

## Attachment 17

### Youth Care Policies & Procedures Manual Section 4.5: Page 368-370 (Attachment 17)

***\*This is the responsibility of Community Services where they hold case management of the child or young person***

Where appropriate the parents are to be kept informed of the investigative processes.

#### **Carers/Employees:**

- Are to be supported throughout the duration of allegation investigations.
- Are to be informed of the substance of the allegation.
- Are to be afforded the opportunity to respond to the allegation.
- Risk management strategies are to be implemented prior to the employee being informed of the allegation.

If Community Services or the police are involved they will determine when the employee is to be informed of the allegation.

#### **Other Procedural Matters:**

All available publications from the NSW Ombudsman are kept in the Youth Care UPA office to allow easy access by staff to relevant information.

#### **Reportable Conduct**

Tier 1

Not applicable

Tier 2

Referral and notification in writing to the NSW Ombudsman (Child Protection) detailing the incident.

#### **Notifying the NSW Ombudsman Office:**

***\*All allegations of child abuse against employees must be notified to the Ombudsman regardless of opinions as to the seriousness or accuracy of the allegation.***

Notification is required to be made within thirty (30) days of the Program Manager becoming aware of the allegation(s).

To formally notify the Ombudsman the following is required:

- Completion of a child protection report form:

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- Part 1: Youth Care UPA details
- Part 2: Details of the person against whom the allegation(s) have been made
- Part 3: Details relating to the alleged victim(s)
- Part 4: Details of the allegation
- Part 5: Action taken in respect of the allegation(s)
- Part 6: Findings
- Part 7: Documentary material relating to this notification

Checklist.

For any further information on the Role and Responsibility of the Agency and the office of the Ombudsman refer to publications:

- *“NSW Ombudsman – Child Protection; Your New Responsibilities.”*

Decisions will need to be made regarding the status of the carer or worker involved (suspension for the duration of the investigation, supervision on shifts).

- The work and disciplinary history of the employee is to be considered.
- A meeting will be called between the Case Worker, Program Manager and carer.
- The worker or carer will be informed of the nature of the complaint made against them.
- The workers or carer’s response and recall of the incident will be recorded.

The Program Manager in consultation with the Regional Manager of UPA is to assess the severity of the complaint and if necessary is to suspend the Case Worker or carer.

If the severity of the complaint does not warrant a suspension of the Carer/Case Worker the Program Manager in conjunction with the Case Worker may need to modify future access to ensure the Case Worker/Carer named in the complaint is under no circumstances to be alone with the child or young person making the complaint.

In addition Youth Care UPA requires that:

- Authorised Carers / Case Workers are to report all allegations or suspected incidents of abuse involving other staff members. The allegation is to be made directly to the Case Worker, to be compiled into a formal report to present to the Program Manager.

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- Authorised Carers/Case Workers self report if they have been involved in an incident. The carer is to report directly to the Case Worker, this report is to be compiled into a formal report to present to the Program Manager.

If the complaint is made against an Authorised Carer by a child or young person, and the complaint after investigation is found to be unfounded:

- Mediation is to be offered if required, to the child or young person and Authorised Carer to discuss the effects of the investigation processes.
- The Case Worker is required to support the ongoing relationship between the child or young person and Authorised Carer.

The relationship is to be closely monitored by:

- Informal interviews
- Feedback requests

The relationship is to be maintained whenever possible to ensure a continuity of care in the child or young person's life.

All following discussions should be held in a comfortable setting and be non-judgemental or accusatory.

### **Tier 3: External review**

Notify the Helpline - Community Services

- Notification of the NSW Ombudsman, which will occur immediately an allegation, is received.

### **Commission for Children and Young People**

- In line with the provisions of the Children's and Young Persons Act the PROGRAM MANAGER of UPA NSW is responsible for notifying the Commission for Children and Young People of the relevant employment proceeding.

Relevant Employment Proceeding:

- Relevant Employee Proceedings include the application of inappropriate and/or unapproved behaviour management techniques/strategies. Examples:
- Grappling a child or young person to the ground and holding them there pinned under your body;
- Any strictly restricted practice i.e. locking in room;
- Pinning a child or young person's arm behind their back;