



Adelaide, 5 November 2014

TEN POINT ACTION PLAN FOR CHILD PROTECTION

The Child and Family Welfare Association of South Australia [CAFWA-SA] is the South Australian peak body representing the not-for-profit non-government organisations [NGOs] providing child protection services for children, young people and families, especially in relation to various forms of Out of Home Care (including Foster Care, Residential Care, Family Support, Placement Prevention, Early Intervention and Family Reunification Services).

CAFWA-SA and its members¹ have for many years been engaged as service providers and partners in the child protection sector, and we are acutely aware of sector complexities and challenges. Apart from being a difficult area of public policy, the impact of child protection incidents is challenging each one of us individually when we strive for what is best for children and young people. We, as not-for-profit organisations in the South Australian community, know we can do more in and together with the community we are deeply engaged with to complement government efforts to provide effective responses to child protection. We too have experienced the difficulties associated with this, however CAFWA-SA members have, with Government support, built increased capacity to provide a broad range of effective services. We have also demonstrated being able to attract quality staff that can handle the complex and difficult nature of this work.

We are collectively compelled to generate improvements within the current systems and practices, and CAFWA-SA is fully committed to a constructive dialogue to adopt a new partnership approach that is shared and based on trust and respect.

The present statutory child protection system is overburdened and the growth in services is unsustainable from a system capacity perspective regardless of available resources — for example, the numbers of children in care is escalating whilst the number of foster carers is declining. There is the obvious consensus that the best way to protect children is to prevent child abuse and neglect from happening in the first place. There is also widespread consensus that this requires a robust primary and secondary system for protecting children that provides families with the assistance they need before they come into contact with the statutory child protection system.

However, the South Australian approach over the last 30 years has been to continuously increase the statutory focus in relation to the protection of children, with most resources going towards child abuse and neglect investigations and the consequent cost of looking after children on various Court Orders. Increasing numbers of children are taken into State care, and it is particularly shameful that per 1000 of the population, Aboriginal children are 10 times more likely to be on care and protection Orders than non-Aboriginal children.

The development of effective preventative approaches and early intervention programs to assist families and children to respond to the multitude of challenges in this changing social, economic and technological environment has sadly been lacking and needs urgent attention.

¹ See Addendum

Without immediately injecting more funding, initiatives can be taken to realign the child protection system and review the current apportionment of roles and responsibilities to various parts of the sector in order to get the best and most efficient response to the needs of children and families.

- *The current range of functions undertaken by Families SA is inherently contradictory. The agency responsible for removing children from families where necessary cannot also effectively function as the primary family support service. Instead, aligning case management responsibilities with the same body that oversees day-to-day support needs brings clarity, system efficiencies and enhances decision-making. This approach would effectively separate what is considered 'parental decision making' from legal guardianship concerns and reduces duplication of effort whilst increasing carer focus and supporting optimal outcomes for the child(ren).*
- *The statutory responsibility to investigate, assess and immediately respond to the maltreatment of children [tertiary response] is clearly a government [Families SA] responsibility.*
- *There are also valid argumentsⁱⁱ to support the withdrawal of the State from directly providing many of the secondary response services and for these to be delivered by the not-for-profit sector partners. This covers the broad range of out of home care [foster, kinship and residential care], reunification, intensive placement prevention and the early intervention services.*
- *The primary prevention approach needs to be evaluated, but is likely to be a responsibility of the Commonwealth, State and community organisations to provide universally targeted support services to communities, families and children.*

Although most of these systemic issues cannot be overcome quickly, there are a number of immediate steps that can be taken without waiting for the outcomes of the SA Royal Commission. CAFWA-SA therefore calls on the SA Government to respond to the following action plan.

TEN POINT ACTION PLAN

To improve outcomes for children and families in South Australia a decision needs to be made, as a matter of priority, on the following:

- ✓ **Appoint an independent position, such as a Children's Commissioner or Ombudsman, with defined monitoring and investigative powers to improve transparency and accountability, and who can also initiate an independent investigation process for matters such as Care Concerns, disputes on Carer Registration Status and complaints**
- ✓ **Develop an engagement strategy to allow more open and direct communication within the child protection sector, including a sector representative Ministerial advisory mechanism**
- ✓ **Given that resource allocation for 2015 and beyond needs to be made in the next five months, develop an urgent strategy involving sector partners to define and address the known short, medium and longer term issues**
- ✓ **Ensure staff who conduct the initial assessment of children and families that are reported to Families SA are supported by a clear and effective decision making framework, and that they have adequate support, training, expertise and experience**
- ✓ **Free-up Families SA resources to focus on improvements to the initial assessment of children and families by delegating the case management for children under long term Guardianship Orders [GOM 18] to the various not-for-profit foster care providers**
- ✓ **Set new practice parameters to avoid young children going for lengthy periods into various forms of residential care**

ⁱⁱ See for example 'Special Commission of Inquiry into Child Protection Services in NSW' – the Wood report, 2008 and 'Inverting the pyramid – Enhancing systems for protecting children', Australian Research Alliance for Children and Youth, 2008

- ✓ **Initiate legislative change to allow adoption (permanency) as another pathway for children where family reunification is not an option and ‘unblock’ the Other Person Guardianship [OPG] process**
- ✓ **Review the kinship care program with a view to consider the appropriateness of its current delivery by Families SA and consider contracting out consistent with other forms of care**
- ✓ **Fully contract out centralised marketing and practice support for the recruitment and retention of foster carers to the not-for-profit sector and align the registration of foster carers to the not-for-profit foster care agencies**
- ✓ **Commit to subcontract shared accredited training for all Child Protection staff [both government and non-government].**

Highlighting some of the systemic issues

As the SA Royal Commission, through its Terms of Reference, is able to investigate and review the broader approach to child protection in South Australia, it is important to highlight some recent informed comments made in relation to a number of broad ranging systemic issues.

Various groups and individual stakeholders have considered the broader issues relating to child protection and how long term improvements can be made.

The Australian Centre for Child Protection, based at the University of South Australia, commented recently in its response to the Terms of Reference of the SA Royal Commission that:

‘Our approach to child protection in South Australia remains a 1960s solution of investigation and removal to a 21st century problem dominated by the issues of child neglect, domestic violence and intergenerational harm. Fundamentally, we need to question whether we have the right system and to be open to true innovation. A system that is built on a contemporary understanding of the problem of child abuse and neglect which harnesses the knowledge of children, families and workers, about what does and doesn’t work in helping keep kids safe and supports parenting.’

The Centre also argued that the focus has been on tertiary interventions provided through Families SA, with no substantial investment in South Australia to develop systemic preventative efforts designed to decrease the number of families requiring statutory child protection intervention.

A strong plea is made by the Australian Centre for Child Protection, and fully supported by CAFWA-SA, to request recommendations from the Royal Commission about factors which will influence systemic reform, such as:

- The degree to which our systems for protecting children are child and family-focused rather than system or organizationally focused – to what extent do they try to prevent harm, provide collaborative responses, and incorporate the views of children, young people and their families
- Organisational and individual cultures, including leadership [such as beliefs, attitudes and actions], which influence the quality of care and protection provided to vulnerable children and their families
- Workforce development issues such as the knowledge, skills expertise and training of those working with children where abuse and neglect may have occurred or is likely to have occurred
- Other structures and systems within organisations that promote or hinder adequate prevention and responses to child abuse and neglect.

Other systemic improvements recently suggested

A somewhat unique opportunity was created in May this year by the Child and Family Welfare Association SA, in collaboration with the Department for Education and Child Development, bringing

together a diverse range of people from both government and non-government organisations, all committed to improving service engagement for children and vulnerable families. The outcomes of one particular workshop is highlighted as it focused on the Systems and Strategic Context and the following recommendations for innovation were made:

1. A shared broad vision and framework for a systemic response to children’s safety and wellbeing
2. A coalition or body to lead a cross systems change agenda
3. Governance and funding at cross systems strategic level
4. Promotion of exemplars of well integrated initiatives and practice

1. A shared broad vision and framework for a systemic response to children’s safety and wellbeing

A shared vision for children’s safety and wellbeing was identified as necessary to stimulate and sustain cross systems approaches to improving engagement with vulnerable families where there are issues of risk to children. It was suggested that a statewide framework for children’s safety and wellbeing is required to articulate the broad vision, shared understandings and commitment. The framework would identify key outcomes and strategies across the system for the protection and care of children. Measurement and evaluation were also considered necessary.

2. A coalition or body to lead a cross systems change agenda

There needs to be a coalition or body to take the lead in lobbying for cross systems change, and to provide a focal point for recommendations and ideas about priorities and strategies. Given the cross government, cross sector and cross community nature of the change agenda, it was recommended that this body be chosen based on their expertise and (where possible) lived experience across the range of stakeholders.

3. Governance and funding at cross systems strategic level

The implementation of a state-wide agenda or framework for children’s safety and wellbeing would be dependent upon its endorsement as a whole of government priority, and would need support as a priority of the community sector. This was considered necessary to secure high-level leadership and commitment. It was acknowledged that innovative funding models have the best chance of enabling integrated responses and that funding models focused on separate program outcomes can discourage responsibility for joined up responses.

4. Promotion of exemplars of well integrated initiatives and practice

All too often attention is focused on problems created by siloed approaches, rather than the identification and recognition of initiatives that demonstrate promising practices and/or working solutions. It was suggested that significant learning could occur from initiatives that enable better service integration.

Issues to be considered for a strategy to address longer-term systemic improvements

ISSUES	PROPOSED ACTIONS
<p><i>Establish a clear framework for policy and practice that nurtures a partnering approach</i></p>	<ul style="list-style-type: none"> ○ Starting from a collaborative whole of sector approach – define what the sector expects to achieve, what the value and practice base is and identify what the evidence based practice models are to be put in place ○ Articulate the reduced capacity and the cost to the SA community by <u>not</u> having a clear framework and a partnership approach ○ Consider tested proactive responses to the needs of children and their families to prevent

	<p>and respond to harm to children and to promote their safety and wellbeing</p> <ul style="list-style-type: none"> ○ Challenge overly risk-averse procedures that prevent healthy interactions between children and between children and adults ○ Ensure the voices of children and young people are heard in relation to policy, practice and decisions that affect them ○ Establish structures and systems that promote national service standards and facilitate quality and consistency of services across jurisdictions
<p><i>Address the confusing and contradictory roles presently undertaken by Families SA being:</i></p> <ul style="list-style-type: none"> ▪ <i>the Purchaser of services</i> ▪ <i>the Provider of direct services and</i> ▪ <i>the Regulator of contracted services [licensing of NGOs]</i> 	<ul style="list-style-type: none"> ○ Need to redefine the required statutory role to be played by SA Government in child protection ○ Undertake an urgent review to clearly define the legal responsibilities of partners in Out of Home Care Service Agreements and provide articulated measurable outputs and outcomes for partners ○ Consider more services to be subcontracted and provide outcome based funding based on principles as agreed by the SA Human Services Partnership Forum ○ Consider licensing of services [both government and non-government] to be managed by a separate regulator – e.g. Children’s Commissioner or Ombudsman ○ Move the Care Concerns and Critical Incidents processes away from Families SA – e.g. to a Children’s Commissioner or Ombudsman.
<p><i>Develop a whole of SA Government strategy for prevention and early intervention</i></p>	<ul style="list-style-type: none"> ○ Requires a resources shift – from the above national average expense on residential care to the below national average expenditure on early intervention ○ Needs development of strategic alliances between health, social housing, mental health, corrections, police and the non-government sector ○ Requires new approaches to funding – including Social Investment Bonds
<p><i>Improve accountability of practice</i></p>	<ul style="list-style-type: none"> ○ Appointment of a Children’s Commissioner or Ombudsman with defined monitoring and investigative powers to improve transparency and accountability ○ Enable a Children’s Commissioner or Ombudsman to initiate an independent investigation process for matters such as Care Concerns to ensure greater objectivity and sector wide accountability ○ Develop models for professional accountability, both for Families SA and NGO providers ○ Develop a clinical decision-making pathway within Families SA

	<ul style="list-style-type: none"> ○ Ensure individual children and young people's voices are heard in all case planning ○ Set new employment standards in line with required professional duties – e.g. social workers to be AASW members ○ Contract out accredited integrated training initiatives for the whole sector ○ Address through tested performance management measures existing rogue operators identified within the sector – including systemic power abuse and incompetent or unaccountable individual staff members
<i>Focus on the continuum of care</i>	<ul style="list-style-type: none"> ○ Establish a permanent dialogue with all stakeholders in the child protection system, including the Youth Court, to ensure the most appropriate services are engaged ○ Consider adoption as an appropriate response when reunification is not in the child's interest – e.g. when birth parents are not able to overcome the impact of generations of abuse and neglect ○ Unblock the existing Other Person Guardianship [OPG] process and subcontract it to the not-for-profit sector ○ Early Court decisions are required when family reunification is highly unlikely – e.g. babies in residential care who'd benefit from adoption ○ Long term support for birth parents to be made available when adoption orders are made
<i>Reduce the number of Aboriginal children in care</i>	<ul style="list-style-type: none"> ○ Relative and kinship care under Families SA is at full capacity and requires revisiting the issue of Aboriginal children being cared for by non-Aboriginal families ○ Aboriginal services/communities to be participants in the design and roll-out of such a review ○ Kinship care to be outsourced to the not-for-profit NGO sector ○ Address the key objectives in the <i>Family Matters – Kids safe in culture, not in care initiative</i> by SNAICC
<i>Review Residential Care in South Australia</i>	<ul style="list-style-type: none"> ○ The numbers of children in residential care are above the national average, with limited exit strategies ○ South Australia had almost no residential care in the 1980s yet per capita now has the highest number of children in residential care in Australia ○ A review, to include the extensive use of commercial and emergency care, needs to be independent and make recommendations on the design of an appropriate evidence based

	services response that is age appropriate and trauma focused
<i>Resource Foster Care appropriately</i>	<ul style="list-style-type: none"> ○ Carer payments to cover real costs and to be increased in line with interstate comparisons ○ Design and develop new approaches to home-based care to involve all stakeholders in the sector ○ Marketing and practice support for the recruitment and retention of foster carers to be outsourced with a centralised approach [in line with NSW and Victorian models] ○ Delegate the registration of foster carers to the not-for-profit foster care agencies
<i>Review the contracting of services</i>	<ul style="list-style-type: none"> ○ The design and development of services is a sector issue, not only a Families SA issue ○ Human Services Partnership Principles need to be adhered to ○ Implement long term contracts in line with SA Government policy to improve continuity and quality of service provision ○ Clearly define the legal responsibilities of partners in Out of Home Care service agreements and provide articulated measurable outputs and outcomes for partners ○ Overcome some of the pitfalls of competitive tendering – e.g. consideration of a unit costing approach such as in NSW

On behalf of the Child and Family Welfare Association SA Inc



Albert Barelds

Executive Director

Addendum

Organisational members of the Child and Family Welfare Association of SA

- Aboriginal Family Support Services Inc
- ac care
- Act for kids
- Anglicare SA
- Baptist Care (SA) Inc
- Centacare
- Centacare Catholic Family Services, Country SA
- Connecting Foster Carers SA
- CREATE Foundation
- Family Inclusion Network SA
- Good Beginnings Australia
- Goodwood Community Services Inc
- Junction Australia
- Key Assets Fostering SA
- Life Without Barriers
- Lutheran Community Care
- Mission Australia
- Relationships Australia [SA]
- Save the Children
- Salvation Army
- TACSI – Family by Family
- Time for Kids
- Uniting Care Wesley - Bowden
- Uniting Care Wesley - Country SA
- Uniting Care Wesley - Port Adelaide
- Uniting Communities