

Charter of Rights Endorsing Agency Survey Summary Report

December 2010

The *Charter of Rights for Children and Young People in Care* was developed by children and young people in care in collaboration with the Office of the Guardian and with cooperation from other agencies and carers. It was launched in 2006. In the past four years the Office has focused on agency endorsement, promotion of rights and knowledge of the Charter. At the time of the survey, the Charter had been endorsed by 44 agencies.

The Charter was tabled in parliament on 16 September 2010. The *Children's Protection Act 1993* requires relevant agencies to implement the Charter to the fullest extent possible. In 2010, the Charter Implementation Committee decided to survey endorsing agencies to determine the extent of implementation and to assess the benefits to children and young people.

A full report was received by the Charter Implementation Committee. This is a summary of that report.

The results of the survey show :

- There is strong support for the Charter, evident in references in policies and procedures, and inclusion in staff induction and training.
- Most agencies have strategies for active promotion of the Charter and children's rights.
- The Charter materials could be further adapted for specific groups of children, such as Aboriginal children, refugee children and children with low literacy or disabilities.
- Sixty-eight per cent of responding agencies have appointed a Charter Champion and there is opportunity to make better use of the Champion's role in implementation.
- Agencies identified further action they could take to promote rights, including working with staff on how to use rights in practice and advocacy.
- Some expressed doubt about the benefits of the Charter when faced with resource deficiencies, placement problems and workforce issues.
- It was unclear how well agency values align with the rights in the Charter or how well this had been explored.
- Sixteen per cent reported that the Charter had been fully implemented in their agency and 24 per cent reported that it had been mostly implemented.

Key findings

Of the 44 endorsing agencies 28 valid responses were received. The results showed a solid foundation supporting the Charter across most of the responding agencies, evidenced in policies, procedures, induction and staff training. The majority of agencies report that they operate within a rights-based framework, although not all recognise this as having links to the Charter and they implement the Charter to varying degrees. Most responding agencies have developed strategies for promoting the Charter and have identified steps to increase the promotion, implementation and awareness of the Charter amongst employees, children and young people. Agencies have suggested further development of the Charter to better engage Aboriginal and refugee children and young people, as well as young people with disabilities or low literacy.

The majority of responding agencies (68 per cent) have a Charter Champion. Analysis of the results revealed an opportunity to build upon the Champion role to assist in implementation. Responding agencies recognised that they could implement the Charter across their organisation to a greater extent and develop an increased confidence in using the Charter in practice and advocacy. It was challenging for agencies to predict the role of the Charter in achieving outcomes, with some expressing doubts about the ability of the Charter to overcome resource deficiencies, placement problems and staffing issues. The survey was unsuccessful in assessing the perceptions agencies hold regarding the importance and relevance of the Charter within their organisation and the extent to which it aligns with agency values. Agencies providing the most intense 24-hour care for children and young people have reached a significant stage of implementation. A number of key areas for development were identified from the survey results and are summarised in the conclusion.

The survey addressed four main areas: documentation, implementation, communication and outcomes, which are covered in this summary.

Documentation

'[The Charter] ...is an integral part of our foster care induction training package.'

'Specific services will require to have staff sign off on the reading of the Charter.'

'Copies and FAQs are included in carer resource and information manual.'

'[The Charter is]...included in the team meeting agenda.'

'The Charter has been added to the audit materials for sites.'

'When discussed with clients this is evidenced within case notes.'

'[The Charter is]...in our policy and a leaflet for Client Rights.'

Reference to the Charter in agency policies, procedures and practice guidelines ensures a foundation for implementation. The majority of responding agencies have included (43 per cent) or are intending to include (39 per cent) the Charter in their documentation. Agencies have routinely provided Charter information to children and young people, included the Charter in volunteer handbooks and referenced it in child protection policies. Further consideration could be given to links between the Charter and Child Safe Environment policies.

Sixty per cent of agencies have referenced the Charter in their induction training for service delivery staff, carers and volunteers. Several agencies have prescribed a knowledge of the Charter as a requirement for employment. This integrates the Charter into job roles and articulates expectations of shared, professional values.

There were differing views among agencies about the value of referencing the Charter in case notes and correspondence. About one quarter of agencies (26 per cent) reported it was a positive and useful strategy and was often used in letters for client advocacy. One third of agencies questioned the relevance and usefulness of this documentation strategy.

Discussion

There is further scope for agencies to develop their own promotional materials and to make better use of the Charter in client advocacy. One agency provides a *Your Rights* brochure to young people during their initial contact with the agency, referencing the Charter of Rights. Inclusion of the Charter in agency promotional materials communicates to children and young people, from the outset, the values and approach of an organisation.

The Charter has the potential to be a reference tool for professionals and to be used to develop arguments about best interests and decision making. It may be drawn on to argue entitlement and participation when writing referrals, support letters, correspondence and case notes.

Implementation

'Included in job specifications, copies of the Charter...are on display in flyer racks, every room has a poster and in reception Oog sits quietly to welcome everyone.'

'Posters will be displayed now we know they are available.'

'When discussing placements and housing with clients their feelings of safety and wellbeing...are discussed in relation to the Charter of Rights.'

'Charter is discussed at team meetings...and as part of the audit process.'

In many agencies a significant level of implementation has been achieved. A third of agencies ensure copies of the Charter are provided to children and young people, with 22 per cent preparing to ensure provision in the future. Forty-four per cent of agencies reported not providing copies of the Charter to children and young people. Reasons cited for this include limited client contact or concerns about the suitability of the Charter products for some client groups, such as children with disabilities, with limited literacy, refugee or Aboriginal children.

Approaches to implementation vary depending on the size of an organisation, number of children in contact with the agency and the nature of the services provided.

The Charter Champion ensures the greatest level of implementation is achieved, suited to agency function and focus. A total of 19 of the 28 responding agencies (68 per cent) have a Charter Champion with 7 per cent working towards this. The Champion role assists with implementation in at least three ways:

Making use of the Charter in discussions

Nearly half of the responding agencies (45 per cent) have made use of the Charter when discussing issues about children and young people in care. Nearly a quarter of agencies (22 per cent) have not made use of the Charter in discussion, saying it was not applicable to their agency function or they have not had the opportunity to do so.

Ensuring knowledge of the Charter among staff

Three quarters of agencies were confident their staff knew about the Charter or intend to increase staff awareness through training. A quarter of agencies reported that their staff did not know about the Charter or this knowledge was not applicable to their service.

Sixty-one per cent of agencies were confident that staff implement the Charter to the fullest extent possible in their work with children and young people, with 30 per cent identifying implementation as an area for development.

Talking to children and young people about the Charter

The majority of agencies (61 per cent) estimated that less than 25 per cent of the children and young people they work with knew about the Charter of Rights. Agencies that provide 24-hour support to children in care reported that three quarters or more of the children they are in contact with know about the Charter.

One quarter of agencies (26 per cent) encourage young people to use the Charter for self advocacy and a third encourage young people to talk with agency staff about the Charter. Almost one in four agencies (24 per cent) are working towards a greater engagement between staff and young people about the Charter.

Discussion

Charter materials tailored for specific groups of children and young people are likely to improve communication and understanding of rights among children.

Charter Champions can assist staff, carers and volunteers to facilitate communication with young people about their rights. The influence, authority, interest and ability of the Champion to engage others is critical to the success of the role.

A Charter Champion requires support, resourcing and training to become a leader within their organisation to increase staff knowledge and awareness of children's rights and the Charter. The Guardian's Office has identified the potential for greater cohesion and support amongst Champions to provide advice, support and consultancy about implementation.

It may be beneficial to make the role of Champion a particular position's responsibility to ensure recognition of the time commitment and avoid loss of the Champion as a result of staff change.

Champions need to be informed about the barriers that might limit implementation in their organisation and how to promote strategic change to overcome these barriers.

Communication

'We have a strong strengths based and strong rights of children focus in the agency, but the Charter is not being used as effectively as it could be. We intend to develop a Youth Advisory Committee to further this.'

'[The Charter is a]...standing item at monthly team meeting.'

'[We are]...referring to Charter in reports, assessments and case conferences.'

One third of agencies have a link to the Charter on their website and include stories or communication about the Charter and children's rights in newsletters or other communication to staff and carers. Fifteen per cent of agencies are aiming to improve communication strategies in the near future.

Agencies are keen to share information and updates from the Guardian's newsletter and hear good news and case studies from other agencies. Nearly half the responding agencies (46 per cent) who have teams providing direct services to children and young people have discussed the Charter or children's rights in the last six months. Thirty-two per cent had not had discussions, with 11 per cent aiming to hold these discussions more frequently.

Discussion

Communication of the Charter is essential to ensure that the message about rights reaches children and young people in care, and those who are providing care or services to them. Recognition of the Charter among children and young people in care is reportedly high. The Charter of Rights is a brand that represents the values, ethics and approach adopted by endorsing organisations. Promotion and display of the Charter is an easy and effective strategy to communicate an agency's commitment to children's rights.

Outcomes

'[We]...recruit staff with skills and knowledge regarding needs of children and young people.,

'Organised an outing for children and young people under Guardianship where Create were involved and promoted the Charter.'

'Align core values of agency with principles of the Charter.'

'Reminders of the Charter are included in the staff bulletin.'

'We have made sure that all of our staff have read and understood the rights as outlined within the Charter, in order for them to advocate for clients with the Charter as a basis for action.'

'Guardianship children are routinely prioritised.'

The survey results show differing opinions about the Charter's impact on outcomes for children and young people in care. Fifty-four per cent of agencies believe that the Charter does achieve positive outcomes and 46 per cent of agencies are unsure of its impact. Most agencies (70 per cent) reported that the Charter assists matters to be resolved to some extent. Half the agencies believe it is somewhat useful in ensuring the rights of children in care are met. A significant number of agencies were not able to comment on the outcomes of the Charter because it had not been used in advocacy.

Over a 12 month period, 19 per cent of respondents used the Charter on more than five occasions in client advocacy. Around one quarter (27 per cent) of agencies used the charter to advocate on two to five occasions. Two of the 28 agencies (or 8 per cent) had used the Charter to advocate on one occasion, while nearly half the responding agencies (46 per cent) had not used the Charter to advocate. Some endorsing agencies have little direct contact with children and young people in care and therefore advocacy opportunities are limited.

The majority of agencies (68 per cent) have experienced no concerns or barriers when using the Charter. Two agencies had experienced resistance from professionals and were concerned about being seen to facilitate a complaint when they knew there were few alternatives.

Discussion

Some agencies queried the enforceability or authority of the Charter in advocacy and expressed lack of confidence in using the Charter as an advocacy tool. While direct advocacy will not be relevant for all agencies, for a number it is very relevant. Some agencies asked for good practice examples of advocacy to gain a better understanding of the Charter in practice.

The survey results suggest that while the Charter has been recognised as a statement of rights, there is opportunity for the expansion and development of the Charter in direct advocacy.

Conclusion

Many examples of good practice have been garnered through the survey, which has also generated a renewed awareness of, and interest in, the Charter of Rights. Orders for Charter materials increased significantly during and following the survey period. The survey process resulted in many agencies reviewing their relationship with the Charter and areas for improvement in implementation of rights.

It is clear that the Charter will be implemented in different ways, depending on the function, purpose and scope of an organisation. It will depend on the agency interaction and relationship with children and young people in care. Endorsing the Charter is a statement about agency commitment to the values underpinning the Charter of Rights. It is a brand that communicates to children, young people and other agencies the values, practice approach and beliefs of an organisation. In the immediate future some agencies will focus on developing their skills in using the Charter in advocacy and others will focus on educating carers about the Charter or considering the Charter in child protection policy development and advocacy.

As a result of the survey, the Office of the Guardian and the Charter Implementation Committee is considering the following:

- The need for the Charter to target specific groups of children in care, such as Aboriginal children and children with disabilities.
- Expanding the number and effectiveness of Charter Champions to ensure the greatest implementation within agencies.
- Support and information about the use of the Charter in advocacy and overcoming barriers to implementation.
- Ensuring the Charter is visible.
- Encouraging agency self-evaluation of their implementation.