Statutory out-of-home care and adoption
Accreditation and Monitoring

Fact Sheet: Assessment by the Office of the Children's Guardian

The NSW Children's Guardian accredits agencies for the provision of services for children and young people in statutory out-of-home care and adoption. Agencies that are accredited by the Children's Guardian are referred to as designated agencies or adoption agencies

Accreditation and Monitoring team

The Accreditation and Monitoring team within the Office of the Children's Guardian (OCG) has two main functions, the accreditation of designated and adoption agencies and the ongoing monitoring of these agencies. The accreditation function involves assessment of agencies seeking accreditation for the first time; accredited agencies commencing to provide out-of-home care or adoption services for the first time, and assessment of agencies seeking to renew accreditation. The monitoring function involves assessment of designated and adoption agencies at other times throughout the period of accreditation to ensure that they continue to meet the requirements of accreditation.

Accreditation of statutory out-of-home care and adoption services

Agencies intending to provide statutory out-of-home care or adoption services for children and young people in NSW must first be accredited by the NSW Children's Guardian. It is illegal for an organisation to provide or arrange statutory or supported out-of-home care or adoption services in NSW unless it holds current accreditation by the NSW Children's Guardian.

Designated agencies and adoption agencies are accredited when they have demonstrated they are meeting their responsibilities under the *Children and Young Persons (Care and Protection) Act 1998* and the *Adoption Act 2000* and are meeting the requirements of the *NSW Child Safe Standards for Permanent Care* (the Standards). It is a requirement that accredited agencies continue to meet these requirements at all times.

Types of evidence

To become accredited, agencies must provide evidence to demonstrate that they meet the requirements of the Standards. There are two categories of evidence; **indirect** and **direct**. Information about preparing evidence for assessment is provided in the Accreditation Guide, available on the statutory out-of-home care and adoption pages of the OCG's website www.kidsguardian.nsw.gov.au

Indirect evidence

Examples of indirect evidence include (but are not limited to):

- policies and procedures
- template documents used to implement policies and procedures eg forms, letters, checklists, systems and schedules
- service agreements such as funding agreements, header agreements, interagency guidelines and contracts with other human service providers
- publications such as annual reports, strategic plans, publications for clients, induction and orientation kits, handbooks and guidelines, contracts and agreements, brochures, media releases and articles.

Direct evidence

Direct evidence is information that shows how an accredited agency meets the requirements of the Standards in practice. Where an agency is providing services to children and young people in statutory out-of-home care or adoption, the OCG will conduct periodic visits to designated agencies to ensure they are meeting their responsibilities under the *Children and Young Persons (Care and Protection) Act 1998,* the *Adoption Act 2000* and the Standards. Assessment of direct evidence during visits to the agency occurs as part of a direct evidence program, accreditation renewal and monitoring visits.

Discussions

Direct evidence includes discussions with agency representatives during visits to the designated agency. OCG assessors will liaise with the agency to set times for discussions with agency representatives during on-site visits.

During visits, OCG assessors will have discussions with the agency's Principal Officer and leadership team, casework and care staff and human resource staff. In relation to governance and strategic planning, representatives of the agency's board/governing authority will also be a part of discussions.

Agency representatives will be asked about practice, systems and processes and assessors will ask where examples of these can be seen. Discussions with agency representatives provide opportunity to explain the agency's organisational culture, structure, operations, systems and practice and to highlight planning or initiatives the agency may have taken in response to identified issues.

Records systems and premises

During an on-site assessment, OCG assessors will examine a range of direct evidence to verify agency practice, including (but not limited to) the below.

Case planning and decision making in relation to:

- children and young people placed within the past 12 months
- placement matching processes for children and young people
- children and young people placed who are Aboriginal or Torres Strait Islander
- children and young people with culturally and linguistically diverse backgrounds
- permanency planning and casework including restoration, guardianship, adoption and the allocation of parental responsibility to a carer or relative/kin
- children and young people who require additional therapeutic support, behaviour support/management plans, including restricted practices
- leaving care planning for children and young people from age 15 years
- children and young people who have experienced placement change within the past 12 months, including unplanned placement changes
- identity planning including cultural planning and life story work (please refer to Community Services' life story work, available from www.community.nsw.gov.au)
- children and young people with complex health needs
- children and young people with complex education/vocational needs
- children and young people participating in decisions

S149 B-K and S163 – progress, development and placement information

- agency assessments for the disclosure of placement information to parents and significant others (please refer to the Children's Guardian's Guidelines, available from the statutory out-of-home care section of the OCG's website at www.kidsguardian.nsw.gov.au)
- examples of carer refusal to consent or requests for a review of the agency's assessment (for the disclosure of placement information)
- progress, development and placement information provided to parents/significant others

Carers (foster/relative/kinship)

- carers recruited, assessed and authorised within the past 12 months
- carers authorised within the past 12 months who have children/young people placed with them
- carer training and development, supervision and support systems, including home visits and home safety checks
- performance appraisal and performance management systems
- examples of carers who did not proceed to authorisation or who were de-authorised within the past 12 months

Staff

- staff recruited within the past 12 months
- recruitment and retention strategies
- probity checking and human resource processes
- induction, training, development, supervision and support records and systems
- succession planning
- performance appraisal and performance management systems

Systems

- records management and information security
- systems to monitor the Working With Children Check online verification process
- systems to monitor incidents and accidents within the care environment
- compliance with child protection legislation including mandatory reporting and management of reportable allegations

Other records

- residential care – Official Community Visitor reports
- investigations of reportable allegations within the past 12 months, completed or in progress
- any current notifications to the NSW Ombudsman and/or the OCG
- complaints mechanisms, comments and compliments, completed or in progress
- management of incidents of inappropriate behaviour management strategies
- examples of reviews by the NSW Civil and Administrative Tribunal (NCAT), including S149B-K and de-authorisation of carers
- all meeting minutes (eg staff, team, board, planning)
- internal audits
- continuous improvement systems and strategic planning
- governance systems
- interagency collaboration
- communication plans
- information management systems

Site observations

- premises such as working areas, reception areas, notice boards and safety equipment, records management systems (paper and electronic files) and storage areas
- residential housing such as bedrooms, living areas and facilities

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The assessment process

The OCG's assessment process has three interdependent components.

1. The first component involves understanding how the agency intends to deliver its services. **Indirect evidence** such as policies and procedures explain how the agency provides, or intends to provide services and sets out the procedures staff are to follow to provide those services in line with the legislation and Standards.

2. The second component involves the OCG assessing that the people providing the services understand the agency's policies and procedures. To measure this component, OCG assessors will have **discussions** with staff and management about how they do their work, and we expect to hear that services are provided in accordance with what we've read in the agency's policies and procedures.

3. The third component of the assessment is a review of **direct evidence** to confirm the practice of staff is in line with what we've been told in the discussions and what we've read in the policies and procedures. Where one or more of these areas do not align, the OCG assessors will provide this feedback to the agency.

An example of this approach in practice is where an agency has a policy setting out how it will monitor the safety and suitability of placements, the policy says that home visits are to occur monthly, this meets the requirements of the Standards. In discussions with staff during the assessment the staff tell us they conduct monthly home visits, the documentation we review during the assessment confirms that home visits are carried out monthly.

At the completion of the assessment the OCG assessors will provide feedback where any of the direct or indirect evidence reviewed does not meet the current legislation or Standards.

More information

If you have questions about accreditation or monitoring, you can speak with the OCG staff member who is currently working with your agency. If you don't currently have a staff member involved with your agency, you can email the Accreditation and Monitoring team at accreditation@kidsguardian.nsw.gov.au

For information about the Office of the Children's Guardian's other regulatory responsibilities, including the Working With Children Check, Child Safe Organisations, registration and monitoring of voluntary out-of-home care and accreditation and monitoring of adoption services, please visit www.kidsguardian.nsw.gov.au