

## **Working document**

### **Development of National Standards for out of home care**

Over the last ten years, all Australian governments in strong partnership with the non-government sector have increasingly recognised the importance of investing in the well-being of children and young people, including in child protection, to ensure they get the best start in life. The development of National Standards for out of home care will drive improvements in the quality of care to enable children and young people living in care to have the opportunity to reach their potential in all areas of well-being.

The draft National Standards are based on evidence that children and young people who have been placed in out of home care have poorer life outcomes than other children and young people. Research has found that young people in out of home care do not perform as well as their peers at school, have higher rates of unemployment than other young people, and have poorer health outcomes, including mental health.

Better outcomes occur for those children and young people who have safe and stable placements. Overall well-being in children and young people is enhanced when they are healthy, safe and secure, have strong cultural, spiritual and community ties, have a positive sense of identity, participate in learning and achieving, and have positive family and other relationships. It is important that children and young people from culturally and linguistically diverse backgrounds in care are provided with placements that maintain links with their family, community and culture.

Aboriginal and Torres Strait Islander children and young people benefit when well matched with an Aboriginal and/or Torres Strait Islander family that enables them to maintain fundamental links to family, community, land and culture. The continued preservation and enhancement of an Aboriginal/Torres Strait Islander child's sense of identity is of critical importance to the development of Indigenous children and young people in out of home care. Planning for maintaining family, community and cultural connections needs to occur regardless of where and with whom an Indigenous child or young person is placed.

### **Proposed overarching principles for National Standards for Out of Home Care**

To assist with framing the National Standards for Out of Home Care (the National Standards) around the best interests of the child and ensuring the voice of the child is heard, as outlined in the *United Nations Convention on the Rights of the Child* ratified in 1990, some proposed overarching principles for the National Standards have been developed. These principles were drawn from the national and regional consultations undertaken by KPMG between February and May 2010 and are consistent with the overarching principles of the National Framework for Protecting Australia's Children.

The proposed overarching principles are as follows:

- Care provided to children and young people living in Out of Home Care is focussed on their best interests and maximising their potential.
- Children and young people living in Out of Home Care are provided with opportunities for their voice to be heard and respected.
- Children and young people living in Out of Home Care have their privacy respected.

- Carers are key stakeholders and partners in the system.
- Children and young people living in out of home care are provided with a level of quality care that addresses their particular needs and improves their outcomes.
- The National Standards should add value to the current state and territory arrangements and not be unnecessarily burdensome.
- Continuous improvements are made to enhance the life outcomes of children and young people living in Out of Home Care.
- Changes to the Out of Home Care outcomes for children and young people are measured, monitored and reported in a transparent and consistent manner.

## **Draft National Standards for Out of Home Care**

The draft National Standards relate to areas impacting on outcomes and experiences of children in out of home care. These areas are: health (general health and therapeutic responses); education; case planning; connection to family; culture and community; transition from care; training and support for carers; belonging and identity; and stability and safety of children and young people in out of home care.

These draft National Standards draw on feedback by stakeholders in the national and regional consultations undertaken by KPMG on behalf of FaHCSIA between February-May 2010. Stakeholders included: State and Territory governments, including Children's Commissioners and Guardians; non-government organisations, carers and young people in out of home care and families. They need to be prioritised, tested and refined by further targeted consultation.

### **The Draft National Standards for Out of Home Care**

**Context of Standards 1 to 7:** Children and young people needing care often arrive after experiencing a family crisis, domestic violence, forms of abuse or neglect. To address ongoing mental health and trauma-related issues, these children and young people must have their health assessed and their safety and security assured. From the outset, careful thought should go into placing these children and young people with suitable carers, with the children/young people and carers given a say in the home they go to.

**Standard 1.** Children and young people are matched with the most suitable carers and the care environment, according to their needs, that will provide stability during their time in care

**Standard 2.** Children and young people participate in decisions that have a significant impact their lives.

**Standard 3.** Aboriginal and Torres Strait Islander communities are consulted in decisions concerning the placement of their children and young people and placements are made in accordance with Aboriginal and Torres Strait Islander Child Placement Principles.

**Standard 4.** A comprehensive health assessment is provided to children and young people entering care, with ongoing medical needs attended to in an appropriate and timely way, and children and young people have their own written health record which moves with them if they change placements.

**Standard 5** Children and young people entering into care receive timely and appropriate therapeutic assessment and support as needed.

**Standard 6.** Children, young people and carers are able to access objective advice, ask for help, have their concerns listened to, and have information and access to review mechanisms.

**Context of Standards 7 to 9:** Children and young people in care should experience “growing up” in the same way as other children and young people. Highly traumatised and vulnerable children and young people can find it hard to go to school, pursue training, move into jobs and build the skills they need for an independent life. Even engaging in social activities can be hindered, which can affect confidence and social skills. Children, young people and their carers may feel reluctant to ask for help in accessing the opportunities that will allow children to participate and achieve.

**Standard 7.** Individual education plans are developed, implemented, and reviewed regularly for children and young people in care.

**Standard 8.** Children and young people between 15 and 18 years are supported to be engaged in appropriate education, training and/or employment.

**Standard 9.** Children and young people in care are supported to participate in social and/or recreational activities, such as sporting, cultural or community activity.

**Context of Standards 10 to 11:** Emotional care is just as important as physical health for children and young people who are separated from their birth family. Children and young people can lose their sense of identity, particularly those with Indigenous or culturally and ethnically different backgrounds. Maintaining family, cultural, spiritual and community links can strengthen children and young people’s sense of identity and help them feel loved and accepted in their homes.

**Standard 10.** Children and young people in care are supported to stay in contact with their families, friends, culture, spiritual sources and communities (providing it is safe and appropriate) and have their life history recorded as they grow up.

**Standard 11.** Children and young people in care are supported to identify and stay in touch with at least one significant family member or other person who cares about their future, who they can turn to for support and advice on an ongoing basis.

**Context of Standards 12 to 13:** The important people who are providing care need to have training and support to help them deliver the best care possible in often complex circumstances. The children and young people too must be confident that their carer

understands them, listens and knows how to plan for the future. Most importantly, children and young people must feel safe and secure with their carer.

**Standard 12.** Carers are assessed and receive relevant ongoing training, development and support.

**Standard 13.** Each child and young person has a case plan developed that details their health, education and other needs, which is implemented and reviewed regularly, with the children and young people supported to participate in both the development and updating of their plan.

**Context of Standard 14:** 'It's time to leave' sounds easy, but transitioning out of care can be one of the most difficult stages. Children and young people should keep special memories and information about their time with families so they can maintain a sense of identity. Young people moving to an independent life will need emotional resilience as much as practical help to prepare for the future.

**Standard 14** Young people have a transition from care plan commencing at 15 years old which is reviewed at least annually, details support to be provided after leaving care and involves children and young people in its preparation.

## **Proposed principles for implementation**

There are a number of issues that need to be resolved to make sure there is a clear implementation process for the National Standards. Making sure that the draft National Standards align with current state and territory standards where possible, is important so that undue burden is not placed on the service system.

Arrangements for measuring, monitoring and reporting on the draft National Standards need to be determined. A blueprint needs to be developed outlining governance for the National Standards including roles and responsibilities for measuring, monitoring and reporting under the standards. This should include some independent monitoring but this could be combined with self-assessment.

Encompassed by the principle that measurement, monitoring and reporting should be undertaken in a transparent and consistent manner, the following principles for implementation form the starting point for further consultation and refinement of the draft National Standards and the National Standards system.

1. Recognise at different stages of development children and young people have different capacities and accordingly interactions with children and young people should be appropriate to these stages.
2. Align with current state and territory standards and provide for mutual recognition, wherever possible.
3. Align with other relevant standards in health, education and other community sector services, with consistent terminology and measurement (where possible).

4. Focus on those children and young people with Children's Court ordered care arrangements, particularly where the responsibility for the child/young person has been transferred to the Minister/Chief Executive.
5. Take into account differences in the duration of placements and when in the duration of a placement National Standards will apply.
6. Take a phased approach to implementing National Standards with implementation commencing from 1 July 2011.
7. Ensure the minimum data set is based on consistent and common information that reflects the current and future performance at state and territory, and national level.
8. Ensure the data collected is capable of supporting research and further interrogation
9. Focus on continuous improvement, rather than meeting minimum requirements.
10. Minimise additional burden on service providers and the costs for governments and service providers relating to data collection, collation and reporting systems.
11. Recognise the importance of getting National Standards right and building in appropriate review and evaluation mechanisms.