

## **Briefing Paper – Current Priorities and Issues as identified by CAFFSA membership**

### **Purpose**

This paper provides background and context for presenters and participants at CAFFSA's CEO Community Conversation on Friday 6 May 2022. It gives an overview of CAFFSA's current priorities, along with emerging issues raised by members.

### **Background**

The primary purpose of CAFFSA is to represent the needs and interests of children, young people and families connected with or at risk of entering the child protection system, and the not-for-profit, non-government organisations who support them.

Fifty organisational members represent almost 100% of agencies in SA receiving Government funding to provide those services covered by CAFFSA's Charter. The classification of these as essential services in the context of COVID demonstrates the vital importance of member agencies for South Australia's most vulnerable children and families.

Whilst the peak function is always to champion the needs and interests of the child protection and child safety sector, and the nongovernment, non-profit providers delivering services in this space, the first and foremost consideration in all of our advocacy is now also the needs and interests of children.

This shift occurred with the launch of a new five-year Strategic Plan in 2021. CAFFSA positioned itself with the objective of being an influential peak body representing the needs of children and families connected with or at risk of coming in to contact with the child protection system.

In terms of policy and advocacy work, CAFFSA seeks to be instrumental and proactive in driving, developing and responding effectively to key policies and legislation affecting children and families connected with or at risk of entering the child protection system, as

well as the organisations supporting them. The fact that three of the six Election Policy Positions CAFFSA sent to political parties were successful in garnering funding and/or support from the incoming Labor Government in early 2022 can be seen as supporting these aims.

CAFFSA also runs a range of standing sector network forums and working groups that are well attended and span the service areas of family-based care, residential care, early intervention and prevention, transitions within and out of care, management of care concerns and emerging ones for 2022 focussing on disability, residential care and maximising opportunities for joint training.

### **Context**

The CAFFSA Board determined that the election of a new government in South Australia is an excellent catalyst to bring people together and seek the views of the sector and community partners on the key priorities for CAFFSA over the next four years.

CEO members, along with two or three members of their team who are committed to improving the child protection and family welfare services in SA, have been invited to participate in a conversation designed to yield positive recommendations for constructive action to improve results for children and families. The focus will not be on reiterating familiar challenges. A summary written report will be compiled and sent to all participants, who will also have the opportunity to give written input on the day and in the days following via email.

The rest of this paper outlines issues member agencies have raised as systemic concerns and CAFFSA's Policy Priorities in the lead-up to the 2022 SA Election, and emerging issues member have identified.

### **An evidence-based, comprehensive child protection framework should guide the service system.**

Most researchers do not suggest that every preventive intervention works (there is clear evidence that many do not); that no tertiary interventions are effective (there is clear

evidence that they can and do change children’s trajectories); or that large scale delivery of prevention and early intervention initiatives will entirely remove the need for tertiary responses. Rather, there is unambiguous evidence that evidence-based prevention and early intervention can lead to measurable and substantial reductions in the factors that place children and families at risk of poor outcomes. <sup>1</sup>

Many CAFFSA members are concerned that investment in out-of-home care services far outweighs that made in prevention, early intervention and reunification services. This was most recently illustrated in the release of 80 new residential care places. There was no concomitant funding provision made for reunification services that should be assumed as required in the near future for at least a percentage of the children that will leave care and no new funding for prevention and/or early intervention was announced.

This skewed investment was recently pointed out in correspondence by Uniting Communities CEO, Simon Schrapel, entitled *An alternate future for child protection and families in South Australia*. He pointed to two headline statistics that demonstrate the problems South Australia is experiencing.

1. The rate (per 1000) of children in care in South Australia stands at 11.8 compared to a national average of 8.2. Furthermore, this rate has risen by 44% in the past decade compared to only a 6.5% rise in the national rate of children in care.

2. South Australia expenditure on Care services for children has risen from \$161.6M to just over \$500M p.a. in the same 10 year period – a whopping 209% increase compared to a national increase that is less than half this rate.

Mr Schrapel went on to argue that:

If South Australia’s rate of children and young people in care was at the national average we would have 3,029 children in care – 1,337 fewer children and young

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<sup>1</sup> Fox, S., Southwell, A., Stafford, N., Goodhue, R., Jackson, D. and Smith, C. (2015). Better Systems, Better Chances: A Review of Research and Practice for Prevention and Early Intervention. Canberra: Australian Research Alliance for Children and Youth (ARACY).

people in out of home care living safely with their families and in their community. Based on an average annual cost of care in South Australia across both residential and non-residential care, this reduction in the number of children and young people in care would represent an annual saving of \$143.8M for the South Australian Government.

What the above data highlights is that we have Child Protection settings in South Australia that are significantly out of kilter with the rest of Australia. As a result, we have proportionally many more South Australian children and young people in care at a significantly higher cost than we should have. Unfortunately, our previous Royal Commission and Inquiries have focussed ostensibly on improving the management and scrutiny of our Child Protection systems rather than looking to change the system itself. As a result, we languish behind other jurisdictions in terms of how we approach the issues of child and young people's safety and wellbeing. It doesn't, and shouldn't, need to be this way... The challenge, as recently reported in the Productivity Commissions December 2021 report on "Enabling the Public Health Approach to Protecting Children", is characterised as a 'wicked public policy' problem. It may be complex but it is not unsolvable. The solution sits beyond the operation of our Child Protection Department and the responsible Minister. It requires a level of leadership and all of government and community focus that has been absent in South Australia on this topic for more than a decade. But, as jurisdictions around Australia and the world have shown, a sustainable improvement can be made. Through a concerted effort and by setting a clear target, we can reduce the number of children in our care and protection systems and being cared for safely within their families and communities. It would represent a significant win for children, for families and, over time, for the South Australian budget. Without the need for further Inquiries or Commissions, assembling the right leaders with a clear vision and mandate to put in place the change to turn around our approach to

Child Protection and Family Support in our State is highly achievable. But it needs the will to lead such lasting reform. <sup>2</sup>

### **A sustainable NGO sector needs a sustainable funding framework**

A number of member agencies have been calling for a funding framework that is outcomes focussed, rather than process driven, and allows the sector to plan and provide quality, sustainable services to children, young people and families.

Issues raised by member agencies that have financial implications include a lack of clarity around funding guidelines across a number of programs, and emerging costs associated with

- new DCP/DHS requirements (such as training or property modifications required as part of the licencing process, resourcing for new systems, creation of new organisational roles to meet service licencing requirements)
- increasing costs associated with Workcover, insurance and COVID-related requirements and insufficient overall administration costs. The resourcing of the licencing process, with the requirement to upload 140 KPIs each quarter is already administratively very burdensome, and a number of organisations have been advised there are likely to be more rather than less KPI's to report on in the future.

A further financial issue raised is the onus on the organisation to cover costs for substantial periods of time when a variation of the child or young person's care needs have changed. A recent example was an organisation that had been carrying the approved extra costs for a child for almost four months (at a cost of \$400K per quarter.)

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<sup>2</sup> Schrapel, Simon, (Feb 2022) Private correspondence

Work has been undertaken on this issue in a number of other states. For example, a recent Service Costing Survey undertaken in the ACT,<sup>3</sup> completed by leaders of 88 organisations, showed that major streams of ACT funding are leaving essential employment costs unfunded. In the survey:

- only 12% of organisational leaders said their funding stream adequately covers backfilling, which ensures service continuity when a staff is absent;
- only 17% said they were adequately funded to cover costs of staff supervision;
- only 22% said they were adequately funded to employ enough staff; and
- only 25% were adequately funded to manage volunteers.

Inadequate resources to employ and support staff reduces organisational capacity and causes some services to 'cut corners'. Underfunding has contributed to unpaid and underpaid work in the ACT community sector; loss of staff, especially to the public sector; and over-reliance on volunteers. As well as affecting the workforce, this affects quality and outcomes for clients and communities.

The ACT study found resource gaps are evident for some essential activities which are expected by government and which support government capacity, such as: consulting with and providing input to government; participating in policy reform processes; and involving service users with lived experience in service development. These activities are impractical for organisations to sustain without sufficient support, and are integral capabilities for a collaborative commissioning approach. They should be explicitly recognised in contracts and funded.

A particular concern for community organisations is the lack of funds to support monitoring and evaluation of programs. While some organisations can fund evaluation from private sources, only 13% said that the funding received from the ACT government adequately

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<sup>3</sup> Cortis, N., Blaxland, M. and Adamson, E. (2021). Counting the Costs: Sustainable funding for the ACT community services sector. Sydney: UNSW Social Policy Research Centre.

covers evaluation. This results in sub-optimal information to understand how interventions are working, and reduces capacity for service improvement.

Other essential infrastructure or overhead costs are widely considered unfunded or underfunded, including legal support, regulatory compliance, technology, security and vehicles. Some organisations charge administrative fees to cover these functions, while others draw on other organisational sources, or pool small amounts of funds across programs. However, cross-subsidisation is not an option for all. Further, leaders noted that some costs, including accommodation, insurance, technology and data systems, are rising.<sup>4</sup>

### **CAFFSA policy positions and election commitment requests**

CAFFSA consulted with its Board of Directors, its members and the delegates of the Policy and Advocacy Committee in order to arrive at the following policy positions and election commitment requests for the recent 2022 election.

#### **1. A Reportable Conduct Scheme in South Australia**

CAFFSA supports and recommends the adoption and implementation of a Reportable Conduct Scheme in South Australia.

Such a scheme should provide independent oversight of the handling of child abuse and neglect allegations against sector employees and volunteers. It should oversee how organisations and institutions prevent and respond to allegations of child abuse and misconduct by employees and volunteers.

Such a scheme would assist in:

- Safeguarding children and young people;

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<sup>4</sup> 4 Cortis, N., Blaxland, M. and Adamson, E. (2021). Counting the Costs: Sustainable funding for the ACT community services sector. Sydney: UNSW Social Policy Research Centre.

- Working with institutions and organisations to improve systems in preventing and responding to reportable conduct;
- Providing training and advice; and
- Assessing responses to reportable conduct to ensure processes are fair, transparent and conducted in a timely manner.

## **2. Raising the age of criminal responsibility for children and young people**

A range of behaviours in 10 to 13-year-old aged children that currently come into contact with the juvenile justice system are better understood as behaviours within the expected range in the typical neurodevelopment of 10 to 13-year-old aged children who have experienced significant trauma.

General behaviours include poor impulse control, and a poorly developed capacity to plan and foresee consequences.

Judging criminal responsibility on the basis of a chronological age is inappropriate for children who may have a much lower developmental age due to a number of medical and developmental conditions described, and particularly for children and young people who have experienced complex trauma.

CAFFSA supports and recommends that the age of criminal responsibility for young people in South Australia being raised to 14 years.

## **3. Support for young people exiting statutory care arrangements**

CAFFSA believes that all young people in care should have the choice to stay in care until the age of 21. The Government's current provision for young people in family-based care to stay in care until 21 should be extended to all young people in care, particularly those who live in residential and emergency care. This group often experiences the most complex needs, and



poorest life outcomes, which are compounded by the pressures of leaving care at the age of 18 – many into homelessness.

CAFFSA observed that the Act's current provision that "The Minister must cause such assistance as the Minister thinks appropriate to be offered to each eligible care leaver for the purposes of making their transition from care as easy as is reasonably practicable", including "the provision of information about Government and other resources" is quite opaque and potentially equates to nothing more than the provision of a service directory for young people. CAFFSA does note the introduction of extended support for foster and family-based carers for young people until the age of 21 which we welcome.

CAFFSA asked that the Government of South Australia commit to formally extending the care leaving age to 21 and co-designing with young people a flexible, person-centred service approach that can be accessed by all young people with a care experience. CAFFSA also asks that the Government of South Australia commit to no young person exiting the care system into homelessness.

***It is noted that the incoming Labor Government's 2022 Election Policy committed to invest in the Create Foundation to work with children and young people in care to identify and develop future housing, work and study pathways.***

The Next Steps Pilot Service, has also been developed and funded by DCP, and run by Centacare in partnership with Aboriginal Sobriety Group, Housing Choices SA and DCP. It seeks to reduce the poor outcomes that many young people experience when they leave residential care and is expected to run until June 2025, supporting a minimum of 20 young people aged 17½ years of age and above.

The service is designed to work alongside participants to help them develop and achieve their goals, which might include:

- finding and moving into new accommodation
- building life skills such as budgeting, paying bills and looking after their accommodation
- finding and using services they need

- starting or continuing education, training or employment
- connecting safely with people that matter to them
- connecting with their community and culture
- managing legal issues<sup>5</sup>.

#### **4. Addressing the skills shortage and workforce development gaps for child protection and child safety staff in South Australia**

Across South Australia, CAFFSA notes that there is a critical shortage of a qualified, skilled and available workforce to respond to the need of the increasing number of children and young people coming into statutory care.

The need to address the skills shortage and workforce development gaps for child protection and child safety staff in South Australia is now urgent.

CAFFSA takes the position that the Government of South Australia should commit to;

- Funding the development and implementation of a South Australian NGO family support and child protection industry blueprint and workforce development strategy
- Subsidising the cost of training for the Certificate IV in Child Youth and Family Intervention and the Certificate IV in Disability for front-line child protection staff in the non-government sector in SA;
- Bringing South Australian training requirements for front-line child protection staff in line with National standards and trends;
- Recognition of equivalent qualifications, including that a first year of a recognised university degree being deemed the equivalent to a Certificate IV; and
- Providing dedicated funding to bridge the gap of required knowledge and skills essential to working with children and families who are coming into contact with the child protection system and what students are currently trained in through tertiary education institutions.

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<sup>5</sup> [Young people take first steps into new transitioning from care service – OOGCYP \(SA\)](#)

**It is noted that the incoming Labor Government’s 2022 Election Policy committed to *develop a workforce plan, in consultation with workers and their unions and community organisations, to ensure sustainable, safe staffing levels for the future.***

#### **5. Support for Aboriginal self-determination and family advocacy via the Family Matters Campaign in South Australia**

Self-determination is critical for ensuring that change occurs, and that Aboriginal voices are heard by governments at every level of society.

CAFFSA seeks ongoing funding commitments for programs and services that enhance the capacity of all South Australian First Nations to design, implement and monitor strengths-based, community-driven prevention, early intervention and community capacity building initiatives, demonstrating the South Australian Government’s genuine commitment to the “inherent capability” of local level Aboriginal led solutions for reducing the proportion of Aboriginal children in the child protection system (*as well as continued support for Family Matters in South Australia*).

#### **6. Appropriate funding and support for the South Australian Child and Young Person’s Visitor Scheme**

CAFFSA supported the position of the Guardian for Children and Young People in South Australia that appropriate funding and resources must be made available to the Office of the Guardian for Children and Young People in order for the Guardian to properly carry out the legislated function of Child and Young Person’s Visitor.

The function of the Guardian in fulfilling the role of Child and Young Person’s Visitor, as well as being embedded in legislation, is absolutely vital in ensuring the wellbeing of South Australia’s most vulnerable children and young people living in emergency and residential

care. No other oversight or advocacy function can possibly provide the level of scrutiny into the wellbeing of these children or intervene more promptly where basic physical, psychological, and emotional needs are not being appropriately attended to.

CAFFSA requested the government revisit the detailed business case submitted by the Office of the Guardian for Children and Young People which outlined a scheme to visit a reasonable proportion of the 200 residential care properties in South Australia which house over 600 children and young people.

**It is noted that the incoming Labor Government's 2022 Election Policy committed to *ensuring the Guardian for Children and Young People is funded to be the Community Visitor for children in residential care.***

**Other election commitments made by the incoming Labor Government in SA that can impact CAFFSA members and offer opportunities over the next four years**

CAFFSA and its membership are well positioned to facilitate the engagement, consultation and co-design efforts with the sector in relation to the following Labor election commitments:

- *Bring together experts from Health, Education and other departments to ensure that all arms of government are identifying and supporting families that are vulnerable in a cohesive way that puts the needs of children at the centre of decision making;*
- *Develop accountability mechanisms and clarity in role, remit and deliverables for the departments working in any aspect of child protection;*
- *Ensure expeditious and safe sharing of data within and between government departments and community organisations in order to identify children and families at risk and to provide wrap around support at critical times; and*

- *Develop a workforce plan, in consultation with workers and their unions and community organisations, to ensure sustainable, safe staffing levels for the future.*

One of the most important enablers for each of the commitments outlined above, along with all issues raised in this document, is the establishment and management of robust partnerships based on respect for our clearly articulated mutual roles and responsibilities and a commitment to the principles of co-design.

Responsive, timely and effective care for children, young people and their families could be much more strongly facilitated if DCP and other SA Government agencies and the sector could find a way to work together consistently in an open and transparent co-design process in relation to the design, delivery and evaluation of all that we do. This would be a fundamental plank of any improvements in our shared future.

**Compiled by CAFFSA April 2022**