

ACWA Members Consultation Child Wellbeing and Child Protection Interagency Guidelines 29 May 2019

Introduction and background

FACS is in the process of reviewing and updating the Child Wellbeing and Child Protection Interagency Guidelines (these will be referred to as the 'Guidelines' throughout this document), that were last reviewed in 2012. To ensure the update is as comprehensive as possible and meets the needs of all stakeholders, they asked ACWA to consult its members. ACWA convened a consultation on Wednesday 29 May, 2019, with 18 people from 12 agencies to gather detailed feedback.

It was noted by some agencies that the attendance of FACS would have been helpful to answer any clarifying questions. In this regard, only certain sections of the Guidelines were being considered and it was felt that a more thorough review of the Guidelines in their entirety is warranted. This is especially the case given the changes to the sector since their introduction has seen increased involvement and responsibility taken up by NGO agencies. FACS has indicated that this will happen in the future.

General Feedback

Overall, it was felt that the purpose and audience for the Guidelines needs clarity as many of those present found it did not meet their needs and reported they did not, and would not, use the Guidelines in their current form. It was suggested that even for related agencies, or perhaps carers and birth family members, children and young people in care etc., the Guidelines are not clear and do not give a good overview of the sector. Those present indicated they would be willing to commit to providing better information and resources that outline their role in the sector for inclusion, if more opportunities are provided.

Consistency of language across the documents needs attention. For example, 'significant harm' is mainly used, but there are places where 'serious harm' or 'harm' is used e.g. *Guide to making a child protection report* (p.7). Some people felt that the term 'significant' was inappropriate because the threshold is very high and open to interpretation. In this regard, a glossary of terms defining such terms would be useful, noting that participants felt the current definition of 'significant harm' was too ambiguous.

These reflections are taken up in more detail within the feedback below. It is important to note that some feedback needs to be considered in other forums and it is recorded here for that purpose, as well as the specific request that seems to be focused on relatively minor aspects of the Guidelines.

The individual sections of the draft guidelines are considered separately.

Roles and Responsibilities

1. The role of NGOs needs to be clearer and does not mention their role in OOHC/PSP services that should probably be placed ahead of Local Government in terms of their involvement and contribution to the sector, especially given their role in working with Risk of Significant Harm (ROSH) cases.
2. The list of only NGO peaks is limiting in terms of understanding the sector and may lead to misunderstanding of which peaks are directly relevant to the sector. In addition, some of these peaks no longer exist as listed, such as youth specific services (Youth Action and YFoundations are not mentioned, whereas YAPA NSW is).
3. It should contain a clear explanation of early intervention and family support services such as Targeted Early Intervention (TEI) services, in contrast to foster care and other services.
4. It does not cover therapeutic services and the crucial role they play in the sector, especially given the recent boost in the range of therapeutic services available.
5. The issue of peer to peer abuse is a critical area that requires more prominence in the guidance for workforce and specific services such as New Street. In addition, the role of NSW Health is very sparse in this context, and the Police and legal entities also need a more thorough explanation regarding their role and intersections with child protection.
6. There is no legal section that includes rights and responsibilities, and any complaints processes, before contacting the NSW Ombudsman or other high-level complaints processes.
7. In relation to the Ombudsman and the Office of the Children's Guardian (OCG), it was felt that there should be a clearer outline of their roles in the sector, particularly as the OCG is taking more oversight responsibilities;
8. The NDIS and its role and intersections should be more thoroughly outlined, especially given the heightened level of vulnerability for children and young people with disabilities.
9. [Family Referral Services](#) should be listed. FRS are FACS funded services intended to link vulnerable children, young people in need of assistance, and their families, with the most appropriate available support services in their local areas.
10. The [Patchwork](#) system is not included. This is a FACS secure web-app that allows frontline practitioners to share their contact details and helps workers find and connect with other practitioners working with their clients.
11. There is a lot of assumed knowledge (e.g. what is OOHC/PSP and foster care and how are they connected?) and the system appears to be hard to navigate without this knowledge. A glossary of terms would be helpful.
12. There is no mention of culturally diverse considerations in this section. The following information has been provided to assist:

"Settlement Services International (SSI) is a community-based not-for-profit organisation providing a range of services in the areas of humanitarian settlement, housing, asylum seeker assistance, multicultural Child and Family Program, disability support and employment services in NSW. SSI is also the state-wide umbrella organisation for 11 Migrant Resource Centres and Multicultural Services across NSW. Our vision is to achieve a society that values the diversity of its people and actively provides support to ensure meaningful social and economic participation and to assist individuals and families reach their potential." www.ssi.org.au

13. Aboriginal services are not as visible as they should be (please note no Aboriginal services were present at this consultation and it is hoped they will be separately consulted).

Guide to making a child protection report

1. It was noted that the Mandatory Reporters Guide (MRG) is not particularly useful and, while beyond the scope of this consultation, should be raised as a concern.
2. It was also noted that the document needed to strengthen information regarding support services for those circumstance that do not meet the threshold in the practice guidance section. NGOs present indicated a commitment to be a part of the solution and are happy to meet again.
3. The section on responding to disclosures by a parent or carer is not helpful and needs to be reviewed. It might be more appropriate to have a link to resources on causal factors about why parents or carers can harm their children, because the current write up is confusing and lacks clarity.
4. There was confusion for one participant regarding mandatory reporting in contrast to reporting outside of mandatory obligations (reporting under the threshold), including reporting risk of harm to unborn babies and the term 'significant' in relation to harm. It was felt that this should be clearly explained in the document.

Responding to a child protection report or child wellbeing concern

1. The placement of the *NSW Practice Framework* at the beginning of this document was queried in terms of its purpose and usefulness, and there was similar feedback in regard to *Shining a Light*. It was suggested a link would suffice.
2. Different language - it was noted that as the Guidelines are a suite of documents, they should all use similar language and explanations (e.g. the terms 'significant harm', 'serious harm', and just 'harm' are used in relation to reporting. If these terms are to be used interchangeably, then this should either be explained, or the different thresholds spelt out in a glossary).
3. It was suggested that a flow chart might be a useful visual aid to understanding the reporting process.
4. Although the document states that feedback will be provided to mandatory reporters, it does not give any guidance about who they should contact if this

- does not occur. Most people in the room indicated that this process rarely occurs, so mechanisms for NGOs to get feedback are important.
5. Information sharing is one of the most challenging aspects to child protection work, especially for non-government agencies. NGO agencies are not mentioned in the Guidelines in terms of sharing information, despite the opening sentence of the document stating that it is a guide for agencies and is referred to in the Act. It is recommended that government and NGO information sharing processes need to be strengthened to ensure the best outcome for children, young people and families.
 6. The issue of cumulative harm, which can amount to significant harm, is not addressed.
 7. This, and other Guideline documents, should use simple language and be easy to understand for people outside the sector and people with limited literacy skills.
 8. It should mention the role or requirements of ChildStory in relation to the Guidelines.
 9. It does not mention penalties for mandatory reporters who do not report.

Final remarks

This information was gathered in consultation with ACWA members and we hope this is the start of a robust process to ensure interagency collaboration is fully realised and strengthened. ACWA would like to thank our members for giving their valuable time contributing to this review. Additionally, we would like to thank FACS for providing us the opportunity to have input into these documents. ACWA and our members are looking forward to continuing to work with our government partners on this important work.

This information was compiled and written by ACWA staff in consultation with our members.