

**Royal Commission
Into Institutional Responses to Child Sexual Abuse**

Case Study 24

**Preventing, and responding to allegations of,
child sexual abuse occurring in out-of-home care**

Out-of-home care service providers

**Response by
United Protestant Association of NSW Ltd (UPA)**

Introduction

Youth Care UPA is an accredited not-for-profit Out-of-Home Care Program a part of the United Protestant Association of NSW Ltd (UPA).

Situated on the Far North Coast of NSW, our mission statement is “to offer care of the highest possible standard consistent with the UPA's Christian commitment and the expectations of society”.

Youth Care UPA provides a secure, safe and caring alternate living arrangement for those young people who cannot or choose not to live with their natural families. We endeavor to ensure the safety and wellbeing of the children we care for to protect them from further harm such as sexual abuse.

We aim to empower young people, create opportunities for their future and enhance their quality of life. We do this in collaboration with the young person, their family and other relevant people.

We plan for quality outcomes, while providing outreach and support to young people with identified needs.

Youth Care UPA first gained accreditation from the NSW Children’s Guardian in 2006 and retains accreditation to this date.

The Office of the Children’s Guardian (OCG) currently monitors designated agencies to make sure they are meeting their responsibilities under the *Children and Young Persons (Care and Protection) Act 1998*; *The Children and Young Persons (Care and Protection) Regulation 2012* & *The NSW Standards for Statutory Out-of-Home Care (2013)* (“the CYPCP Act and Regulations”).

Youth Care UPA was re-accredited in 2011, gaining five (5) years accreditation (until July 2016).

Any improvements in practice that arise from the Commission’s Case Study 24 will be used to strengthen the quality of our service.

This response to address each of the topics raised in the Royal Commission document entitled “Areas to be examined in Case Study 24” follows the structure and numbering of that document.

(A glossary of terms and acronyms is included at the end of this document).

1. **RECRUITMENT, ASSESSMENT AND TRAINING OF FOSTER AND KINSHIP CARERS AND STAFF IN RESIDENTIAL CARE –**
 - a. **Screening of carers and staff as well as carers' household members. For example, working with children check and criminal checks.**

Youth Care UPA (“Youth Care”) recognises that a robust screening framework when recruiting carers and staff is an important mechanism for the safety and wellbeing of children in Out-of-Home Care (OOHC).

The following screening requirements must be completed prior to potential carers and staff progressing through to becoming a licenced foster carer or paid employee.

Youth Care Policies & Procedures Manual - Section 2.1: Page 147 [Attachment 1].

These requirements are:

- Satisfactory completion of a National Police Criminal Check;
- Satisfactory completion of a NSW Working with Children Check;
- Satisfactory completion of a Prohibited Persons Employment Declaration;
- Chapter 16a Consent Form - for the release of information (NSW Department of Family & Community Services (FaCS) KIDS system) **[Attachment UPA 2]**;
- Health Checklist;
- Medical Questionnaire;
- Two Personal Reference Checks; and
- Carer information is to be recorded on the OOHC Carer Register (from June 2015).

If a potential carer satisfies the requirements of the pre-employment checklist (as set out above), completes the “*Shared Stories: Shared Lives*” potential carer training and then progresses through to the “*Step by Step*” carer assessment stage, the following screening checks are then required of their household members:

- Satisfactory completion of a National Police Criminal Check (for any member of the household or in frequent contact with the household over the age of 16 years); and
- Satisfactory completion of a NSW Working with Children Check (for any member of the household or in frequent contact with the household over the age of 18 years)

This information will also be recorded by Youth Care UPA staff on the Carer Register when it goes live in June 2015.

Youth Care Policies & Procedures Manual Section 10.2: Page 552-553 [Attachment 3] sets out our requirements for the pre-employment of staff.

These requirements are:

- Satisfactory completion of a National Police Criminal Check;
- Satisfactory completion of a NSW Working with Children Check;
- Satisfactory completion of a Prohibited Persons Employment Declaration;
- UPA Health Care Assessment
- Two satisfactory Work Referee Checks; and
- UPA Psychometric and Aptitude Testing.

This initial screening step during the recruitment process involves checking with a number of Government agencies and external referee checks, which is a “first line of defence” in assessing the suitability of potential carers or staff members and a key in minimising risk of harm to children and young persons in our OOHC Program.

b. **Assessment of carers and staff**

“Shared Stories: Shared Lives” (Carers)

Youth Care UPA has adopted the carer initial training package “*Shared Stories: Shared Lives*”, produced by the Centre for Community Welfare Training for the Association of Children’s Welfare Agencies (CCWT/ACWA).

All staff facilitating the training are required to have satisfactorily completed the “*Shared Stories: Shared Lives*” two day training package offered by CCWT/ACWA in order to conduct effective carer training and the skills and attributes to look for in potential carers.

This information is captured by all facilitators at the completion of each of the nine training modules using the “Observations from Training” form. The form is supplied in the “*Shared Stories: Shared Lives*” package. It is a vital tool which helps facilitators note their observations and identify essential competencies potential carer exhibit, or highlight those they may be lacking and will therefore be a focus during the assessment stage.

This information is noted in the **Youth Care Policies & Procedures Manual Section 2.2: Page 159-165 [Attachment 4]**

“Step by Step” (Carers)

Like “*Shared Stories: Shared Lives*” the “*Step by Step*” Carer Assessment was produced by the Centre for Community Welfare Training for the Association of Children’s Welfare Agencies (CCWT/ACWA).

The *Step-by-Step Program* is a Competency Based Assessment, which allows accredited assessors to explore the skills and experience of potential carers, in order to make an informed decision on their competency to undertake the work of an authorised carer.

Youth Care UPA uses *Step by Step* as an assessment tool to determine whether or not someone will be suitable to become a foster carer.

Staff conducting assessments are required to have satisfactorily completed the two day “*Step by Step – Assessment Tool*” training which was developed to aid staff in screening and selecting Aboriginal and Non-Aboriginal foster carers.

Staff cannot attend this training and therefore cannot conduct carer assessments without first meeting the pre-requisites such as having prior experience and familiarity with key concepts of out-of-home care practice.

At the satisfactory completion of the *Step by Step* assessment, carers are then required to sign a copy of the “Code of Conduct for Authorised Carers”.

Details of the *Step by Step* assessment can be found in the **Youth Care Policies & Procedures Manual Section 2.1: Page 149-150 [Attachment 5]**. The “Code of Conduct for Authorised Carers” can be found in the **Youth Care UPA Carer Handbook Page 43 to 45 [Attachment 6]**

“Youth Care UPA Annual Carer Re-Assessment” (Carers)

All currently licenced Youth Care UPA carers and all transfer carers must complete a Youth Care UPA Carer Re-Assessment.

The re-assessment is initially completed on the new carers after the first six months whether they have had a child placed with them or not. All transfer carers complete the carer re-assessment before their transfer is approved.

This re-assessment is conducted by the Youth Care UPA Service Coordinator (“the Service Coordinator) and Youth Care UPA Casework Specialist (“the Casework Specialist”) and is competency based detailing real life examples of tasks and skills carers have displayed over the course of the year when caring for children in out-of-home care.

It is during this re-assessment phase that the Service Coordinator and Casework Specialist seek to identify areas of strength and areas where carers may need more guidance, support or specialised training.

Any improvement areas identified are then actioned by Case Workers to provide quality services to children and carers within the program.

The **Youth Care Policies & Procedures Manual Section 2.1: Page 187-188 [Attachment 7]**

“Youth Care UPA Internal Supervision” (Staff)

All Youth Care UPA Case Workers are required to attend monthly internal supervision with the Service Coordinator.

The Service Coordinator has completed formal training in providing supervision to staff and is knowledgeable in the areas of identifying performance issues and providing support, guidance and instruction to Case Workers to check staff are functioning at their optimum level and providing a quality service to those within the program.

This requirement of staff is detailed in the **Youth Care Policies & Procedures Manual Section 10.2: Page 564-568 [Attachment 8]**

“Youth Care UPA Probationary Period and Staff Review/Appraisal” (Staff)

All Youth Care UPA staff undergo a probationary period of six (6) months beginning the date of employment. During this time all staff are provided with support, training and guidance to assist them to fulfil their job descriptions to a professional and high standard.

Prior to the end of the probationary period staff undergo a formal review with the Program Manager where their work performance is assessed against a competency based checklist.

After the six month probationary period, if a caseworker is retained they are then required to undergo a formal review/appraisal annually. Again, this is conducted by the Program Manager using a competency based checklist and incorporates supervision reports to assess job performance.

This requirement of staff is detailed in the **Youth Care Policies & Procedures Manual Section 10.2: Page 567-568 (Attachment 8)**

- c. **Training of carers and staff in identifying signs of sexual abuse in children, encouraging disclosures and responding to those disclosures.**

Caseworkers must have a minimum qualification of a Certificate IV Youth Work to be employed as a caseworker with Youth Care UPA; therefore all staff have received prior training in the many aspects of sexual abuse before commencing their case work position.

Youth Care UPA is committed to providing ongoing, quality training to all carers and staff to assist them to provide quality out-of-home care to children (Found in **Youth Care Policies & Procedures Manual Section 10.3: Page 571-573 [Attachment 9]**).

Among the many training sessions provided are those that have a focus on identifying signs of sexual abuse in children, encouraging disclosures and responding to those disclosures.

Some examples of training sessions that staff and carers have attended are:

- Module 4 – Abuse and Trauma (*Shared Stories: Shared Lives*)
- Session E – Safe Environment (*Step by Step*)
- Child Protection Dynamics
- Heartfelt House Community Workshop
- Effects of Trauma and Abuse
- Handling Serious Allegations
- Youth Mental Health First Aid
- Response Ability Pathways (RAP)
- Keep Them Safe
- ACWA Conferences
- NSW Ombudsman Symposium
- National Foster Care Conference
- Ignite Conferences
- National Foster & Kinship Carer Conferences
- Tell Someone Who Cares Conferences
- New Street
- Sexuality and Relationships Forum
- Responding to Sexualised Behaviours

The above training sessions have provided carers and staff with knowledge on sexual abuse as a whole; certain aspects have directly focussed on identifying signs of sexual abuse, encouraging disclosures and responding to those disclosures.

The Youth Care UPA Policies & Procedures Manual specifically states that all staff are to remain aware of the indicators of abuse, sexual and non-sexual (**Youth Care Policies & Procedures Manual Section 4.5: Page 360 [Attachment 10]**). This is to check staff are constantly aware of the importance of identifying sexual abuse and can then respond accordingly in order to support and protect children.

d. **How does the agency determine that National Standard 12 is implemented and monitored?**

“Standard 12 - Carers are assessed and receive relevant ongoing training, development and support, in order to provide quality care”.

Youth Care UPA has adopted the CCWT/ACWA training and assessment packages *“Shared Stories: Shared Lives”* and *“Step by Step”* which were developed for the specific purpose of assessing and training foster and kinship carers.

It is written into the Youth Care UPA Policies and Procedures that both need to be completed by potential carers as a mandatory requirement prior to their approval as a licenced carer (**Youth Care Policies & Procedures Manual Section 2.1: Page 144-150 [Attachment 11]**).

The Youth Care UPA Administration Officer (“the Administration Officer”) keeps individual files on all potential carers and arranges them into a “Carer File”. It is only once the file is complete that their information is provided to the carer selection panel for recommendation.

A complete file contains the following information:

- *Carer/s Shared Stories; Shared Lives* Training Certificate
- Completed *Step by Step* Assessment Record including the Final Report
- Completed National Police Criminal Check
- Completed and checked current NSW Working with Children Check Number
- A signed Prohibited Persons Employment Declaration

- Chapter 16a Consent Form - for the release of information (FaCS KIDS system) & the requested information/outcome
- Health Checklist
- Medical Questionnaire
- Two Checked Personal Reference Forms

No incomplete file can proceed to the carer selection panel; this is to confirm that all required initial checks, training and assessments have been completed and no one person can be entrusted with the position of caring for children.

Youth Care UPA has a mandatory rule that all carer households must have attended at least four training sessions per year. Specific training may be compulsory and carers must attend, other training session can be chosen by the carer from opportunities provided by Youth Care UPA or other agencies, services etc.

In January of each year, all carers are emailed a list of training sessions that Youth Care UPA will provide to them free of charge.

Carers are invited to attend annual child related conferences which Youth Care UPA provides funding for in order for carers to be able to attend.

Carers are also sent quarterly training calendars by Youth Care UPA from Connecting Carers and can attend training at no cost to them. Carers are aware that any other training that is offered by other agencies and organisations relevant to the care and protection of children will be paid for by Youth Care UPA on behalf of the carer if they wish to attend.

The ongoing training and development of carers is extremely important to Youth Care UPA and as such carers are always provided training free of charge as an added encouragement for them to attend.

Caseworkers keep copies of completed training certificates on carer files as well as documenting attended training sessions on a "List of Training Attended" in the carer file. The Administration Officer also has a list of attendees for training sessions run by Youth Care UPA throughout each year. Youth Care UPA provides quality support to carers within the program. Carers have a designated caseworker who is available to them via phone, email or face-to-face for support, guidance, and debriefing, during a crisis or just for a chat (**Youth Care Policies & Procedures Manual Section 1.6: Page 112-113 [Attachment 12]**).

Caseworkers visit Carers regularly on a monthly basis at a time that best suits them. If a Carer requires additional visits from their caseworker this is arranged. Carers also have access to the Youth Care UPA After Hours Service, the details of which are provided to carers in their "Carer Diary" during January of each year and on their "Youth Care UPA Essential Numbers" fridge magnet which accompanies the diary.

All interactions between a caseworker and a carer are documented by the caseworker in a "File Note" which is stored electronically and in hard copy on the carer's file.

Youth Care UPA engages two (2) Psychologists to specifically work with carers and children that require specialised support. Carers are made aware of this additional support during the initial Shared Stories: Shared Lives training and are reminded of and offered the service by their caseworker during times of need.

After the initial visit these professional sessions are then arranged between the carer and Psychologist in order to monitor the support, caseworkers speak to their carer about how the sessions are going and document this in a case note; Youth Care UPA also receives invoices for the associated costs and a copy of this record (invoice) is then kept on the carer file.

- e. **Does your agency have any other mechanisms to assess the effectiveness of the recruitment, assessment and training of carers and staff in residential care?**

The **Youth Care Policies & Procedures Manual Section 10.3: Page 576 [Attachment 13]** details training and development procedures.

It states that the Service Coordinator will:

- Observe current work practices of staff and carers. The observation of work practices is a good indicator of how effective the current recruitment, assessment and training of staff and carers is.

The Service Coordinator makes these observations by visiting with carers and children, taking part in the *Shared Stories; Shared Lives* carer training, conducting aspects of the Step by Step Assessment, facilitating and attending other training and holding discussions and supervision sessions with staff. These observations are then noted and discussed with the Program Manager and any appropriate recommendations are actioned.

- Provide regular supervision to staff. This is scheduled monthly with individual caseworkers and staff and provided within a group setting on a needs basis.
- Compile staff and carer training evaluation feedback forms. Evaluation feedback forms have been developed and are utilised during each training session. Participants are asked to complete them, the information is then collected and future training sessions adjusted accordingly.
- Any documentation kept within the Youth Care UPA program is checked to confirm it is complete, accurate and of a high quality.
- Confirm that professionalism is maintained at all times. The Service Coordinator always maintains their professionalism and continually monitors the professionalism of all staff.
- Professional Development is discussed with staff during monthly supervision and with carers informally during regular visits and formally during the *Step by Step* assessment and Youth Care UPA annual re-assessment. Any relevant requests from staff and/or carers to undertake professional development is encouraged and are discussed with the Program Manager to seek approval.
- The Service Coordinator takes part in the Staff Appraisal Processes by completing the competency checklist based on the observations they have made and their evidence from monthly supervision reports.

The above tasks are carried out to confirm that all recruitment, assessment and training mechanisms are relevant, current and meets the standards/guidelines/agreements.

2. MONITORING OF CHILDREN IN OUT-OF-HOME CARE

- a. **Who monitors children in out-of-home care, how is that monitoring carried out and with what frequency does it occur?**

Caseworkers

Youth Care UPA Caseworkers visit children in and out of the home environment at least monthly. This enables caseworkers to form a good rapport with the children and promotes trust.

Visiting children within the home is important to observe the relationships within the household and to monitor the state of the child's home environment; visiting the child outside of the home creates an opportunity for children to feel safe enough to open up to their caseworker and talk about issues they may not feel comfortable talking about if they think someone else might overhear.

If a child requires more support from their caseworker, the caseworker will visit them more frequently.

Caseworkers conduct Case Conferences at least every six (6) months. This provides a more formal environment for caseworkers to document the actions undertaken by Carers and services and the ones that are required or outstanding to meet the needs of the child.

Caseworkers invite all parties involved, most importantly the child; if any party cannot attend the caseworker will decide whether to postpone the Case Conference or obtain their views/feedback using a "Consultation Form" and present that on their behalf.

After the Case Conference has taken place the caseworker completes and distributes the Case Plan to all parties ensuring that everyone understands what was discussed and the actions that need to be completed within specified timeframes.

This is detailed in **Youth Care Policies & Procedures Manual Section 1.6: Page 112-113 [Attachment 12]**.

OOHC Health Pathways

The OOHC Health Pathways team are qualified health professionals engaged specifically to monitor the health progress of children in OOHC.

This team of professionals conducts the initial health assessment on children entering the OOHC system and they then develop a Health Care Plan that is distributed to the caseworker and carer involved so that it is acted upon and all actions completed within specific timeframes.

The OOHC Health Pathways team then monitor the ongoing health needs of the children and liaise with other health care professionals, carers and caseworkers to help deliver the best health outcomes for the child.

Once all actions from the Health Care Plan have been completed, and if there are no ongoing health matters, the OOHC Health Pathways team will then (in discussion with the caseworker) mark that file "inactive" and the caseworker and carer are then responsible for monitoring and conducting the mandatory annual health checks. The file can be easily reactivated if there becomes health concerns, the caseworker only needs to contact the OOHC Health Pathways team and notify them of the new situation.

Youth Care UPA staff endeavour to meet with OOHC Health Pathways staff quarterly to discuss any ongoing health issues for children in the program to ensure all information is accurate, up to date and all health needs are being attended to.

OOHC Support Teacher Education

There are designated OOHC Support Teachers from the Department of Education who are responsible for monitoring the educational needs of children in OOHC.

These education professionals confirm that all children in OOHC have Individual Learning Plans; they provide funding and support to schools, liaise with teaching staff, caseworkers and carers on an ongoing basis and attend any required meetings.

Youth Care UPA staff endeavour to meet with OOHC Support Teachers quarterly to discuss any ongoing education issues for children in the program to ensure all information is accurate, up to date and all education needs are being attended to.

Learning & Support Teachers (individual school settings)

Learning & Support Teachers are designated teachers within individual school settings that monitor the educational needs, welfare and wellbeing of children in OOHC whilst attending school.

They are responsible for the development of Individual Learning Support/Education Plans, Behaviour Management Plans, Risk Assessments; they form good relationships with children in order to provide support to them whilst at school and liaise with caseworkers on a monthly basis or more frequently if required.

Caseworkers develop good working relationships with Learning & Support Teachers and communicate with them whenever required to monitor the needs of children whilst at school, this does not just mean educational, it also includes mental health, social aspects and physical health.

Youth Care UPA Psychologists

Youth Care UPA engages Psychologists to provide professional support and guidance to Youth Care UPA children and carers (individually and as a household).

Sessions are usually scheduled fortnightly but Psychologists are also available on a needs basis.

Psychologists liaise with the caseworkers involved (without breaking confidentiality) so that everyone understands what is going on for individuals and as households alerting caseworkers to any concerns, strengths and tasks that require action.

Psychologists also attend any appropriate meetings for the child and/or carer, write and distribute Behaviour Management Plans, provide caseworkers with quarterly written updates (reports) and provide post critical incident support to those who require it.

Youth Care UPA Mentors

Youth Care UPA engages Mentors to provide emotional support and guidance to Youth Care UPA children.

Mentors are utilised particularly for children who are lacking in certain skill areas such as social, living, self-care, life and communication. They can also be utilised to provide guidance and friendship on a gender basis and be a role model for particular children. The purpose of the Mentoring is detailed on an individualised "Mentor Plan", this is discussed, agreed upon and given to the Mentor prior to them beginning visits with a child.

Visits with Youth Care UPA children are on a regular basis, usually fortnightly for a minimum of two hours. The frequency can be adjusted according to an individual's needs. Mentors liaise with the caseworkers involved so that caseworkers are informed of all activities that will take place and the location it will be set in.

Mentors attend appropriate meetings for the child and provide caseworkers with quarterly written updates (reports).

NSW Office of the Children's Guardian (OCG)

"The Office of the Children's Guardian, was established under the [Children and Young Persons \(Care and Protection\) Act 1998](#) to promote the interests and rights of children and young people living in out-of-home care.

In 2013 legislative changes expanded the role of the Office to be an independent government agency that works to protect children by promoting and regulating quality, child safe organisations and services.

The Office reports to the NSW Minister for Family and Community Services and to Parliament.

Under our legislation, the Office of the Children's Guardian:

- Accredits and monitors the designated agencies that arrange statutory out-of-home care (OOHC) Registers and monitors agencies that provide, arrange or supervise voluntary out-of-home care (VOOHC)
- Accredits non-government adoption services providers
- Authorises the employment of children under the age of 15, and child models under the age of 16, in the entertainment sector
- Administers the Working With Children Check and encourages organisations to be safe for children
- Administers the Child Sex Offender Counsellor Accreditation Scheme (CSOCAS) – a voluntary accreditation scheme for persons working with those who have committed sexual offences against children" (www.kidsguardian.nsw.gov.au/About-us/Who-we-are).

Youth Care UPA adheres to all requirements and standards set by the NSW Office of the Children's Guardian (as stated in **Youth Care Policies & Procedures Manual Page 36 [Attachment 14]**).

Youth Care UPA files have successfully undergone regular Office of the Children's Guardian audits (which may be conducted annually) and the program has received five year Accreditation twice.

The process of achieving Accreditation is lengthy, comprehensive and arduous. It is evidence based and requires the program/service to prove that they are meeting all of the Standards set for children in Out of Home Care.

b. Practices which your agency has adopted in order to encourage disclosure by children of sexual abuse in out-of-home care.

Youth Care has practices in place which encourage disclosures by children of sexual abuse in out-of-home care.

All children in the program have an allocated caseworker (as detailed in **Youth Care Policies & Procedures Manual Section 1.6: Page 112-113 [Attachment 12]**).

Youth Care UPA Caseworkers visit children in and out of the home environment at least monthly. For caseworkers building relationships and forming rapport with children is an essential and all caseworkers make this their priority. This establishes a connection with the child and builds trust.

Although caseworkers can and will at times visit the child in their home environment, many times they visit the child outside of the home to create an opportunity for children to feel safe enough to open up to their caseworker and talk about issues they may not feel comfortable talking about if they think someone in the home might overhear.

If a child requires additional support, their caseworker will:

- Visit them more frequently; as often as required;
- Be available to them via email;
- Be available to them via telephone;
- Arrange a session with a Psychologist; and/or
- Arrange a visit with a Mentor.

During visits with a caseworker, Psychologist and/or Mentor children are reminded that the particular person is there to support them and ensure that they are happy and safe. If the child is not feeling happy and/or safe they are encouraged to talk about it so that person can try and help them.

On entry into the Youth Care UPA Program, children are given a “Youth Care UPA Information Pack”. There are four packs (7-12 Years Non-Aboriginal; 13-18 Years Non-Aboriginal; 7-12 Years Aboriginal and 13-18 Years Aboriginal) the child receives the appropriate one from their caseworker.

The information packs include:

- Information on Youth Care UPA
- What the can expect at Youth Care UPA
- The Charter of Rights (age appropriate) for children and young people in out-of-home care
- The United Nations Convention on the Rights of the Child
- Information on Allegations
- Information on Complaints and Appeals
- Online Media Safety Manual
- Confidentiality and Privacy

- c. **What is the mechanism by which other authorities for example law enforcement, health and schools exchange information with the out-of-home care agency about risks of sexual abuse of the child in care?**

Youth Care UPA has detailed the importance of liaising with other service providers in the **Youth Care Policies & Procedures Manual Section 7.2: Page 458-464 [Attachment 15]**.

The mechanisms by which other authorities, for example law enforcement, health and schools, exchange information with the out-of-home care agency about risks of sexual abuse of the child in care include:

Chapter 16a

“Chapter 16A establishes a scheme for information exchange between prescribed bodies and requires organisations to take reasonable steps to co-ordinate the provision of services with other organisations.

The four key principles to consider are:

1. organisations that have responsibilities for children or young persons should be able to provide and receive information that promotes the safety, welfare or wellbeing of children or young persons
2. organisations should work collaboratively and respect each other's functions and expertise
3. organisations should be able to communicate with each other to facilitate the provision of services to children and young persons and their families
4. the needs and interests of children and young persons, and of their families, in receiving services relating to the care and protection of children or young people takes precedence over the protection of confidentiality or of an individual's privacy"

(as stated in http://www.community.nsw.gov.au/kts/guidelines/info_exchange/provide_request.htm)

Youth Care UPA utilises Chapter 16a to exchange information with other authorities about potential carers, current carers and current children in the program. This provides Youth Care UPA with information that may be pertinent to identifying risks of sexual abuse to children in care.

Development of Professional Relationships

Youth Care UPA staff develops professional working relationships with other services to enable an easy exchange of information. Having good working relationships with other services is essential when keeping abreast of any sexual abuse risks to children in out-of-home care.

Invitation to Case Conferences

Other authorities involved with children in OOHC are invited to all Youth Care UPA Case Conferences (if they are involved with the child). A Case Conference is an official forum for exchanging vital information about a particular child in order to confirm their needs are being met and they are safe whilst in care. If any authority is unable to attend, their verbal or written consultation is sought by the caseworker.

Agency Meetings with OOHC Health Pathways

The OOHC Health Pathways team are qualified health professionals employed specifically to monitor the health progress of children in OOHC.

The team continues to monitor the ongoing health needs of the children and liaise with other health care professionals, carers and caseworkers to provide best health outcomes for the child.

Youth Care UPA staff endeavour to meet with OOHC Health Pathways staff quarterly to discuss any ongoing health issues for children in the program to confirm all information is accurate, up to date, the children are safe, any risks are identified and their health needs are being attended to whilst they are in out-of-home care.

Agency Meetings with OOHC Support Teacher Education

There are designated OOHC Support Teachers from the Department of Education who are responsible for monitoring the educational needs of children in OOHC.

Youth Care UPA staff endeavour to meet with OOHC Support Teachers quarterly to discuss any ongoing education issues for children in the program to check information is accurate, up to date, the children are safe, risks are identified and education needs are being attended to whilst they are in out-of-home care.

Involvement in Local Working Groups

Out-of-home care agencies designate certain staff to be members of local working groups.

Currently Youth Care UPA has two staff members, the Program Manager and the Service Coordinator who take part in these regular working group meetings.

The meetings are designed to discuss important issues within the out-of-home care field and comprise of staff members from many different authorities who exchange information for the betterment of children in out-of-home care.

d. Is there a requirement that your agency as an out-of-home care provider be accredited, registered or licenced or otherwise be subject to conditions about the provision of out-of-home care? If so, please describe those requirements?

Yes. As an out-of-home care provider we are funded by the NSW Department of Family and Community Services (FaCS). FaCS will only fund accredited out-of-home care agencies.

The Family and Community Services website states that “Agencies that provide out-of-home care must meet certain standards in order to be accredited by the [Office of the Children's Guardian \(OCG\)](#). The OCG monitors the responsibilities of these agencies to ensure they meet the standards of service approved by the Minister for Community Services and described in the legislation”

(http://www.community.nsw.gov.au/docs_menu/for_agencies_that_work_with_us/our_funding_programs/out_of_home_care_services/out_of_home_care_legislation/main_changes_resulting_from_the_out_of_home_care_legislation.html) .

Youth Care UPA seeks to adhere to all requirements and standards set by the NSW Office of the Children's Guardian (as stated in **Youth Care Policies & Procedures Manual Page 36 [Attachment 14]**).

The Youth Care UPA Program has successfully received five year accreditation twice; the first was in 2006 (the first out-of-home care provider in Northern NSW) and again in 2011. Youth Care UPA will undergo Accreditation again in 2016.

The process of achieving accreditation is lengthy, comprehensive and arduous. It is evidence based and requires the program/service to prove that they are meeting all of the Standards set for children in out-of-home care.

e. What mechanisms are there for children in out-of-home care to talk to someone outside the immediate out-of-home care placement?

Youth Care UPA has many mechanisms in place to ensure that children in out-of-home care can talk to someone outside of the immediate out-of-home care placement. These include: having a designated caseworker to visit them, opportunity to have sessions with a Psychologist, opportunity to have visits with a Mentor, knowing who their Learning and Support teacher is at school, encouraging after school activities and supporting family contact.

All children in the program have a designated caseworker. Youth Care UPA Caseworkers visit children in and out of the home environment at least monthly. For caseworkers building relationships and forming rapport with children is an essential and all caseworkers make this their priority. This establishes a connection with the child and builds trust.

Although caseworkers can and will at times visit the child in their home environment, many times they visit the child outside of the home to create an opportunity for children to feel safe enough to open up

to their caseworker and talk about issues they may not feel comfortable talking about if they think someone in the home might overhear.

If a child requires additional support from their caseworker, the caseworker will visit them as often as required and be available to them via email and telephone.

This is detailed in **Youth Care Policies & Procedures Manual Section 1.6: Page 112-113 [Attachment 12]**.

Youth Care UPA engages additional external supports for children such as Psychologists and Mentors.

Psychologists provide professional face-to-face support and guidance to Youth Care UPA children usually fortnightly but they are also available face-to-face, via email and/or telephone on a needs basis.

Mentors provide face-to-face emotional support and guidance to Youth Care UPA children on a regular basis. This is usually fortnightly for a minimum of two hours but the frequency can be adjusted according to an individual's needs.

Youth Care UPA Caseworkers work hard to establish good working relationships with the schools our children attend, in particular, the Learning & Support Teachers. These particular teachers are designated contact people within individual school settings that monitor the educational, welfare and wellbeing of children in OOHC whilst they are attending school.

Among the many ways in which they support children in out-of-home care they form good relationships with the children in order to provide support to them whilst at school. Children attending school in the Youth Care UPA out-of-home care program know who these Learning and Support Teachers are and how to contact them.

Youth Care UPA encourages all children in the out-of-home care program to attend after school sports, groups, camps and activities.

These after school commitments are detailed in the child Case Plan and are often organised by the caseworker and paid for by Youth Care UPA to ensure attendance.

Youth Care UPA understands that by taking part in activities outside of the home and school environment it opens up many learning opportunities for the child and enables them to form relationships and communicate with others outside of their placement.

Youth Care UPA strongly supports all safe family contact. Not only do we acknowledge all of the obvious benefits such as: maintaining and building relationships, maintaining cultural connections, life story work and positive self-identity it also creates an opportunity for children to talk to their family members whom they may trust and open up to the most.

3. **SYSTEMS, POLICIES, PRACTICES AND PROCEDURES FOR REPORTING ALLEGATIONS**

a. **What are the requirements or practices for reporting allegations of sexual abuse within the agency?**

As a NSW out-of-home care agency who delivers services directly to children and young people, all Youth Care UPA staff (paid and unpaid) are mandatory reporters.

If a disclosure of Risk of Significant Harm resulting in possible reportable conduct is received by Youth Care UPA, the following process will be followed.

A report will be made to Family & Community Services (FaCS) Helpline by the carer or caseworker. The caseworker will then notify the Program Manager, who in turn will notify the Regional Manager. The General Manager is notified by the Regional Manager.

Once all available information is received, if the allegation is considered to be reportable conduct, the General Manager will then make a report to the NSW Ombudsman.

Family and Community Services

The Family and Community Services website references the effect of Section 27 of the *Children and Young Persons (Care and Protection) Act 1998* ("the CYPCP Act and Regulations"). That section says the following:

"27 Mandatory reporting

(1) This section applies to:

- (a) a person who, in the course of his or her professional work or other paid employment delivers health care, welfare, education, children's services, residential services, or law enforcement, wholly or partly, to children, and
- (b) a person who holds a management position in an organisation the duties of which include direct responsibility for, or direct supervision of, the provision of health care, welfare, education, children's services, residential services, or law enforcement, wholly or partly, to children.

(2) If:

- (a) a person to whom this section applies has reasonable grounds to suspect that a child is at risk of significant harm, and
- (b) those grounds arise during the course of or from the person's work,

it is the duty of the person to report, as soon as practicable, to the Director-General the name, or a description, of the child and the grounds for suspecting that the child is at risk of significant harm.

(3) A person to whom this section applies satisfies his or her obligations under subsection (2) in relation to two or more children that constitute a particular class of children if the person reports that class of children to the Director-General together with:

- (a) a description that is sufficient to identify all the children who constitute the class, and
- (b) the grounds for suspecting that the children of that class are at risk of significant harm."

“Risk of significant harm” is defined in the NSW Children and Young Persons (Care and Protection) Act 1998 under Section 23-1(c) as “*the child or young person has been, or is at risk of being, physically or sexually abused or ill-treated*”.

All staff and carers of Youth Care UPA are informed of their status and reporting obligations as mandatory reporters during their initial training, assessment and induction phase.

The Youth Care UPA procedure for reporting allegations of sexual abuse can be found in **Youth Care Policies & Procedures Manual Section 4.5: Page 365-366 [Attachment 16]**.

NSW Ombudsman Office

The NSW Ombudsman website states that “*The head of each designated agency or public authority is required to set up systems within their organisation to ensure that they are advised of any reportable allegations or convictions against their employees.*”

Once the head of an agency has been advised of a reportable allegation or conviction against an employee, they must notify us as soon as possible. This must be done no later than 30 days after them being made aware of the allegation or conviction.

In the notification, the agency must include:

- *details of the allegation or conviction*
- *advice as to whether or not they propose to take disciplinary or other action in relation to the employee, and the reasons for taking or not taking any action*
- *any written submissions made to them by the employee about what action should be taken against them” (<https://www.ombo.nsw.gov.au/what-we-do/our-work/employment-related-child-protection/information-for-agencies>).*

Youth Care UPA complies with the reporting obligations as instructed by the NSW Ombudsman. This is detailed in **Youth Care Policies & Procedures Manual Section 4.5: Page 368-370 [Attachment 17]**.

b. What are the requirements or practices for reporting allegations of child sexual abuse outside of the agency?

All staff (paid or unpaid) employed by Youth Care UPA remain mandatory reporters whether an incident occurs within the agency or outside of the agency.

All staff and carers of Youth Care UPA are informed of this fact during their initial training, assessment and induction phase.

If an allegation of sexual abuse occurs outside of the agency, any staff made aware of the allegation must report it to the Child Protection Helpline. The Child Protection Helpline is a 24 hours a day, seven days a week, NSW Department of State & Community Services call centre staffed by professionally qualified caseworkers to receive and screen all reports in relation to children or young persons is at risk of harm.

On reporting suspected abuse or neglect, the Community Services website references the effect of Section 27 of “*the CYPCP Act and Regulations*” as well as sections 24 and 25, which state as follows:

“24 Report concerning child or young person at risk of significant harm

A person who has reasonable grounds to suspect that a child or young person is, or that a class of children or young persons are, at risk of significant harm may make a report to the Director-General.

25 Pre-natal reports

A person who has reasonable grounds to suspect, before the birth of a child, that the child may be at risk of significant harm after his or her birth may make a report to the Director-General.

Note. The intentions of this section are:

- (a) to allow assistance and support to be provided to an expectant parent to reduce the likelihood that the parent’s child, when born, will need to be placed in out-of-home care, and
- (b) to provide early information that a child who is not yet born may be at risk of significant harm subsequent to his or her birth, and
- (c) in conjunction with section 23 (f) and section 27, to provide for mandatory reporting if there are reasonable grounds to believe that the child is at risk of significant harm subsequent to his or her birth.”

Reasonable grounds is the standard that reporters must use in deciding whether or not to report to Community Services.

*A Report is made by phoning the **Child Protection Helpline on 132 111** (TTY 1800 212 936) for the cost of a local call, 24 hours a day, 7 days a week”*

http://www.community.nsw.gov.au/docs_menu/preventing_child_abuse_and_neglect/reporting_suspected_abuse_or_neglect.html).

If a young person has left the Youth Care UPA Program due to ageing out (ie attained 18 years of age) and subsequently makes an allegation of reportable conduct, we would then support the young person to report directly to the Police.

The Youth Care UPA procedure for reporting allegations of sexual abuse can be found in **Youth Care Policies & Procedures Manual Section 4.5: Page 365-366 [Attachment 16]**.

c. What data is collected of these reports?

All Youth Care UPA information regarding allegations is kept permanently in an “Investigations” file separate to staff, foster carer and client files. This file will remain locked in a secured storage area at all times with limited access authority as stated in **Youth Care Policies & Procedures Manual Section 4.5: Page 365 [Attachment 16]**.

Data collected and pertaining specifically to the reporting of allegations of sexual abuse are:

Critical Incident Reports (For allegations made within the agency)

The Youth Care UPA Critical Incident Reports are to be completed by a staff member (caseworker or carer) as soon as possible after an incident occurs.

Critical Incident Reports [Attachment 16] contain vital information necessary when making accurate reports such as quotes, dates, names, times, location etc.

(Found in **Youth Care Policies & Procedures Manual Section 4.5: Page 365-366 [Attachment 16]**. ***Caseworker Case Notes (For allegations made within and outside of the agency)***)

The caseworker is to write a Case Note as soon as possible following the allegation. The Case Note will contain information such as:

- The person who is informing the caseworker of the allegation
- How the allegation came to light
- The initial information given to the caseworker about the allegation (if the allegation was not made to the caseworker first hand)
- The actions given/taken after the allegation
- The reporting process
- The Child Protection Helpline Incident Number

Mandatory Reporter Guide (MRG) (For allegations made within the agency)

In some cases a Mandatory Reporter may complete a “Mandatory Reporter Guide” which can be found at <http://sdm.community.nsw.gov.au/mrg/screen/DoCS/en-GB/summary?user=guest>.

This may be completed prior to making the report to the Child Protection Helpline; if so, the “Final Summary and Recommendation” can be printed and stored along with the other data collected when reporting allegations of sexual abuse.

NSW Ombudsman

The NSW Ombudsman requires the completion of a Child Protection Part A and Part B Report Forms when making a report of sexual abuse to them.

This completed and comprehensive form is then stored by Youth Care UPA along with other reporting documents in the “Investigation file”.

d. With which agencies or authorities does your agency exchange information about these reports?

When an allegation is made within the out-of-home care program, there are several agencies or authorities with whom we may need to exchange information.

Child Protection Helpline

The Child Protection Helpline is notified of the initial allegation.

Youth Care UPA staff (paid and unpaid) make these notifications verbally.

All information that is known about the allegation at that particular time is given to the Child Protection Helpline.

The Child Protection Helpline will then make a decision on what the reporter should do next and give them instructions accordingly.

The Child Protection Helpline will then make their own notifications to the relevant agencies/ authorities such as:

- Police
- JIRT (Joint Investigative Response Team)
- Family and Community Services Managers

NSW Ombudsman

The NSW Ombudsman requires agencies to provide them specific information about allegations such as completing a Child Protection Report Form.

The NSW Ombudsman may also require information on the actions the agency will take following an allegation and any investigation documents.

The NSW Ombudsman may then provide agencies with recommendations for action as well as any necessary information relating to these recommendations.

In some circumstances the NSW Ombudsman are able to pass information on to other agencies, such as the Police or the Department of Family and Community Services.

Chapter 16a Requests

Youth Care UPA complies with any Chapter 16a requests from prescribed bodies relating to allegation information in order to promote the safety, welfare or wellbeing of children or young persons.

The designated FaCS Manager (if applicable) / JIRT

In cases associated with sexual abuse allegations, the local JIRT team or designated FaCS Manager will require information in order to conduct interviews, investigations and pursue legal matters. Youth Care UPA complies with any requests of information for these purposes.

Child and Family District Unit (C&FDU)

Youth Care UPA may provide certain information to the local Child and Family District Unit relating to allegation reports for placement options, change of placement details or Victims of Crime audits.

Commission for Children and Young Persons

Youth Care UPA is required to provide the Commission for Children and Young Persons any information regarding any reportable conduct against employees. This information is relevant to the Working with Children Checks. The procedure on how Youth Care UPA does this can be found in **Youth Care Policies & Procedures Manual Section 4.5: Page 370-374 [Attachment 18]**.

e. Merits of a consistent national approach.

Youth Care UPA always puts the children and young people's safety as our primary consideration and therefore recommends that a national approach to child safety is essential for the wellbeing of all children and young people in care. We recommend that all agencies and jurisdictions in Australia should be subjected to the same stringent level of accreditation and accountability to help achieve this outcome. Youth Care UPA has demonstrated this commitment by attending and participating in the Family and Community Services Carers Register Workshops which covered sexual abuse and the requirements of prohibited persons checks.

Youth Care UPA also recommends that a national approach to training for those working with children and young people. People working with children need to develop an understanding of children's development and trauma related to sexual abuse. Anyone working with children should undertake and complete training which covers this content.

Youth Care UPA supports the NSW Accreditation System which is robust and well regarded in the sector. This system has strong standards and auditing processes.

Youth Care UPA recommends that any national system must have an independent body to oversee its function. In NSW this is carried out by the NSW Ombudsman.

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

a. **What does the agency do about each allegation of child sexual abuse of a child in out-of-home care which is reported to them?**

Youth Care UPA takes all allegations of child sexual abuse seriously and makes no immediate judgement on the validity of the allegation.

All Allegations are treated with confidentiality.

Youth Care UPA Authorised Carers are trained in reportable conduct and the processes of making reports during the initial carer training “Shared Stories Shared Lives” Module 4.

Further ongoing training is organised by Youth Care UPA around responding to allegations of sexual abuse which carers are mandated to attend.

Youth Care UPA Contact Supervisors, Mentors and Psychologists are also trained in the legal obligations around mandatory reporting and documentation of allegations.

Immediate Responses (When allegation involves a member of the household in which the child is currently placed)

Youth Care UPA will immediately move the child to an emergency placement.

A more permanent placement with another Youth Care UPA authorised carer is then sought. This will preferably be the respite carer of the child or someone who has a pre-existing relationship to the child.

This change of placement will continue during the investigation of the allegation.

Immediate Responses (When allegation involves a person outside of the household in which the child resides)

Youth Care UPA will put measures in place to cease all contact between the child and the person against whom the allegation has been made.

The child will be informed that these actions are not a punitive response to them making an allegation, but a way of assuring their safety.

Reporting the Allegation (Carer)

The Youth Care UPA authorised carer is to immediately report the allegation to a Youth Care UPA Caseworker (if after hours via the On Call Number).

A report to the Child Protection Helpline is then to be made; all details of the allegation is to be recorded in their Carer Diary along with the incident reference number (provided by the Child Protection Helpline).

The Youth Care UPA authorised carer will then inform the child’s caseworker of the Child Protection Helpline incident report reference number to be recorded in a Case Note on the child’s AIMS file.

Reporting the Allegation (Caseworker)

All allegations are reported and acted upon immediately to ensure the safety and wellbeing of the child or young person. The Caseworker makes a report immediately to the FaCS Child Protection Helpline who determine whether the allegation needs to be reported to the JIRT Team.

The Caseworker also reports to the Program Manager who will notify the Regional Manager and the General Manager, in accordance with **Youth Care Policies & Procedures Manual Section 4.5: Page 365 [Attachment 16].**)

Youth Care UPA provide emotional support to the child from the onset of the allegation via the child's caseworker. The caseworker provides this support face-to-face, over the phone, via email and by arranging any counselling and/or therapy necessary.

Youth Care UPA carers and caseworkers do not undertake any investigation or questioning of the child around the allegation (unless instructed and supported by FaCS and/or JIRT) as this may contaminate aspects of the investigation.

Reporting the Allegation (Program Manager) The Program Manager/Head of Agency is to inform the NSW Ombudsman in writing of the allegation, as well as to liaise with FaCS around the allegation. Any actions that need to be taken by the agency to assist with the investigation are done so.

b. What data is collected about these actions?

All Youth Care UPA information regarding allegations is kept permanently in an "Investigations" file separate to staff, foster carer and client files. This file will remain locked in a secured storage area at all times with limited access authority as stated in **Youth Care Policies & Procedures Manual Section 4.5: Page 365 [Attachment 16].**

In response to allegations of sexual abuse includes:

- A photo copy or scan of the notes from the Youth Care UPA Carer diary (including the Child Protection Helpline Reference Number)
- Critical Incident Reports (For allegations made within the agency)
- All correspondence with FaCS in reference to the report made to the Child Protection Helpline
- Caseworker case notes in AIMS (For allegations made within the agency)
- Caseworker case notes (For allegations made outside of the agency)
- Mandatory Reporter Guide (MRG)
- Youth Care UPA contact reports (For allegation made during contact)
- Youth Care UPA mentoring session report (For allegations made during Mentoring sessions)
- Notes from Psychology session (For allegations made during psychology support session)
- Minutes from any meetings pertaining to the allegation of sexual abuse
- All correspondence with the NSW Ombudsman
- Chapter 16A information request forms and outcome reports
- Reportable Conduct Incident Report Form

- Any written information from the child in regard to the allegation
- Any photos in regard to the allegation
- Any medical reports in regard to the allegation
- Any educational reports in regards to the allegation
- Any other correspondence/information pertaining to the allegation of sexual abuse

c. **With which agencies or authorities does your agency exchange information about these responses?**

When an allegation is made within the out-of-home care program, there are several agencies or authorities with whom we may need to exchange information in regards to the actions taken in response to an allegation.

Child Protection Helpline

Any changes in the child's placement or circumstances in response to an allegation is made to the Child Protection Helpline.

Chapter 16a Requests

Youth Care UPA complies with any Chapter 16a requests from prescribed bodies around allegation information in order to promote the safety of the child, for example: placement changes (current address) or the suspension of carers.

The designated Family & Community Services (FaCS) Manager (if applicable)

Youth Care UPA will provide information in response to any task's allocated by FaCS in assistance to the investigation of the allegation of sexual abuse.

Joint Investigation and Response Team (JIRT)

JIRT are made up of Community Services, NSW Police and NSW Health Professionals who undertake joint investigation of child protection matters.

Joint investigations link the risk assessment and protective interventions of Community Services with the criminal investigation conducted by Police.

Child and Family District Unit (C&FDU)

Youth Care UPA may provide certain information to the local Child and Family District Unit around change of placement details or allegation reports for placement options.

Commission for Children and Young Persons

Youth Care UPA provides the Commission for Children and Young Persons any information regarding actions taken against any employees to whom an allegation has been made.

The procedure on how Youth Care UPA does this can be found in **Youth Care Policies & Procedures Manual Section 4.5: Page 370-374 [Attachment 18]**.

NSW Ombudsman

The NSW Ombudsman requires information in regards to the recommendations for action that the agency has undertaken. Information on the supports put in place to keep the child safe following an allegation, as well as any investigation documents are also required.

In some circumstances the NSW Ombudsman determines to pass information on to other agencies, such as the Police or the NSW Department of Family and Community Services.

d. Merits of a consistent national approach.

The NSW Ombudsman is responsible for overseeing and monitoring an agency's response to allegations. The Ombudsman's role is to ensure that investigations are properly conducted and that appropriate action is taken as a result of the finding. The system we currently adhere to uses the Office of the NSW Ombudsman;

The NSW Ombudsman is able to:

- require the agency to provide more information
- monitor the way the agency conducts investigations
- have one of its staff present as an observer during any interviews
- conduct its own investigation or look at the way the agency has handled the matter
- receive complaints about any aspect of the agency's inquiry into the matter.

The NSW Ombudsman is also able to:

- handle complaints about the investigation process
- investigate an allegation, or an agency's handling of an allegation, if significant concerns are held about a situation
- provide advice and guidance to agencies, who are investigating allegations against their employees, so that children's rights to a safe environment are balanced with employees' rights to a proper investigation.

Youth care UPA recommends having a consistent national approach using the above method with all agencies and jurisdictions in Australia being subjected to the same stringent level of accountability.

If we are to achieve the best possible outcomes for the children and young people in our care then we need to be confident that if there are any allegations, they are responded to uniformly nation-wide.

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

- a. **What does your agency do to support children who have been sexually abused in out-of-home care including providing counseling, support services, specialist services, financial assistance or recompense while in care and after exiting care?**

Youth Care UPA provides extensive support to children who have been sexually abused in out-of-home care.

This support is provided to children that are currently in care and to children that have left care.

In Care Support

- Youth Care UPA staff assesses the child's current situation and whether further harm may occur to the child; immediate actions are taken for the protection of the child providing them safety and security.
- Caseworkers provide additional support to the child with numerous face-to-face visits, being available for phone conversations and emails. Caseworkers are able to use the relationship and connection with the child to reassure them of their safety and security and to help alleviate their anxiety and fears. Caseworkers can offer strategies on dealing with emotions, talk to the child about the topics/issues they would like to discuss or just be there to listen.

Caseworkers are also readily available to carers of a child who has been sexually abused. Caseworkers can provide guidance, support, advice and listening skills to help the carer through the situation which in turn supports the child.

- The caseworker will discuss/suggest the need for additional counselling or assessment with the child; if in agreement, the caseworker will initiate a referral to the local Sexual Assault Service and support the child to attend; this can be done by transporting them or speaking positively to them about the benefits of speaking to someone who is trained to help in this situation.
- Youth Care UPA will source any further professional/therapeutic or legal services necessary. Youth Care UPA employs Psychologists, Mentors and a Solicitor who can all be called upon to provide services to any of our children, staff or carers.

If for whatever reason the child does not want to use a Youth Care UPA employed Psychologist, Mentor or Solicitor, Youth Care UPA will source and fund this support externally.

- Youth Care UPA provides financial support to cover all of the costs associated with support to children who have been sexually abused.

The type of support required only needs to be discussed with the child's Caseworker and they will organise payment. This process is not lengthy or difficult; it is made as easy and fast as possible so that required supports may be accessed immediately.

- Youth Care UPA will advocate on behalf of the child for Victims of Crime Compensation Claims. This task is initiated by the caseworker in conjunction with the local Child and Family District Unit Office (C&FDU).
- Provide emotional & practical support throughout any investigation or legal proceedings. Youth Care UPA will be available to provide emotional & practical support to any child who has been sexually abused that is partaking in an investigation or a part of legal proceedings.

This support may include:

- Transportation – of the child to a Solicitors office, Court House, Police Station, place of interview etc;
- Support person – accompanying the child during any interviews, meetings or examinations that may be required or by ensuring that a support person is present

After Care Support

- An After Care Plan is prepared by the caseworker in consultation with the young person. This Plan identifies the financial and support services the young person will require once they have left care. This Plan is then submitted to the District Director of the Department of Family & Community Services for approval. The young person is informed by the caseworker how to access these supports.
- Youth Care UPA arrange and provide financial support for the continuation of any Counselling, Psychological or therapeutic services required as a result of sexual abuse whilst in care
- Youth Care UPA continues to provide caseworker and agency support to the child after leaving care – this may be emotional, practical and/or financial. If the child needs support of any kind they are made aware of who to contact and encouraged to do so.
- Youth Care UPA provide emotional support to children when they are accessing their OOHC file documents. This can be a traumatic time as some children do not remember all of the details surrounding their abuse. It is important that a caseworker who has a relationship with the child be present for this moment or if there is another more suitable person Youth Care UPA will endeavour to ensure their presence any cover any of the associated costs.
- The United Protestant Association of NSW has also issued a formal apology to those children who were abused within their residential homes from 1938.

The apology reads:

“The United Protestant Association of NSW was a provider of child care in residential homes across NSW from 1938 with the expressed goal of providing Christian care. We acknowledge that at times we failed in that endeavour. UPA embraces the recommendations contained in the Senate's "Forgotten Australians" report.

As an organisation, we publicly and unreservedly apologise for any abuse or mistreatment suffered by children in our care and actively seek to help the process of healing”.

The UPA website containing the apology, also states that “UPA is committed to offering a just and compassionate response to all former children-in-care who make contact with us”

(<http://www.upa.org.au/Home/YouthCareServices/FormerChildrenInCare.aspx>).

The policy on After Care Support is documented in **Youth Care Policies & Procedures Manual Section 6.2: Page 443-445 [Attachment 19]**.

6. NATIONAL INITIATIVES

a. What has your agency done to support outcomes 2.2, 6.1, 6.2 and 6.4 of the National Framework for Protecting Australia's Children 2009-2020?

2.2 *Develop new information sharing provisions between Commonwealth Agencies, State and Territory agencies and NGO's dealing with vulnerable families*

- Youth Care UPA adheres to all regulatory requirements regarding Working with Children Checks and National Criminal Checks. We will also be complying with the new Carers Register Guidelines when they come into force on the 1st June 2015.

Youth Care UPA also regularly use Chapter 16a of the Children and Young Persons (Care and Protection) Act 1998 (as amended) to divulge and ascertain relevant information required for the care and protection of children and young people.

- Youth Care UPA participates in the Northern Regional Implementation Group (RIG) which comprises members of all NGO service providers in our region along with Family and Community Services, Department of Health, Department of Education and Connecting Carers.

As a member of this group we have participated in several separate working groups. Including;

- Emergency and Immediate Care – this group formulated a working paper to respond to children and young people needing emergency or immediate care and how best the NGO sector can respond.
- Health and Education Working Group – this group has been formed to work on a Memorandum of Understanding between Department of Health, Department of Education and the NGO Sector to provide the children and young people in our care a faster and more effective entry into the service system.
- Building Sector Capacity Strategic Working Group – this group has the role of working with the sector to enhance service delivery and agency capacity to facilitate the transition from the FaCS to the NGO sector.
- Youth Care UPA is also a member of the Best Practice State-wide Reference Group formed by ACWA which has members from a number of service providers, government and non-government from both NSW and interstate. The purpose of the Best Practice Unit will be to provide information, resources and training to support key areas of practice in NSW OOHC. It aims to raise the standard of practice across the whole NGO sector.

6.1 *Raise awareness of child sexual exploitation and abuse, including online exploitation;*

There are a number of initiatives Youth Care UPA use to raise awareness of sexual exploitation; including;

- provide children and young people in the Youth Care UPA Program with laptop computers and iPads encrypted with appropriate safety restrictions
- provide children, young people and carers with a copy of the Youth Care UPA "*Online Media Safety Manual for Young People and Their Carers*" **[refer Attachment UPA 20]** including the appropriate support, education and signed agreement.

- development of the Youth Care UPA Leaving Care Planner featuring a “Personal Safety” Section and “Relationships & Sex & Education” Section [refer Attachment 21].in the LCP 15yrs Booklet; given to all young people 15years and over in the Youth Care UPA Program as well as other young people 15 years and over across other OOHC agencies in Australia.
- discussions with children, young people and their carers during regular Casework visits about online safety when using computers, laptops, iPads, iPods and mobile phones
- discussions with children and young people regarding sexual abuse and exploitation during the course of normal caseworker visits.
- All children (age appropriate) attend an appointment with their local Community Sexual Health Service.

6.2 *Enhance prevention strategies for child sexual abuse*

- Youth Care UPA provides specialised training to inform staff and carers on all aspects of sexual assault. This training includes;
 - New Street Adolescent Sexual Assault Service
 - Indigo House – Program that works with victims of sexual abuse
 - Shared Stories, Shared Lives Foster care Training
 - JIRT (Joint Investigative Response Team) Workshops
 - Staff have completed child protection modules in their professional qualification
- comply with and use Chapter 16a requests
- all staff has attended information sessions on the Carer Register
- designated staff have been identified and enrolled in the upcoming Carer Register training
- Youth Care UPA will comply with all requirements of the Carer Register when it goes live in June 2015
- Perform National Criminal History checks on all Youth Care UPA staff, members of carer households over the age of 16yrs and anyone over the age of 16yrs who has regular unsupervised contact with the children and young people e.g. carer relatives
- carry out Working With Children checks on all Youth Care UPA staff, members of carer households over the age of 18yrs and anyone over the age of 18yrs who has regular unsupervised contact with the children and young people e.g. carer relatives

6.4 *Ensure survivors of sexual abuse have access to effective treatment and appropriate support;*

- Youth Care UPA has an effective practice of providing ongoing support to any child or young person who has suffered sexual abuse whilst in our care.
 - We inform survivors of sexual abuse of available support services in the area and how to access them; provide support to access these services if they require assistance. We encourage victims of sexual assault to participate in therapeutic programs such as *Heartfelt House, Indigo House or Bravehearts*.
 - We will make arrangements for appropriate individual professional support.
 - We provide ongoing casework support as appropriate, even if the young person has left our service.

- We facilitate any victims of crime compensation claims the child or young person may have.
- We have provided support to the Care Leavers Australia Network for many years. We have assisted ACWA to host meetings of past out of home care providers and forums to raise awareness and improve services within the sector for survivors of sexual abuse. We provide support for Heartfelt House on the Far North Coast.

Historical Abuse 1940's to 1980's

- After Care Support - Whilst our current and recent out of home care service provision is in foster care in the north coast region, UPA from the 1940's to early 1980's operated thirteen children's homes throughout NSW. Sexual abuse occurred in many of those homes.
- We help survivors to access effective treatment and appropriate support in a number of ways. Firstly, we ensure that there is an open line of communication by welcoming contact from those who were abused in a UPA home. We listen to them speak of their experience, believe them and make available all the information that we hold in their file. We encourage them to make a report to the Police. If they are willing, and depending on any action the Police are undertaking we may engage a person to investigate the allegations. We will always offer and encourage professional independent therapeutic support. We undertake to provide that for as long as is needed. Part of the healing process for the survivor is to seek redress from UPA. We ensure that they have their own legal representation and that meetings to determine redress payments are conducted professionally. We offer an unreserved apology.

Glossary of Terms

Association of Children’s Welfare Agencies (ACWA)

Peak body for Out of Home Care and Welfare Sector in NSW

Chapter 16a Children and Young Persons (Care and Protection) Act 1998.

Chapter 16a establishes a scheme for information exchange between prescribed bodies and requires organisations to take reasonable steps to co-ordinate the provision of services with other organisations.

Child Protection Helpline

The Child Protection Helpline is a 24 hours a day, seven days a week, NSW Department of Family & Community Services call centre staffed by professionally qualified caseworkers to receive and screen all reports in relation to children or young persons is at risk of harm.

Community Centre for Welfare Training (CCWT)

The training arm of ACWA

Office of the Children’s Guardian (OCG):

The Office reports to the NSW Minister for Family and Community Services and to Parliament and is an independent government agency that works to protect children by promoting and regulating quality, child safe organisations and services.

Out of Home Care Health Pathways Team

A team of qualified health professionals engaged specifically to monitor the health progress of children in OOHC.

“Shared Stories: Shared Lives”

A initial carer training package produced by the Centre for Community Welfare Training (CCWT) for the Association of Children’s Welfare Agencies (ACWA) utilised by Youth Care UPA and other Non-Government Agencies in NSW.

“Step by Step” Carer Assessment

The “*Step by Step*” Carer Assessment tool was produced by the Centre for Community Welfare Training for the Association of Children’s Welfare Agencies (CCWT/ACWA) and is utilised by Youth Care UPA and other Non-Government Agencies in NSW.

The Act and Regulations:

The Children and Young Persons (Care and Protection) Act 1998; The Children and Young Persons (Care and Protection) Regulation 2012 & The NSW Standards for Statutory Out-of-Home Care (2013) (“the CYPCP Act and Regulations”).

Youth Care UPA:

An accredited not-for-profit Out-of-Home Care Program a part of the United Protestant Association of NSW Ltd (UPA).

United Protestant Association of NSW Ltd (UPA)

UPA is a non-profit Company limited by guarantee. The United Protestant Association of NSW Limited (UPA) is a Christian care organisation, established with the commitment to care for disadvantaged children and the provision of care and accommodation for the elderly.

Glossary of Acronyms

AIMS

Allambi Information Management System (Database)

ACWA

Association of Children's Welfare Agencies
Peak body for Out of Home Care and Welfare Sector in NSW

CCWT

Community Centre for Welfare Training
The training arm of ACWA

C&FDU

Child and Family District Unit

CSOCAS

Child Sex Offender Counsellor Accreditation Scheme

FaCS

NSW Department of Family & Community Services

JIRT

Joint Investigative Response Teams (JIRT)
Joint Investigation Response Teams are made up of Community Services, NSW Police and NSW Health professionals who undertake joint investigation of child protection matters.

NGO

Non-Government Organisations

OCG

Office of the Children's Guardian
The Office reports to the NSW Minister for Family and Community Services and to Parliament and is an independent government agency that works to protect children by promoting and regulating quality, child safe organisations and services.

OOHC

Out-of-Home Care

RIG

Northern Regional Implementation Group

UPA

United Protestant Association of NSW Ltd
UPA is a non-profit Company limited by guarantee. The United Protestant Association of NSW Limited (UPA) is a Christian care organisation, established with the commitment to care for disadvantaged children and the provision of care and accommodation for the elderly

VOOHC

Voluntary Out-of-Home Care