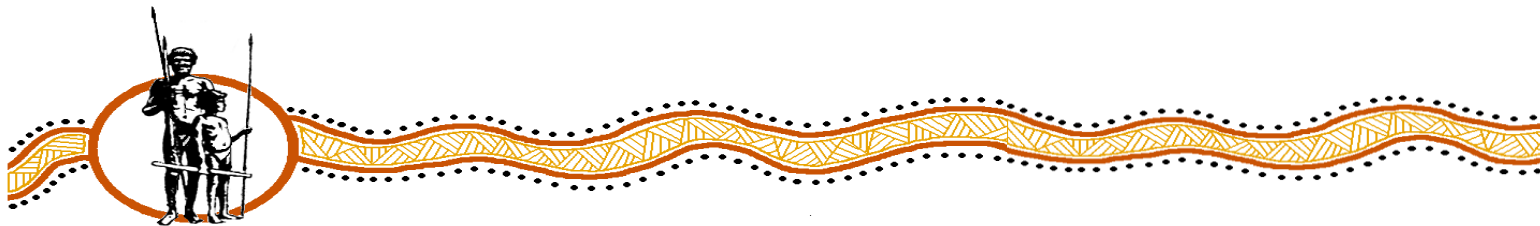


Standard 2: Providing a Positive Care Environment
Objective: Children and young people receive appropriate care relevant to their circumstances, in a safe environment



Title: Providing a Positive Care Environment Policy (PSP specific)		
Policy Area: Out of Home Care – Permanency Support Program		
Policy Number:	Version: 4	Page 1 of 5
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Purpose

The purpose of this policy is to ensure the personal safety and right of children and young people in WAC's care to live in a positive care environment with dignity and security, and without fear of threat or harm and to be free from exploitation and abuse.

Scope

This procedure applies to all staff, carers and Board members to ensure the safety and security of children and young people in WAC's care.

Policy Statement

The Aboriginal and Torres Strait Islander Child Placement Principles

WAC management and staff will adopt the Aboriginal and Torres Strait Islander Child Placement Principles to guide placement decisions. The fundamental goal of the Principle is to enhance and preserve Aboriginal children's connection to family and community and sense of identity and culture.

In general, for Aboriginal children and young persons who are not able to remain in the care of their parents WAC will prioritise placements as follows:

1. within family and kinship networks
2. non-related carers in the child's community, then
3. carers in another Aboriginal community.

If the preferred options above are not available, as a last resort, the child or young person may be placed with:

4. a non-Aboriginal carer or in a residential setting
5. if the child is not placed with their extended Aboriginal or Torres Strait Islander family, the placement must be within close geographic proximity to the child or young person's family.

WAC management and PSP staff will also strive to ensure that children and young people are placed in safe and nurturing care environments. PSP staff are required to carefully assess, identify and match carers with children and young to ensure that the placement is well suited to and supportive of their specific needs, so as to avoid the instability caused by multiple placement changes.

It should be noted that WAC does not support the adoption of Aboriginal and Torres Strait Islander children.

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Protection of Human Rights and Freedom from Abuse

WAC shall uphold the legal and human rights of all children and young people in their care by seeking to prevent potential physical, sexual and emotional abuse by:

- putting the needs of a child or young person first should their needs become incompatible with the needs of the child or young person or its staff; or their safety and/or welfare is at risk
- complying with mandatory reporting responsibilities (see Child Protection and Child Safety Policy)
- complying with reporting responsibilities regarding allegations of reportable conduct by a staff member or authorised carer (See Reportable Conduct Procedure).
- providing appropriate training to staff and authorised carers to identify child protection concerns, such as poor health or suffering from abuse or neglect (See Training and Professional Development Policy)
- developing and reviewing risk assessment and management Plans, and Behaviour Support Plans for children and young people where required (See Case Planning and Review Policy and Procedure and Behaviour Support Policy and Procedure)
- training staff and authorised carers to support children and young people to make a complaint or lodge a grievance, and recognise hesitation to report due to fear or guilt (See Complaints Policy and Child Rights Policy)
- providing appropriate abuse and neglect support information to children and young people on entry to the services, and before and during any actions taken
- ensuring appropriate procedures are in place, and reviewed as required, to protect and promote children and young people's safety, wellbeing and welfare at all times

Supporting Children and Young People to Feel and be Safe

Staff and authorised carers will support children and young people during service provision:

- to develop their understanding of safety
- to recognise behaviour that poses a risk to their safety and wellbeing
- to report and discuss situations where they feel and have felt unsafe.
- by using a range of practical activities and communication techniques to help ensure children and young people fully understand what safety looks like. This support will take the form of age and developmentally appropriate discussions and activities, based on individual assessed need, and include:

Key Responsibilities of WAC Staff and Carers:

Responsibilities of the Carer Compliance Officer

- assist to identify and link family connections
- assist to arrange family reunions
- arrange pool safety inspections and maintain compliance records (see footnote 1 below)
- assist to identify local age-appropriate social and recreational activities
- co-operate with other agencies in order to provide an integrated service
- as directed, provide administrative support to team members

Responsibilities of Case Workers

- to apply the Aboriginal and Torres Strait Islander Child Placement Principles

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- carefully assess, identify and match carers with children and young people to avoid the instability arising from multiple placements
- assess all care environments for safety and suitability prior to a placement commencing, including the safety of swimming pools¹ and outdoor areas (see footnote 1 below)
- ensure the children and young people have privacy in their personal space and their belongings are safe and respected
- ensure the safety and suitability of the care environment is monitored on an ongoing basis and always raise identified concerns with the Team Leader
- conduct a formal review of case plans if there is a significant change in circumstances or at a minimum annually. Case meetings or other planning processes should include all significant parties and the views of all participants (including dissenting views) must be recorded. (See also Case Planning and Review Policy.)
- act to alter the care environment when the specific needs of a child or young person requires it
- keep accurate records for all incidents that occur within the care environment
- seek direction as soon as possible from the Team Leader to ensure matters are managed appropriately
- adhere to WAC's Incident Management Policy and Procedures when responding to incidents and maintaining an awareness of incidents deemed "critical"
- ensure all incidents deemed critical are immediately escalated to the Team Leader
- as directed, report all critical incidents in accordance with mandated responsibilities
- ensure that negotiated individual care plans provide for a range of age-appropriate social and recreational activities and experiences in the care environment
- caseworkers involved in the storage, transportation, administration or prompting of any medication, including psychotropic medication, will be familiar with and understand the Behaviour Support Policy and Procedure
- co-operate with other agencies to provide an integrated service for each child or young person and their family

Responsibilities of the Team Leader

- allocate staff appropriately in the care environment in order to support continuity of care and relationships
- ensure any perceivable issues pertaining to the safety and security of children and young people in WAC's care are mitigated or minimised, to ensure they are placed with carer/s and/or are in a care environment that will best meet their individual needs and provide stability. This includes but is not limited to areas highlighted in the Carer's Agreement and Code of Conduct.
- complete appropriate physical and environmental safety risk assessments regarding legal requirements including, but not limited to, outdoor safety, fire safety, motor vehicle safety, water safety, swimming pool safety, and public health requirements.
- implement a regular review process and update authorised carers' compliance with community standards and legal requirements

¹ **Swimming Pool Compliance** – All service user care environments, including residential and carer households, must register any swimming pools and/or spa pools on the premises. Swimming pool compliance for service user care environments must be adhered to by completing the following the below steps:

- The pool must be registered on the NSW Swimming Pool Register by the relevant Carer or Residential Coordinator and / or Team Leader: <http://www.swimmingpoolregister.nsw.gov.au/>
- A certificate of compliance is to be received by the applicant from the local council or private certifier. A list of private certifiers is available on the NSW Swimming Pool Register website as above.
- All certificates of compliance must be received by WAC and filed on the relevant case file, such as the Carer file/s or the relevant residential household file.
- All swimming pools must be inspected at least once every three years.

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- support and advise caseworkers to determine if situations and incidents that occur within the care environment are matters that constitute breaches of the Code of Conduct and/or reportable conduct, and ensure the necessary actions are taken within legislative timeframes (see Reportable Conduct Procedure)
- as directed by the Manager, manage incidents that are not of a reportable conduct nature as follows:
 - conduct an initial investigation into the matter and the cause of the incident (in accordance with the Investigation Policy).
 - inform all stakeholders as required
 - prepare a brief for the attention of the Manager outlining the findings and recommendations for managing and or resolving the matter, and any measures required to eliminate or mitigate the reoccurrence of the incident
- ensure the Carers Register is updated with any additional information such as allegations, reportable conduct findings, suspension and cancellation of carer authorisations – refer Carers Register Fact Sheet 4 – Suspension and Cancellation of Carers Authorisations – PSP Documents FACTS SHEETS
- report all critical incidents to the Manager and assist the Manager to investigate, monitor and respond to all incidents within the agency’s required timeframes and in accordance with mandated responsibilities (see Incident Management Policy and Procedures)
- monitor the application of the Aboriginal and Torres Strait Islander Child Placement Principles
- assist the Head of Entity (Principal Officer) to monitor and manage reportable conduct matters through to resolution, including complying with all statutory reporting and other requirements (regardless of whether or not an external investigator has been engaged to conduct the investigation)

Responsibilities of the Manager/Principal Officer

- ensure as the Head of Entity for the purposes of the reportable conduct scheme that all reportable allegations are handled in accordance with statutory reporting and other requirements (regardless of whether or not an external investigator has been engaged to conduct the investigation)
- ensure thorough screening of staff, WAC authorised carers and volunteers, including Board members, occurs before commencement of work with children and young people. This is to include undertaking a NSW Working with Children Check (WWCC), a satisfactory National Criminal History Check (NCHC), referee checks and interviews. (Refer to Probity Checking Procedure).
- any persons working with children and young people will be subject to appropriate induction and ongoing training relative to the applicable program (Refer to Training and Development Policy). Staff development and training will ensure WAC detects and prevents threats to the service user, including challenging any form of discrimination, harassment or bullying that would negatively impact on their sense of identity.
- ensure all staff are provided with training and support to understand their respective roles and responsibilities in ensuring that a positive care environment is provided for all children and young people in their care (see Training and Support Procedure)
- assign the Team leader to conduct an investigation into the incident and the cause of the incident, if deemed appropriate, and require a report to be provided and relevant stakeholders briefed, as per the above Team leader requirements
- record the details of the situation or incident on WACs incident register located on WAC Management – document drive
- report the incident and action to address it to the Board (in accordance with the Governance Policy)
- monitor and evaluate the actions and close the incident when complete, ensuring that the Board is apprised of the remedial action taken

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- implement actions required to eliminate or mitigate the reoccurrence of the same type of incident and continuously improve WAC's service delivery processes to reduce risks generally
- ensure all staff are provided with training and support to understand their respective roles and responsibilities in identifying, responding to and reporting incidents
- ensure compliance with the requirement for the Principal Officer to immediately report the death of a child or young person in out of home care to the OCG as per s.83 of the *Children's Guardian Act 2019*.

Responsibilities of Carers

- ensure the safety of all children and young people in their care, including the provision of safe and legal transport by maintaining a current driver's license and car registration
- ensure the children and young people have privacy in their personal space and their belongings are safe and respected
- support each child and young person to enhance and preserve Aboriginal children's connection to family and community and sense of identity and culture
- support each child and young person in their care to participate in planned social and recreational activities
- carers involved in the storage, transportation, administration or prompting of any medication, including psychotropic medication, will be familiar with and understand the Behaviour Support Policy and Procedure
- following any reasonable directions of WAC PSP staff to ensure that children and young people in their care are safe
- following all reporting requirements of WAC, including the need to report any incidents as soon as possible or within 24 hours to the caseworker, and any material change relating to the child or young person's health or behaviour or to the composition of the carer's household in accordance with the Carer Agreement and Code of Conduct and the Health and Behaviour Management Policies and Procedures
- participate in any training which has been identified by WAC to support them in their role and/or support the individual needs of the child or young person they are caring for

Related Policy and Procedures:

- Incident Management Policy and Procedures
- Behaviour Support Policy and Procedures
- Reportable Conduct Procedure
- Code of Conduct and Ethical behaviour
- Complaints Management Policy
- Child Rights Policy

Other References and Further Guidance:

- NSW Child Safe Standards for Permanent Care (November 2015)
- Permanency Support - PSP Critical Events in Statutory OOHC August 2014
- United Nations Convention on the Rights of the Child
- Charter of Rights for Children and Young People in Out-of-Home Care in NSW
- Office of the Children's Guardian Carers Register Guidance Notes

Relevant Legislation and Guidelines:

Children and Young Persons (Care and Protection) Act 1998 - Sections: 8–13, 17–22, 134, 140, 142, 143–146, 149B–K, 150, 157, 158, 160–163, 185, 245, Chapter 16A, 248
Children and Young Persons (Care and Protection) Regulation 2012
Clauses: 8, 30, 31, 33–39, 40, 41, 42, 44, 48(3), 65, 87 Schedule 3 – Clauses 3, 4