Out of Home Care Sector

16 years of Reportable Conduct Forum 2016
Out of home care sector – the data

• As at 30 June 2015, there were 17,585 children in OOHC in NSW

• Of those, 13,935 were in statutory OOHC

• 7,525 children (54%) in statutory OOHC were in the care of an NGO

• 1,127 children were in the care of Aboriginal agencies

• As at February 2016, the number of authorised carers was approximately 17,500.
The OOHC sector represents 47% of all notifications received each year.

(Data based on November 2015)

The sustained rate for all allegations is 23% (compared to 22.4% for all industry groups).

(All sustained findings data is for the period 01/07/2013 – 30/06/2015)
## Sustained findings

(for the period 01/07/2013 – 30/06/2015)

<table>
<thead>
<tr>
<th>Category</th>
<th>Sustained Rate</th>
<th>Overall average sustained rate</th>
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<tbody>
<tr>
<td>Sexual misconduct/sexual offence matters</td>
<td>17%</td>
<td>24%</td>
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<tr>
<td>Physical assault allegations</td>
<td>22%</td>
<td>21%</td>
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<td>Neglect allegations</td>
<td>32%</td>
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<td>- <em>Of the 283 notifications received from the OOHC sector</em></td>
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<tr>
<td>Ill treatment allegations</td>
<td>26%</td>
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<td>- <em>Of the 84 notifications received from the OOHC sector</em></td>
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Criminal offences

• Of open files, there were 138 individuals who were charged with criminal offences

• Of these, 26.8% (37) are from the OOHC sector

• Of these criminal charges, 21 were from the government OOHC sector and 16 were from the non government OOHC sector

• Of the 37 open matters involving individuals charged from the OOHC sector, 62.2% relate to sexual offences (23) and 37.8% (14) relate to physical assault offences.

(Data based on November 2015)
Aboriginal OOHC sector notifications

• **1,127** children are in the care of Aboriginal agencies as at end June 2015 (compared to **408** in 2011-2012)

• After our awareness raising campaign, strongly supported by AbSec, notifications more than tripled from Aboriginal agencies rising from **23 in 2013-2014** to **79 in 2014-2015**

• Over the past few years, there has been a dramatic increase in the number of Aboriginal children cared for by Aboriginal agencies. These agencies have responded well to meeting their reportable conduct obligations.
Emerging themes from the panel discussion

- better data to drive ongoing refinements to the design of the system and to related practice. Consideration needs to be given to whether there should be greater investment into joint research and review initiatives.
While it was acknowledged that Chapter 16A* has changed the information exchange landscape, we recognised that we have to strive for even more efficient information exchange practices, particularly in relation to criminal and high risk matters.

*Chapter 16A Children and Young Persons (Care and Protection) Act 1998. This allows information relating to the safety, welfare, and well-being of children to be exchanged between prescribed bodies.
Against the background of the transfer of children in OOHC from the Government to the non-government sector, there is a need for greater clarity in relation to the respective roles and responsibilities of non-government OOHC providers and FACS, particularly in relation to reportable conduct matters which also meet the statutory ROSH reporting threshold.
Further work is needed in the following areas to strengthen safety and promote wellbeing:

• the establishment of a system for identifying, reporting and responding to serious child on child abuse

• effective strategies which:
  i. Enhance the understanding of children of their right to a life free from abuse
  ii. Assist children to identify behaviours which are improper, abusive or might pose a risk of abuse
  iii. Ensure agency responses include a strong focus on the welfare/wellbeing of the involved child. In this regard, more needs to be done collectively to determine what this should involve.
Emerging themes

In relation to carers the panel recognised:

• the need to build on the significant joint agency work to improve the carer assessment process, and the identification of, and response to, those carers who present a risk to children; and

• the need for ongoing review of the adequacy and effectiveness of the strategies we have in place to support our carers.
The AbSec Chair spoke about the need to provide greater support to the Aboriginal OOHC sector. She proposed the establishment of a centralised unit within AbSec to:

• support Aboriginal OOHC agencies to handle reportable conduct allegations; and

• provide ongoing professional support for Aboriginal OOHC agency staff who, by virtue of their positions of trust in their communities, are regularly asked to respond to very challenging issues affecting their communities.
Major themes from Eventpoll feedback

**Greater collaboration and information sharing:**

- need to fix the blocks in information sharing with employing agencies from FACS and Police. The systems are very slow.

- there is a need for consistency in how FACS and Police respond to information requests.

- fast information exchange is critical. How can this be done when each sector and organisation, both government and NGO, use different systems and procedures?
Greater collaboration and information sharing:

- there should be more interaction between schools and OOHC services, so agencies can provide a more holistic response to children in their care

- OOHC agencies also need to provide up to date information about the circumstances of children in care so that schools can respond to their needs and build in the necessary supports.
**Improving funding and resourcing:**

- a clear and consistent national approach to funding and resourcing is needed, given many NGOs are nationally based organisations and/or receive federal funding.

- the high turn-over of caseworkers in rural and remote areas, significantly increases the possibility of reportable conduct behaviour being missed or ignored.

- a Reportable Conduct unit for AbSec would be a good way to provide additional support to the Aboriginal sector.

- consider whether government funding has kept pace with the significant growth in notification and investigation rates? Has it ever been adequate?
The data and its implications:

• very surprising to see 47% of allegations come from this sector. The question is why?

• why is there no reliable data about the safety of children pre and post case management shifting from government to NGO sector? We know numbers in care and costs have risen, and family connection and restoration have declined.

• good to reflect on the WWCC impact. 0.01% bars applied seems very low.
Creating networks of ‘safe people for kids in OOHC:

• children need a dedicated ‘safe and independent’ adult in their life as well as their carer. This will provide a continuing relationship that should endure beyond any placement changes a person ‘on their side’

• there needs to be purposeful capacity building with other adults in the child’s life who could form part of their safety network

• there needs to be an INDEPENDENT advocacy service that is able to act for both kids and carers that provides information and support especially for Aboriginal kids with non-Aboriginal carers

• better data on placement changes and children the subject of abuse – any correlation? Could CREATE include this in its report card?
Ensuring investigators have proper credentials:

- Are there any plans to ensure all those who complete workplace investigations are actually accredited investigators to ensure a high standard of investigation occurs?