



Government of South Australia

Office of the Guardian  
for Children and Young People

# Recommendations

from the Guardian's Inquiry into children's experiences of moving while in care

October 2013

|                  |  |   |
|------------------|--|---|
| Recommendation 1 | The Children's Protection Act 1993 be amended        | 2 |
| Recommendation 2 | Planning for future care needs                       | 2 |
| Recommendation 3 | Auditing against core standards                      | 3 |
| Recommendation 4 | Auditing against the Guardian's 2011 recommendations | 3 |
| Recommendation 5 | Accreditation for child protection workers           | 4 |
| Recommendation 6 | Strengthening of carer skills                        | 4 |
| Recommendation 7 | Children's involvement in placement decisions        | 4 |

## Introduction

The Guardian's Inquiry into children's experiences of moving while in care was conducted to learn more about the impact on children of moving, and their inclusion in decisions about moves.

The Inquiry, which commenced in September 2012 and concluded in June 2013, was conducted by:

- The engagement of key stakeholders through reference groups, focus groups and surveys
- A review of the literature
- Considering relevant guidelines, legislation, government policy and standards
- A review of case records; and
- Interviews with children and young people in care.

If you would like more information, other products from the Inquiry are available on the [Moving in care page](#) of the our website.

### Recommendation 1 The Children's Protection Act 1993 be amended

The *Children's Protection Act 1993* enunciates the principle that when a child is placed or is about to be placed in out-of-home care she or he must be consulted about and (if the child is reasonably able to do so) take part in making decisions affecting the child's life. The Act is more specific still about the requirement for a child's participation in decisions when the care and protection court orders are being considered. A similar specific requirement for consultation and participation of the child in other major decisions, such as placement moves, would be an unequivocal statement of intent.

*The Children's Protection Act 1993 be amended to make it a requirement that a child be present or the child's views be presented, at any meeting where a placement move is being decided and at annual reviews of the child's circumstances.*

### Recommendation 2 Planning for future care needs

Good placement moves and sound placement decisions are hampered by either the reality or the perception that there is no choice in where children can be placed. One reason for this is the long lag between 'demand and supply'. Contingency placements rather than ideal are the norm, many of which become long term and some of which work well. A well-functioning out-of-home care system would predict demand for types of care and create or expand options accordingly. Of course this is complex and risky but it can be done.

*The Department for Education and Child Development, in collaboration with the non-government organisations providing out-of-home care, develop models for projecting future demands for types of out-of-home care that attempt to ensure demand is met through planned capacity increases.*

### Recommendation 3 Auditing against core standards

In 2008 the Department for Families and Communities published the *Standards for Alternative Care in South Australia*, following negotiation with non-government and government service providers of alternative care. The standards are comprehensive and detailed, and consistent with the more recently adopted National Standards for Out of Home Care. There are eight core standards with the first two (entering care and case management) being most relevant to the experience of moving while in care. The principles of inclusive decision-making and the provision of information to children, appropriate to their age and their cognitive ability are reinforced throughout. It is five years since their introduction and it is timely to ask about adherence to them.<sup>1</sup>

*An independent audit be conducted and reported publicly of compliance by the Department and non-government organisations with core standards 1 (Entering Care) and 2 (Case Management) of the SA alternative care standards.<sup>2</sup>*

### Recommendation 4 Auditing against the Guardian's 2011 recommendations

In 2011 the Guardian released her report of the [Inquiry into what children say about contact with their siblings](#). In January 2012, the Minister for Education and Child Development accepted all the recommendations in full. The third recommendation of seven in the report was specific to decisions about placements. It was:

Decisions about placement of siblings include and document:

- assessment of the needs of the collective sibling group, individual needs of each child, including their views, and advice about attachment between siblings;
- sibling relationships, as identified by the child(ren), including the significance of each relationship;
- the child(ren)'s views even if their wishes cannot be met;
- if siblings are separated, a review of the placement decision within one month of the initial decision; and
- if siblings are separated, the preparedness of carers to support contact and proximity of placements.

*An independent audit be conducted and reported publicly of implementation of the 2011 recommendation from the Guardian for decisions about placement of siblings.*

---

<sup>1</sup> As part of the 2013-2015 Families SA Redesign program it is anticipated that an assessment will be made by Families SA of their compliance with the standards as a baseline for measuring expected change. An independent audit may be best done in 2015.

<sup>2</sup> The audits in recommendations 3 and 4 were not done as part of this Inquiry because of time constraints.

### Recommendation 5 Accreditation for child protection workers

It is almost a cliché to refer to child protection work as one of the most difficult and important jobs which must be done. Emotions are almost always high and the decisions are momentous. The professional judgement, reflection and action must be of the highest standard as must the capacity for review and guidance. The findings from this Inquiry show that the professional development and quality assurance requires strengthening, especially in the areas of inclusive and accountable decision-making, documentation of consultations and interactions and reflective practice. This quality assurance has commenced in 2013 with the introduction of accreditation for child protection staff in solution-based casework.

*A system of accreditation for child protection practitioners be introduced which is required for case workers and alternative care support workers and provides off- and on-site professional development and training over a two year period, with individually tailored study of working with Aboriginal children and families, Aboriginal history and culture.*

### Recommendation 6 Strengthening of carer skills

When children and young people move in and out of placements the skills and knowledge of the people providing the day-to-day care are critical to how the moves are experienced. They can make it a good or a traumatic change. They are also charged with the responsibility to help create security for a child when stability cannot be assured. The findings from the Inquiry show that there is limited training or guidance for carers specific to the circumstances of children moving.

*The skills of residential, foster and kinship carers in welcoming and parting from children and young people be strengthened by emphasis in assessment, training and care reviews.*

### Recommendation 7 Children's involvement in placement decisions

Within any single major decision there will be multiple decisions of how, when, what and who. If children and young people feel powerless about some of the major decisions, such as a change in placement, it is the responsibility of the adults to not just explain the decision but to return some power, as possible and appropriate. While we should be confident that this happens in the nature of a contemporary professional relationship, there was little evidence in this Inquiry of this being routine when placement changes were implemented.

*At meetings where placement moves are being decided and as part of the documentation of decisions and action, decisions that can be made by the child or young person about the move are identified, recorded and communicated to the child, and, if required, the child assisted to make and implement the decisions.*