment task as they work through the modules.
<i>Input</i>	Handout evaluation sheets for this module. Thank them for their participation and confirm details of next module.

Trainer Notes

3 .8 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 3.

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.

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 Learner Guide

Trainers can refer to page 29 of the Learner Guide for a summary of take home messages. Trainers can refer to the Assessment Workbook Part 1 in order to talk through the assessment tasks, particularly the written task on making ethical decisions.