

Notice of Conditions of Provisional Accreditation as a Designated Agency

Issued under Clause 65 of the Children and Young Persons (Care and Protection) Regulation 2012

Central Access Unit, Family and Community Services

ABN: 805 973 696 76

Date of notice: 1 December 2018

In addition to the general conditions of accreditation in Schedule 3 of the *Children and Young Persons (Care and Protection) Regulation 2012* (the Regulation), the Children's Guardian has imposed the following conditions on the agency's provisional accreditation.

Condition 1

This agency may arrange:

- statutory out-of-home care (foster care and residential care)
- supported out-of-home care (home based care and residential care)

This includes

- receiving and assessing referrals for placements of children and young people in statutory out-of-home care
- matching children and young people in statutory out-of-home care to suitable placements provided by other designated agencies
- referring children and young people in statutory out-of-home care to other designated agencies for placements
- Coordinating and monitoring the entry into, transfers between and exits from placements of children and young people in statutory out-of-home care.

Condition 2

Where a child or young person in statutory out-of-home care referred to this agency is assessed by the agency as eligible and suitable for a special out-of-home care placement in accordance with clause 32 of the Regulation, this agency may only refer the child or young person to a Family and Community Services District accredited by the Children's Guardian.

Condition 3

Where a child or young person in statutory out-of-home care referred to this agency is assessed by the agency as eligible and suitable for a residential care placement which is not special out-of-home care, this agency may only refer the child or young person to an organisation accredited by the Office of the Children's Guardian to provide residential care.

Condition 4

Where a child or young person in statutory out-of-home care referred to this agency is assessed by the agency as eligible and suitable for a foster care or home-based care placement which is not special out-of-home care, this agency may only refer the child or young person to an organisation accredited by the Office of the Children's Guardian to provide foster care.

Condition 5

This agency may not

- hold case management responsibility for children and young people in statutory out-of-home care
- directly provide placements or day-to-day care for children and young people in statutory out-of-home care
- authorise carers to provide day-to-day care for children and young people in statutory out-of-home care

Condition 6

This agency must notify the Children's Guardian in writing each time a child in statutory out-of-home care

- under 12 years of age and
- assessed as eligible and suitable for Intensive Therapeutic Care

is placed in to a residential care placement.

Condition 7

This agency must maintain records of practice *relevant to* the safety, welfare and well-being of children and young persons referred to it. These records must be made available to the Children's Guardian for inspection upon request, in written form or an electronic format approved by the Children's Guardian.

Condition 8

The Principal Officer of this agency is required to notify the Children's Guardian in writing when the agency receives an allegation of sexual misconduct or serious physical assault towards a child or young person in out-of-home care, committed by a child-related worker employed or engaged by the agency.

Condition 9

This agency must verify online the Working with Children Check clearance, or in the absence of a clearance, an application for each staff member in child-related work or in a child related role before commencing employment.

Condition 10

This agency must provide to the Children's Guardian direct evidence for assessment in accordance with the Program to meet Accreditation Criteria – Direct Evidence issued by the Children's Guardian. The direct evidence should include information relating to all subsequent statutory out-of-home care placements.

Giving false or misleading information to the Children's Guardian is a serious offence.

The Children's Guardian may suspend, shorten or cancel the agency's accreditation if it fails to comply with any of these conditions.

The Children's Guardian may publish details of failure to comply with conditions of accreditation in the Children's Guardian's Annual Report to Parliament.

A decision of the Children's Guardian to impose, not impose, vary or revoke a condition of accreditation is reviewable by the NSW Civil and Administrative Tribunal (NCAT), under clause 7 of the *Children and Young Persons (Care and Protection) Regulation 2012*, following an internal review by the Children's Guardian. Further information about NCAT and internal reviews may be obtained from NCAT (tel: 1300 006 228).

The Children's Guardian has provided a copy of this *Notice* to the NSW Department of Family and Community Services and to the NSW Ombudsman.

Janet Schorer
Children's Guardian