

# The circumstances of children and young people in care

A report on the 2012-2013 Audit of Annual Reviews



**Government of South Australia**

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for Children and Young People

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## Introduction

An annual review of a child's circumstances is required by law when a child is under the long-term guardianship of the Minister for Education and Child Development. More significantly though, it is a 'pause' in the day to day business of parenting a child who is in care. It is a time for reflecting on the goals and ambitions, achievements and challenges for each child or young person. It is sometimes the one time in a year when the many adults in a child's life can confer on whether they can 'parent' better.

The Office of the Guardian for Children and Young People (GCYP) attends some of the reviews as part of its monitoring function and to advocate for improved outcomes. It is an external audit process that provides feedback to the child protection agency on the circumstances for children and the quality of the casework service.

In 2012-13 the Office audited 174 reviews at 16 Families SA offices, or 8.4 per cent<sup>1</sup> of the reviews which were to be conducted in that year. The audit is an important balance to the Office's other monitoring activities because the other activities tend towards where there are problems. Annual

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<sup>1</sup>As of June 2012 there were 2 072 children and young people under long-term guardianship orders, (data provided by Families SA).

reviews provide GCYP with the opportunity to witness excellent care and service but also to identify where there are recurring problems.

For example, it is reassuring to record and report that, over the past five years of auditing, between seven and eight of every ten children and young people whose cases were reviewed were in stable, long-term placements. It is equally important though to identify why the other two or three out of ten were in unstable circumstances. The audit function has been applied consistently for five years and the trend data is increasingly useful to analyse where improvements have been made or where issues are stubbornly persistent.

The value of the audit report lies in:

- The discussion that it generates about the quality of care and casework practice.
- The transparency of external scrutiny, feedback and public reporting.
- The impartial view of how children in care are faring as a group.

The audit process is greatly strengthened by the cooperation of Families SA and their openness to the feedback and the reports.

## Annual reviews

### Purpose of Annual Reviews

It is a legislative requirement that there will be a review at least once in each year of the circumstances of each child under the guardianship of the Minister until the child attains 18 years of age (*Children's Protection Act 1993*, Section 52(1)). The review panel must consider whether the existing arrangements for the care and protection of the child continue to be in the best interests of the child.

Annual reviews are an important means of monitoring the quality of services provided and outcomes achieved.

A high standard of annual review is one where the focus is on the quality of the child or young person's care arrangements with consideration given to their stability, sense of belonging, connectedness to carer and birth families, cultural identity, physical safety, emotional security, development opportunities, academic achievement and the child's wishes now and for the future. **It is not an administrative process.** A review properly undertaken requires the active participation of the child, their carers, relevant agencies, and where appropriate, the birth family.<sup>2</sup>

### Audit of Annual Reviews

The purpose of the Office of the Guardian for Children and Young People's (GCYP) participation in, and audit of, annual reviews is:

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<sup>2</sup> Families SA has a policy and procedure for annual reviews which emphasises the active involvement of others.

- To provide further **external accountability** on review panels.
- To provide some **external scrutiny** of case management practice and interagency collaboration.
- To **advocate** for quality outcomes for children and young people.

## 2012-13 Audit

GCYP's goal for 2012-13 was to attend 200 annual reviews in the reporting period. The Office attended 174 annual reviews, equivalent to 8.4 per cent of the children and young people under long-term guardianship orders.<sup>3</sup>

Each Families SA office has its own schedule for reviews and GCYP has accommodated this. Throughout the reporting period GCYP had regular opportunities to attend annual reviews for auditing purposes. On four occasions GCYP declined invitations to attend scheduled annual reviews due to prior commitments with other offices. In addition, there were six occasions when annual reviews to which GCYP was committed were cancelled or rescheduled at short notice.

GCYP attended 33 occasions of annual reviews for the purpose of auditing. Within a week of the audit in each office, feedback was provided to the Manager of the Families SA office and the Regional Director. On four occasions feedback was delayed beyond one week. The offices visited in 2012-13 are listed in Appendix A.

## Limitations of the audit process

The limitations of the GCYP audit process include that GCYP has no control over the cases reviewed and only attends those that the Families SA office has scheduled for review.

The audit does not include a formal examination of the case file (manual or electronic) nor does the auditor pursue information beyond what is presented to the panel. The focus of the audit is on the knowledge of the child's circumstances, the quality of care and the engagement with the child or young person.

It is acknowledged that the task of scheduling annual reviews is significant, particularly with facilitating participatory reviews, and that a number of offices have encountered difficulties achieving this.

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<sup>3</sup> As at 30 June 2012.

The findings of this report should be read with these limitations in mind.

## Constitution of panels

The Families SA annual review guidelines include instruction about participation of children, young people and significant others. However, most offices still conduct annual reviews with only Families SA staff present.

Within metropolitan offices, it is typically the Connected Care supervisor responsible for the case that convenes and chairs the panel.<sup>4</sup> A Families SA Manager attended and participated in discussions on one occasion. Three metropolitan offices engaged a Principal Social Worker in a review panel but this did not occur on each occasion that annual reviews were held in that office. The Principal Social Workers were highly engaged in the annual reviews conducted in country offices, and on most occasions, chaired the panel.

Four offices facilitated the participation of an independent panel member, such as a supervisor from another office or on one occasion, a senior staff member from an external agency. In four offices, where there is more than one Connected Care team, the supervisor from the other team either participated as a panel member or chaired the panel discussion.

On three visits to Families SA offices, annual reviews were conducted solely by the supervisor, not a panel. No explanations were offered as to why a panel, as per the practice guidelines, had not been established.

All offices included a cultural representative on the panel for reviews of the circumstances of Aboriginal children. Primarily this was achieved with the engagement of a Principal Aboriginal Consultant or an Aboriginal Senior Project Officer.

(See p 23 for comments on the quality of the review process.)

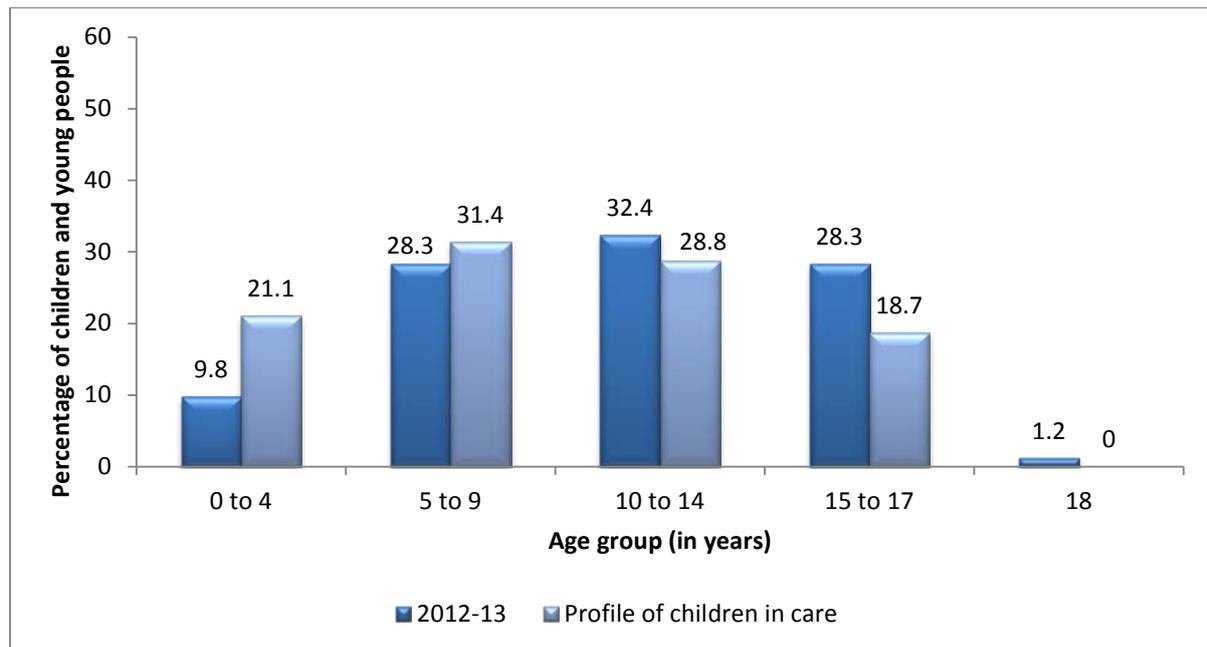
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<sup>4</sup> Connected Care is the name of the social work teams which have responsibility for children and young people under long-term care and protection orders or ongoing family care meeting agreements.

## Findings

Graph 1 illustrates the ages of children and young people whose cases were reviewed as part of our audit of annual reviews, and compares the percentage of each age group against the profile of children and young people in care.<sup>5</sup>

**Graph 1. Ages of children and young people whose cases were reviewed**



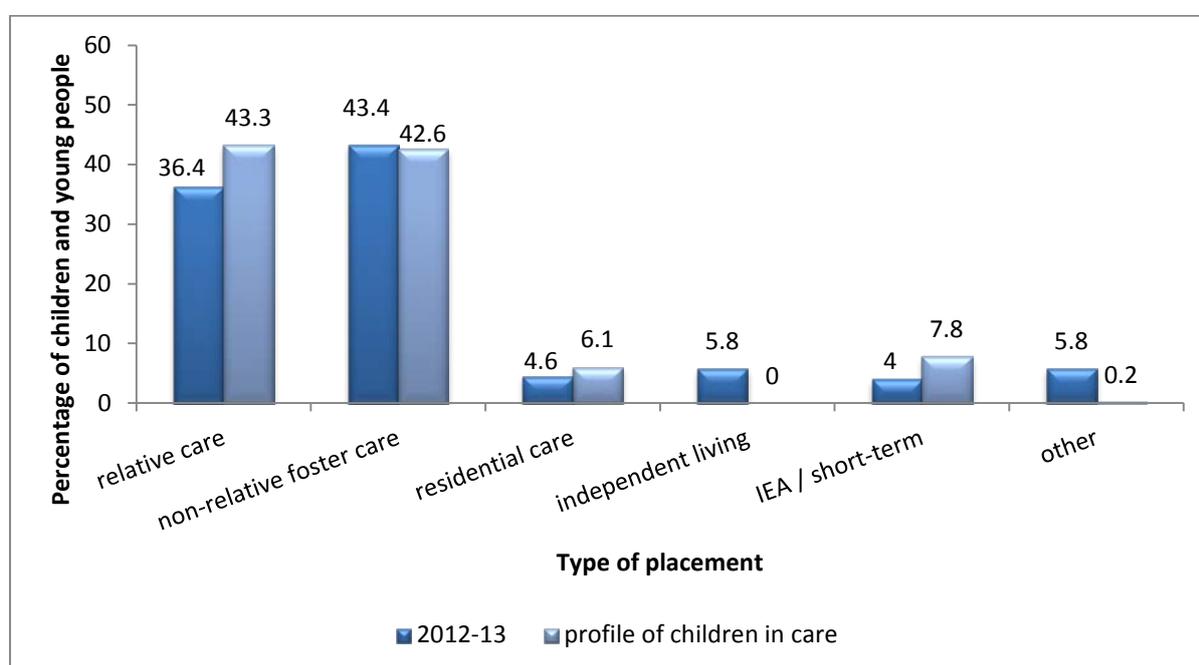
<sup>5</sup> As at 30 June 2012.

## Placement

### Type of placement

Graph 2 illustrates the placements of children whose annual reviews were audited in the reporting period. Almost 80 per cent of children resided in family-based care, either with relatives or foster carers.<sup>6</sup> The placement profile of the sample group is generally reflective of the placement profile of all children and young people in care.

**Graph 2. Type of placement<sup>7</sup>**



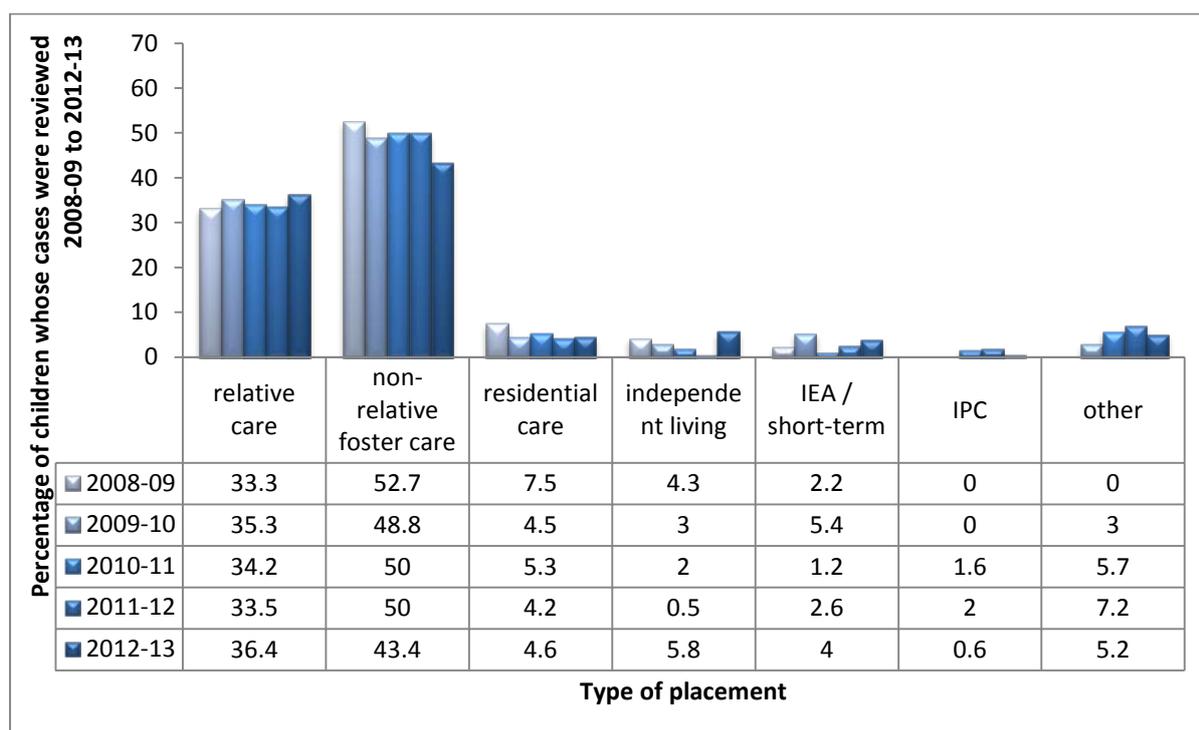
The 'type of placement' is consistent with previous years, with the exception of a noticeable decrease in non-relative foster care, as seen in Graph 3. The category 'IPC' refers to 'individualised

<sup>6</sup> In 2011-12, 83.5 per cent of children in care resided in family-based care.

<sup>7</sup> As at 30 June 2012, there were 2 528 children and young people in alternative care placements. This data is drawn from Families SA figures on children under the guardianship of the Minister, and the Australian Institute of Health and Welfare data on children in alternative care. Those under guardianship and those in alternative care placements are overlapping but not identical populations.

package of care'; a previous placement option for children with high and complex needs.<sup>8</sup> The category 'other' includes children and young people who have returned to the care of their parent(s) or self-placed with others without the approval of Families SA. Such arrangements are not formally regarded as 'placements'.

**Graph 3. Placement of children and young people whose annual reviews were audited in the last five years**



## Stability of placement

### *Long-term, stable placement*

In 136 cases (78 per cent) reviewed, the children and young people were in stable long-term placements.<sup>9</sup> Over the last five years of auditing annual reviews, the stability of placements has varied (see Graph 4), with a low of 68 per cent in 2010-11 and a high of 86 per cent in 2011-12.

There were nine adolescents who had been with their carers since early childhood. Five children and young people had been identified by Families SA for possible transfer of legal guardianship to their

<sup>8</sup> Individualised Packages of Care have been discontinued. However a very small number of young people remain in arrangements that were approved in previous years.

<sup>9</sup> In 2011-12, 86 per cent of children and young people reviewed were in long-term, stable placements.

long-term carers (known as 'other person guardianship'), reflecting the wishes of the children and the carers.

*Long-term, tenuous placement*

Ten (six per cent)<sup>10</sup> long-term placements were experiencing significant strain and were considered at risk of breakdown. It was difficult to determine the future stability of these placements. There were various reasons for these circumstances, including but not limited to:

- Personal and family circumstances of carers
- Conflictual relationship between carers and Families SA
- Concerns regarding the quality of care provided and the reported reluctance of carers to make changes to improve the care environment and experience
- The number of children with complex needs in same placement that results in the needs of each child not attended to.

*Temporary or short-term placement*

Nineteen (11 per cent)<sup>11</sup> children and young people whose cases were reviewed were in relatively new placements or arrangements that were considered temporary. These included, but are not limited to:

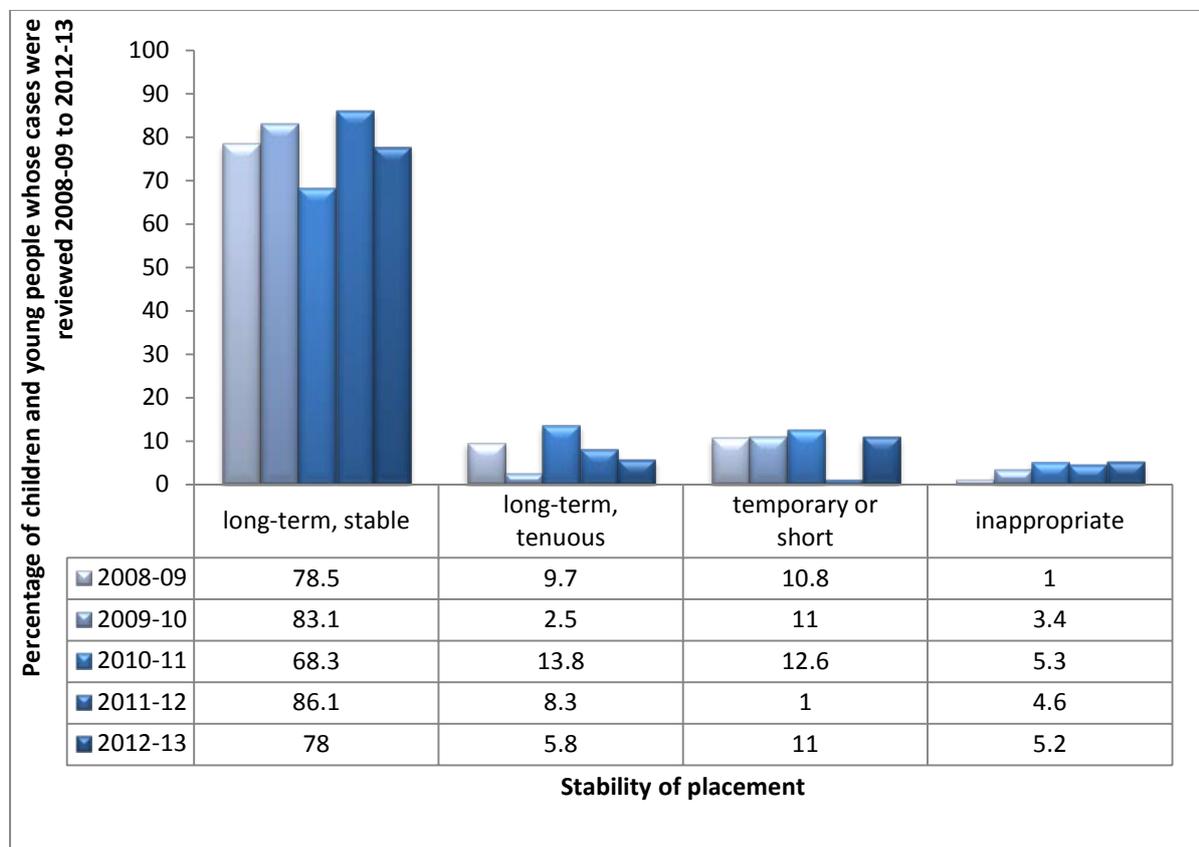
- Four children in residential care placements for the first time
- Three young people transitioned to independent living
- Two children moved to therapeutic placements following numerous short-term and emergency care placements
- Three children in interim emergency accommodation arrangements following disclosures of allegations of abuse in care.

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<sup>10</sup> In 2011-12, eight per cent of children and young people were considered to be in a long-term, tenuous placement.

<sup>11</sup> In 2011-12, only two (one per cent) children whose cases were reviewed were in temporary or short-term placements.

Graph 4. Stability of placement for children and young people whose annual reviews were audited in the last five years



*Inappropriate placement*

Nine (five per cent)<sup>12</sup> were in ‘placements’ that were considered inappropriate. Three adolescents were regarded as ‘self-placed’; one returned to his mother against the wishes of Families SA, one moved in with a school friend and the other moved between family members. In each of these three cases, it was reported that attempts to secure alternative care placements had been unsuccessful and no placements outside of residential care had been identified. The young people were reported to refuse placements in residential care.

Seven children and young people were placed in motel-type accommodation at the time of their annual reviews. Three of the children were aged younger than 12 years. One young person, aged 17 years, had been living in ‘emergency’ accommodation for 12 months and it was reported that the young person would transition to independent living once a Housing SA property became available.

<sup>12</sup> In 2011-12, a similar proportion of children and young people were in inappropriate arrangements.

### *History of placement instability*

Thirty-six children and young people (21 per cent) had experienced a significant number of placement changes during their time in care, including emergency care, short-term and respite while long-term placement options were sourced. Examples included:

- A three-year old girl with ten placements since entering care
- A five-year old boy with five placements in three years
- A seven-year old boy with a history of eight placements
- A 10-year old boy who experienced four placement breakdowns in 12 months and was in motel-type accommodation at the time of his annual review
- A 14-year old young woman with 11 previous placements.

Unlike previous years' findings, there was no particular group, by gender or age, which was more likely than others to encounter placement instability. Some of the identified factors contributing to instability included:

- Reported early childhood trauma that had adversely impacted on the building of meaningful connections and relationships
- Allegations of abuse in care
- Repeated, unsuccessful efforts to reunify a child before seeking long-term guardianship in their pre-teen years
- The recruitment, training and expectations of carers. In some cases, carers initiated the end of a placement that was intended to be long-term and it was reported that Families SA had not received clear reasons for successive placement breakdowns from the alternative care agencies.

## **Connections**

Significant connections to trustworthy adults help children and young people in care to build resilience and provide the necessary consistent emotional support. In 164 cases (94 per cent) the annual review identified at least one significant adult in the child's life.<sup>13</sup> The significant adult was

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<sup>13</sup> In 2011-12, 94 per cent of children and young people reviewed had at least one significant adult in their lives.

their carer family, birth mother and/or father or a relative who provided emotional support to the child or young person. This is a consistent result obtained for the last five years.

For the remaining ten children and young people (six per cent) the panel could not identify significant connections for them outside of their siblings and/or Families SA. Of particular concern was that five of this group were adolescents approaching independence.

For the most part, good efforts, and in some cases exceptional efforts, were made to ensure family contact was maintained. For 14 children and young people (eight per cent) there were significant difficulties in maintaining family contact. The difficulties comprised:

- The reported unreliable and inconsistent engagement with, and attendance at, scheduled contact by birth parents
- Intermittent contact influenced by the changing circumstances of the parents' lives
- The unknown whereabouts of birth parents
- Safety concerns if family contact did occur
- Extended family members not responding to Families SA efforts to facilitate contact
- Carers reportedly blocking family contact
- No plans by Families SA to facilitate family contact.

The connections between siblings in separate placements continue to be viewed as problematic and in some circumstances is a stubbornly persistent issue. A variety of contributing factors have been identified in previous years' audit reports and GCYP's systemic inquiry into the significance of sibling contact and relationships.<sup>14</sup> In five cases, the lack of required cooperation between Families SA offices, as well as multiple carers, to facilitate sibling contact, has negatively impacted upon the children. In three cases, children in separate placements had different views about sibling contact, including two children who refused it. In three cases the significance of sibling relationships were identified at the children's annual reviews but there had previously been no plans to facilitate contact.

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<sup>14</sup> GCYP (2011) Report on the inquiry into what children say about contact with their siblings and the impact sibling contact has on wellbeing. The recommendations of which were fully supported by the Minister and the Families SA Executive in January 2012.

One-hundred and fifty one children and young people (87 per cent) were supported to participate in a variety of activities that promoted social connections, including, but not limited to:

- Youth groups
- Sporting pursuits
- Artistic development
- CREATE Foundation
- Church

Seven children and young people received mentor support to participate in social and recreational activities.

## Cultural identity and connections

GCYP audited the annual reviews of 42 Aboriginal children and young people, or 24 per cent of the total number of reviews audited. Twenty-seven Aboriginal children and young people (64 per cent of the sub-group) were placed within their extended families. Another three Aboriginal children and young people were placed with Aboriginal carers at the time of their annual reviews.<sup>15</sup> Of the remaining 12 children and young people, eight resided in non-Aboriginal placements – either foster care or residential care. Four Aboriginal young people had commenced living independently in preparation for their transition from care. The placement of Aboriginal children and young people is illustrated in Chart 1.

As mentioned in the *Constitution of panels* sub-section, a Principal Aboriginal Consultant or Aboriginal Senior Project Officer was present at annual reviews for Aboriginal children and young people. In all but four of the 42 cases, there was evidence that cultural consultation had occurred to inform case planning during the year.

In 37 of the 42 cases (88 per cent) there was evidence that the children and young people were provided with information about their cultural heritage, mostly general rather than specific to clan groups, and 36 of the 42 children and young people had opportunity to engage in activities to promote their cultural identity, again mostly general rather than specific to their clan groups. The development and application of a cultural identity plan continued to be inconsistent across the

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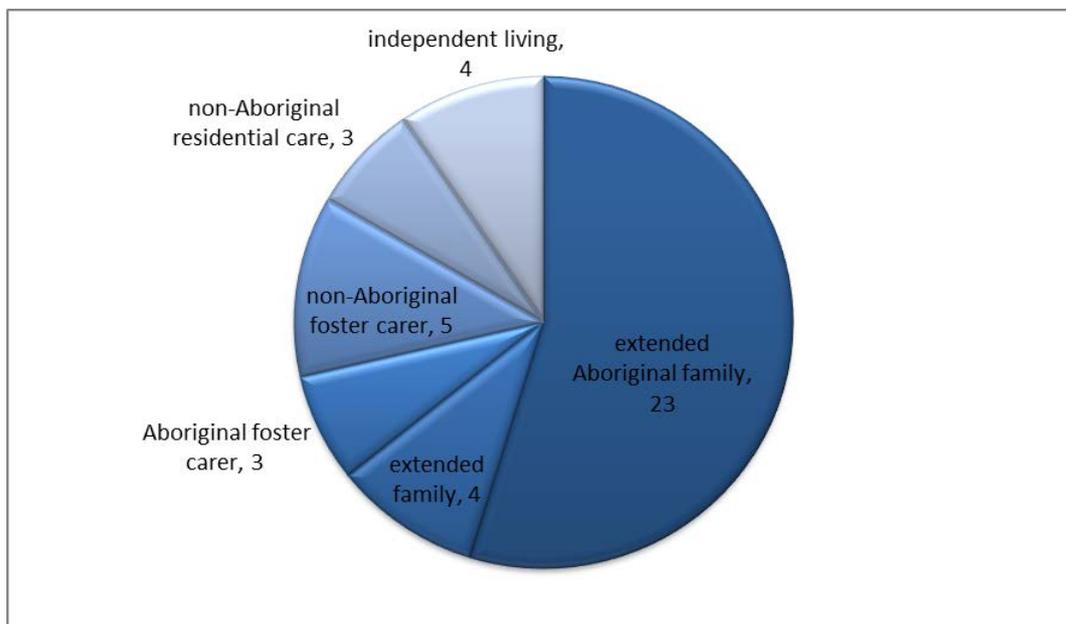
<sup>15</sup> In 2011-12, 56 per cent of the Aboriginal children and young people whose annual reviews were audited were placed with their extended family or with Aboriginal carers, compared with 71 per cent in 2012-13.

Families SA offices. Only 18 of the 42 Aboriginal children and young people were confirmed to have a cultural identity plan at the time of their annual reviews. While some offices indicated that identity planning had commenced or was to be prioritised, a number of social workers reported that they found it difficult to explore a family's cultural identity and heritage and then develop a plan to nurture the child's cultural identity and connections.

In 26 cases (62 per cent), development of an Aboriginal Life Story Book had commenced. In an additional six cases, it was reported that due to the child's age and/or their living in community, a cultural Life Story Book had not been provided and/or commenced. Of those children and young people in non-Aboriginal placements (excluding the four living independently), five of the eight children and young people had an Aboriginal Life Story Book. Four of the five children and young people had a Life Story Book specific to their clan group.

During 2012-13, annual reviews for children and young people of refugee backgrounds were not audited. GCYP was scheduled to attend annual reviews for the purposes of auditing but those reviews were cancelled and GCYP was informed that changes were being made to the organisation of annual reviews conducted by Intercountry Services.

**Chart 1. Placement of Aboriginal children and young people whose annual reviews were audited by GCYP**



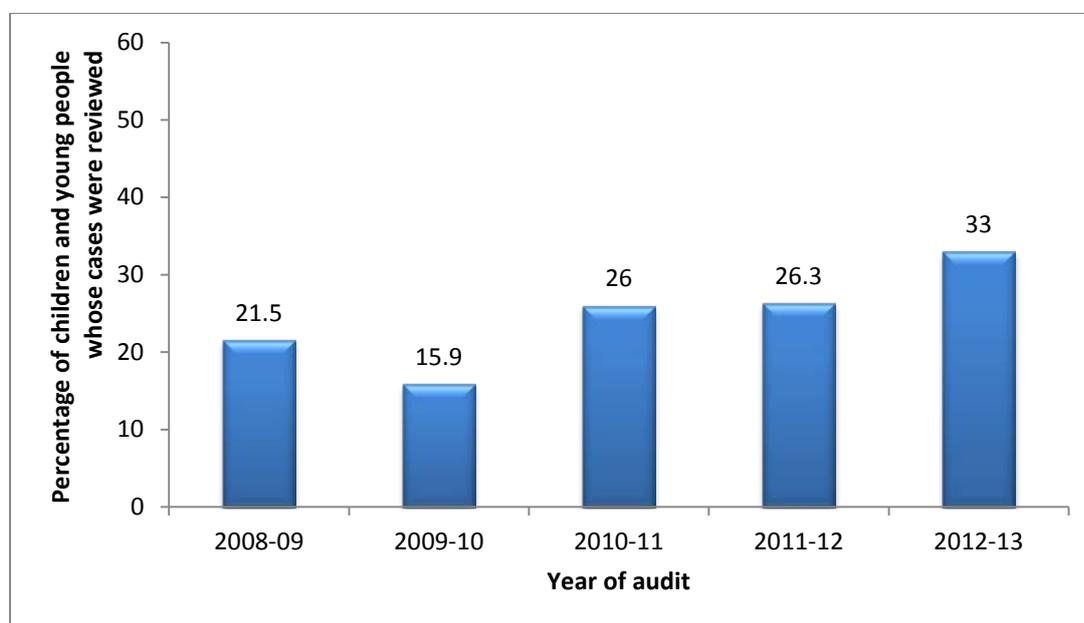
## Participation

One hundred and fifty three children and young people (88 per cent), with regards to age and capacity, were considered competent to present their views to the review panel. Of those children and young people, one out of every three children and young people whose annual review was audited, presented their views directly to the panel:

- Ten (six per cent) were supported to attend their annual reviews.<sup>16</sup>
- Forty-two (27 per cent) participated by completing the survey form.<sup>17</sup>

Graph 5 shows that over the past five years of auditing by GCYP, there has been an improvement in the direct participation of those children and young people considered capable to present their views. However, this is due to the growth of surveys distributed and returned, as the percentage of children and young people attending their annual reviews has continued to fall from its highest result of almost nine per cent in 2010-11 (see the total participation of children and young people represented in Graph 6).

**Graph 5. Direct participation of children and young people whose annual reviews were audited in the last five years**



<sup>16</sup> In 2011-12, 13 children and young people (seven per cent) attended their annual reviews.

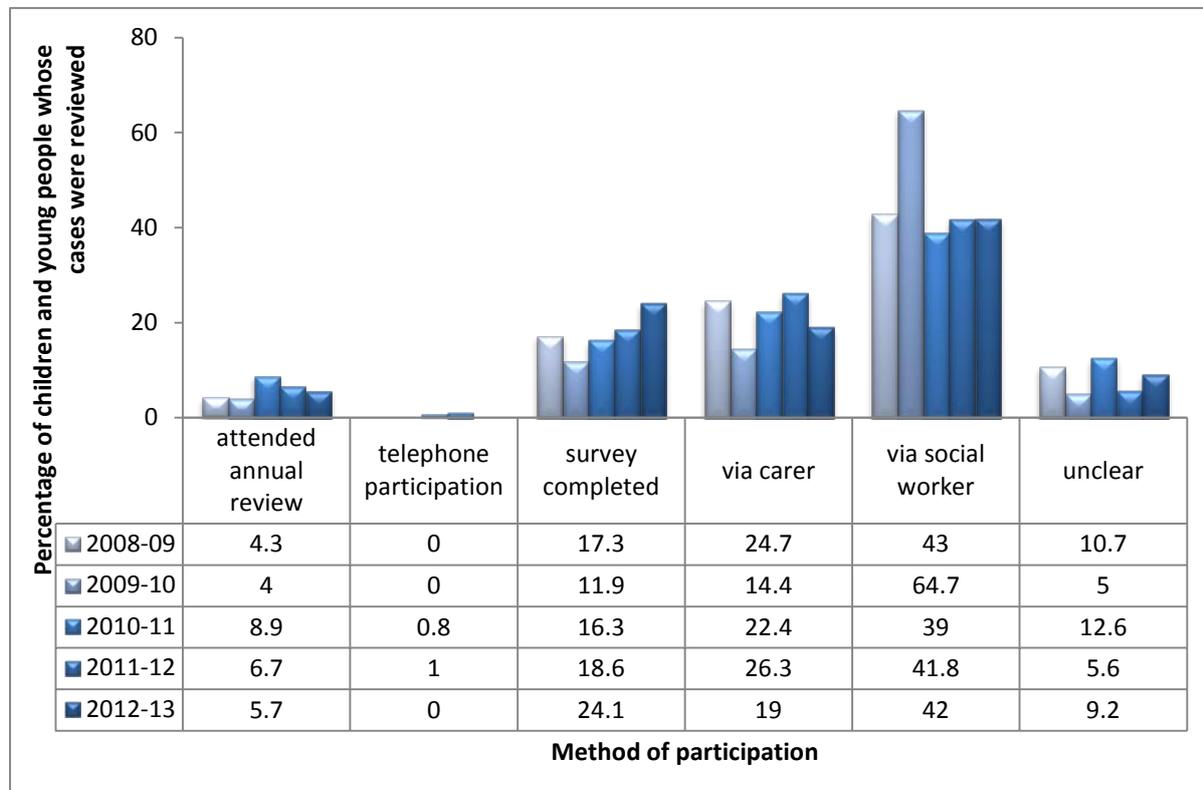
<sup>17</sup> In 2011-12, 36 children and young people (18 per cent) contributed to their annual reviews by completing a survey that was presented to the annual review panel.

It was reported that surveys were distributed to children and young people in another 27 cases but not returned at the time of the annual review. Three offices reported that a case work assistant or administrative staff routinely distributed annual review surveys to children and young people, their carer and birth family via a general mail out in preparation for the annual review meeting, although not always proximal to the date of the annual review. And based on the reports to the review panel by some allocated social workers, there was little communication between the social workers and children about the purpose and completion of the surveys that had been sent.

There were 14 cases in which it was acknowledged that the child or young person and carers had not been told about the annual reviews and not provided the opportunity to contribute.

The total participation of children and young people in their annual reviews is documented as occurring directly (via the child’s attendance, via a tele-conference with the child, or the completion and submission of the survey) or indirectly (via the child’s social worker or via the child’s carer).

**Graph 6. Total participation of children and young people (direct or indirect) whose annual reviews were audited in the last five years**



In the absence of the child's active voice, GCYP considered the role of others, primarily social workers and carers, to represent the child's views in the annual review. Of the 122 children and young people who did not actively participate in their annual reviews, whether they had the capacity to or not, the social worker spoke in detail about the child or young person's involvement in case decisions and demonstrated a thorough knowledge of the child's views in 73 cases (41 per cent of the total reviews audited). In another 33 cases (19 per cent of the total reviews audited), the child's carer participated in the annual review representing the views of the child. Such representations were not limited to children and young people who did not have the capacity to participate. There were eight instances of the carer, but not the child or young person, participating in the annual review, without any indication that the child or young person was incapable. In this reporting period, the engagement of carers to provide their own views regarding a child's circumstances declined from previous years.

The voice of the child or young person was absent in a total of 16 cases (nine per cent) for a number of reasons.<sup>18</sup> Of significant concern were 12 instances of the social worker not demonstrating knowledge of the child's or young person's views, often due to lack of contact with the child or young person. This included three children who resided interstate with separate, long-term carers, and there was no direct contact between the children and Families SA.<sup>19</sup> There were also four cases in which it was reported to the panel that the carers prevented or blocked independent contact between the child and the social worker or the child refused to engage with Families SA. Three different offices acknowledged 'little' or 'minimal' involvement with particular children and their carer families. Information was also presented to the review panel, that the children in those circumstances had no understanding of the role of Families SA and in two cases, the children were not aware that they were in care.

Increasingly Families SA offices were distinguishing between 'administrative' and 'full' reviews. In previous audit years this was only an identified practice in one office. In 2012-13, four offices reported that they did only 'administrative reviews' of some cases. The active participation of others

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<sup>18</sup> This means that there was no direct or indirect (via carer or social worker) representation of the child's views and wishes.

<sup>19</sup> In one of these cases the transfer of court order had not been attended to and in the other two the request to the interstate authority for local casework assistance had been rejected.

is only sought for those deemed 'full' reviews. The distribution of survey forms to facilitate the active participation of children and young people remains an inconsistent practice across Families SA.

## Safety

During the audits of annual reviews there were significant safety concerns for eight children and young people. Three children and young people had disclosed allegations of abuse in care since their previous annual review. Another three young people were reported to be homeless, two of whom were frequently transient yet often communicated their whereabouts to Families SA, and the third who was frequently reported missing from placement. Two additional young people, living independently, were considered to be at high-risk and had varying levels of engagement with appropriate support services.

In another 15 cases, safety for children and young people could not be confirmed, or confidently evaluated, due to insufficient or conflicting information.

## Interagency collaboration

One-hundred and thirty seven cases were identified as requiring interagency collaboration. There was evidence of strong interagency collaboration in 108 cases (62 per cent of all cases, and 79 per cent of cases requiring interagency collaboration) to enhance service delivery and ultimately improve outcomes for the children and young people.<sup>20</sup> However, there were only five cases in which an external service provider or agency actively contributed to the child's or young person's annual review. They were from an alternative care agency, Education (regional office) and Disability Services.

Twelve cases (seven per cent of those requiring it) were assessed as having weak interagency collaboration and the success of interagency collaboration was unclear in another 17 cases (10 per cent). In one case a 17-year old had been referred to Housing SA for a Direct Lease property, as part of the transitioning from care plan, however had been maintained in an 'emergency' placement for one year because a Direct Lease house was reportedly not available. In two country locations it was reported that Child and Adolescent Mental Health Services (CAMHS) was not giving priority to children under the guardianship of the Minister, as required by the Rapid Response policy. Further, it

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<sup>20</sup> In 2011-12, there was evidence of strong interagency collaboration in 49 per cent of all cases and 74 per cent of cases requiring interagency collaboration.

was reported that only children with significant self-harm and suicidal ideations were receiving active services.

In 37 cases (21 per cent) Families SA reported that no other agency was involved in the child or young person's life and that interagency collaboration was not needed.

## Education

The annual reviews highlighted some great examples of children and young people being encouraged and supported to participate in educational and extra-curricular activities. One hundred and thirty-three children and young people were of school-age and attended a public pre-, primary or secondary school. Eighty-three per cent of them had current Individual, or Negotiated Education Plans completed for the school year.<sup>21</sup> For 22 school-aged children and young people attending public schools, (17 per cent) there was no plan completed for the current year, the previous year's plan had expired or the Families SA office reported it was awaiting response from the child's school to convene a meeting. Graph 7 illustrates the number of Individual Education Plans completed in the current school year during the last five years. The numbers vary between 76 and 83 per cent completion.

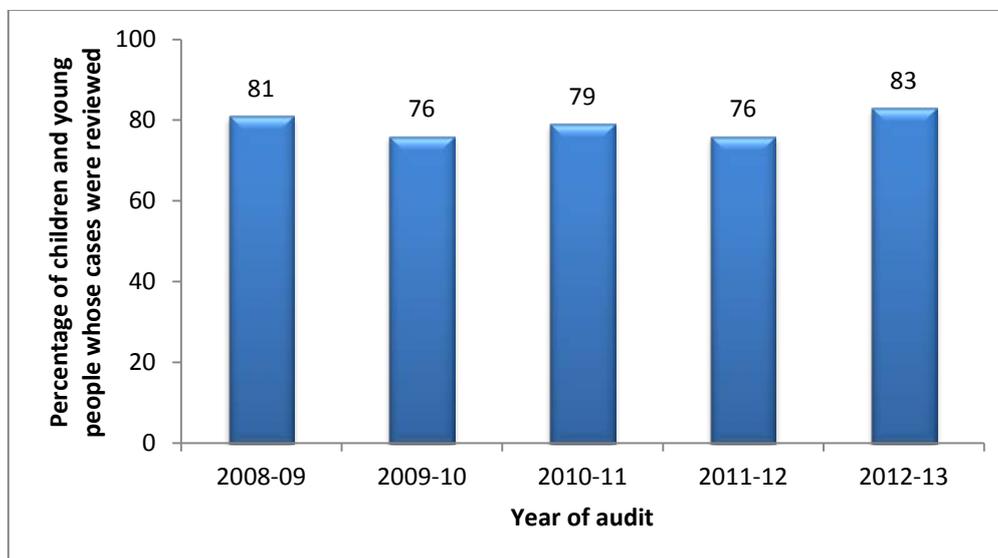
Of concern were reports of children and young people experiencing significant challenges, and at times with little explanation:

- A three-year old, entitled to early entry kindergarten to promote long-term educational outcomes, was 'blocked' by the selected kindergarten and not permitted to start until just prior to her fourth birthday.
- An adolescent wanting to return to school after a period of disengagement but the local, public high school initially refused to accept the young person's enrolment.
- On four occasions Families SA offices reported disagreements with 10 schools about the responsibility for funding additional school support for children and young people in care.

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<sup>21</sup> In 2011-12, 76 per cent of eligible children and young people whose cases were reviewed had Individual or Negotiated Educations completed for the school year. There was no requirement for independent schools to develop Plans in conjunction with Families SA.

**Graph 7. Individual Education Plans current for eligible children and young people whose annual reviews were audited in the last five years**



## Health and disability

All children and young people in care can expect a minimum level of casework service to ensure their safety, stability, health and wellbeing. In addition to that minimum level of service, children and young people may require supplementary assessments and services to meet their individualised needs.

Eighty per cent, or 139 children and young people whose cases were reviewed were receiving standard health services to meet their needs, and specific health and disability services, where necessary, to meet additional individual needs. For the remaining 35 children and young people there were numerous issues, and at times more than one issue, impacting upon their needs being met:

- In 11 cases, baseline medical and/or psychological assessments to inform identification of needs and case planning had not been undertaken, or could not be confirmed by the allocated social worker.
- Six children and young people were reported to have mental health issues, however only two had been assessed. Two young people within this group were being transitioned out of care within the six months following their annual review and were reported to have 'mental health instability'.

- Five children and young people with disabilities were not receiving active support from Disability Services.
- In four cases previous annual review outcomes recommending referrals for specialised assessments and services not completed.
- One young person had been waiting six months for therapy following a referral.
- Eight children and young people were reported to refuse to engage with health services.

## Case worker and practice

As seen in previous years, there were examples of excellent casework practice, including regular, independent face-to-face contact between the child and the social worker, extensive research into the child's familial and cultural heritage to strengthen identity and connections, and active advocacy on behalf of the child.

Nonetheless, there were also 13 instances where the social worker had limited knowledge of the child or young person, or was not pro-active in working with the child. This resulted in casework service that only responded to crises and an inability to assess whether the care provided was meeting the needs of the child.

In 12 cases of a group of 48 (25 per cent of the sub-group), transition planning for an adolescent approaching independence had not commenced.<sup>22</sup>

In 16 of the cases (nine per cent) reviewed either the social worker acknowledged, or the review panel sought to confirm, that the child or young person did not have a current case plan. In eight of these cases, the child's circumstances had changed and therefore the expired case plan did not reflect the child's circumstances at the time of the annual review.

There were 34 children and young people (21 per cent) who were allocated a social worker but it was reported that they had less than the expected monthly contact or had only been allocated to that worker for less than three months. Only three of the 34 cases had been assessed and approved

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<sup>22</sup> Forty-eight young people whose cases were reviewed were aged 15 years or over and were entitled to transition planning. For young people located in the metropolitan region transition planning is required as per the Families SA's *Transition Planning for Young People Leaving Care (metro region) Practice Guide*, June 2007. The Practice Guide states that the transition plan is to be reviewed during the process of the Annual Review. Within country offices, transition planning is undertaken 'in-house'.

for a differential case management response, reducing the level of direct contact dependent on the child's circumstances and assessed needs.<sup>23</sup>

There were three children residing interstate. In each of these cases there was irregular phone or email contact between the worker and the carers but no direct contact with the children. Interstate casework arrangements had been negotiated with one child protection agency but it was reported that the case had not yet been allocated.

In some of the cases in which the child did not have regular contact with the same case worker, social workers reported a number of difficulties in maintaining regular contact due to location of the child's placement, a refusal by the child to have contact with the social worker or Families SA and barriers to regular contact created by carers.

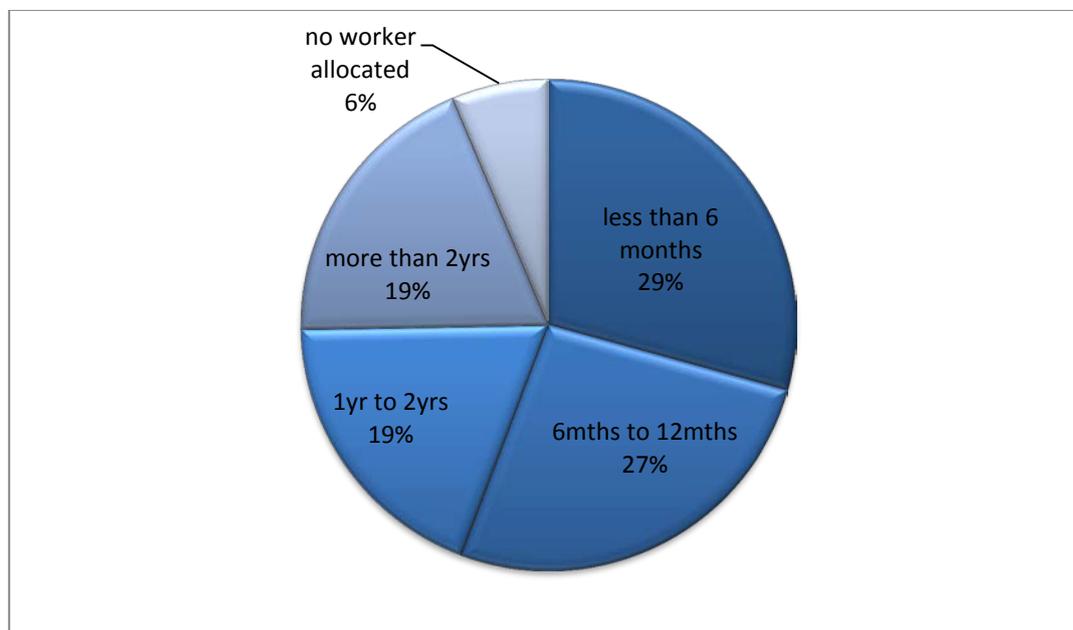
A few social workers in country offices reported that they found it difficult to explore the cultural heritage and connections for children whose cultural identities had not been confirmed. Further, some social workers in country and metropolitan offices reported that they do not feel confident to undertake cultural specific life story work on behalf of, or with Aboriginal children and young people. On the few occasions where little work had been done on cultural connections, the review panels expressed dismay and shared the view that the Aboriginal Life Story Book is a self-explanatory tool and that workers have a professional responsibility to develop necessary skills and perform tasks associated with their roles.

Eleven of the cases (six per cent) reviewed were not allocated to a case worker, nor assessed and approved for differential response. In five of these cases, the senior practitioner was reported to be attending to critical tasks. However there was neither a pro-active relationship with the child nor any facilitation of the child in case planning. An additional four cases were identified as becoming unallocated following the annual reviews, resulting from the impending departure of workers. The length of time the social worker (at the time of the annual review) had been allocated is illustrated in Chart 2.

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<sup>23</sup> The three children were receiving formal face-to-face contact once every three months.

Chart 2. Length of time the social worker had been allocated to child or young person whose annual review was audited by GCYP



## Quality of the review process

Similar to previous years, the way in which reviews were conducted was inconsistent across Families SA offices. The panel composition across Families SA offices impacts on the quality of the annual reviews conducted. GCYP has observed engaging and participative annual reviews, often consistently achieved by the same offices.

Based on our observations, a child's circumstances are discussed and considered in greater detail where there is some level of participation from external service providers and/or independent panel members, and when more than thirty minutes is allocated to the review. The quality and depth of the discussion is always enhanced by the participation of a Principal Social Worker or Manager.

On a few occasions GCYP noted that the annual reviews commenced with a review of the previous year's recommendations and a status report on the progress of implementation of those recommendations. However, this mostly did not occur.

Similar to last year's findings, there was evidence in a few cases that previous annual reviews' recommendations had not been implemented. This continues to be of particular concern.

## Being in care information

The *Charter of Rights for Children and Young People in Care* has been developed to inform children and young people of their rights. Families SA, through its endorsement of the *Charter* is also committed to ensuring that these rights are met. Of the 136 children and young people who were old enough to, and considered capable of understanding the *Charter*, 107 (79 per cent of the sub-group or 61 per cent of the total) had.<sup>24</sup> However, although provided, it was not always clear that the allocated social workers had spoken with children and young people *about* the *Charter* to explain why it exists and what it means for them.

In 2011 GCYP produced boxes of flashcards, relevant to gender and developmental capacity, to communicate significant aspects of the *Charter* to children and young people in care with disabilities or low literacy. Disability Services distributed them to children and their carers. Children and young people with disabilities whose cases were reviewed and who had not received the flashcards were provided with a set by GCYP subsequent to the child's annual reviews.

Previously, the Office has acknowledged, in discussion with some Families SA offices that the *Charter*, in its current form, was not culturally appropriate for Aboriginal children and young people living in kinship arrangements in remote communities. These circumstances are not counted among the 136 who should have received the *Charter*.

Most children and young people in care rely on oral information sharing from their carers and social workers to understand their circumstances. The disrupted family life of children and young people who come into care often means the loss of knowledge of their history, the documents and the photographs and the significant memories and associations that come with them. Life Story Books are a means to safeguard and make young people's history available to them. The creation and management of a child's Life Story Book requires a sensitive and planned approach.

Forty-one per cent of the children and young people whose cases were reviewed had Life Story Books.<sup>25</sup> Graph 8 illustrates the consistent growth of the creation and maintenance of Life Story Books since 2009-10.<sup>26</sup>

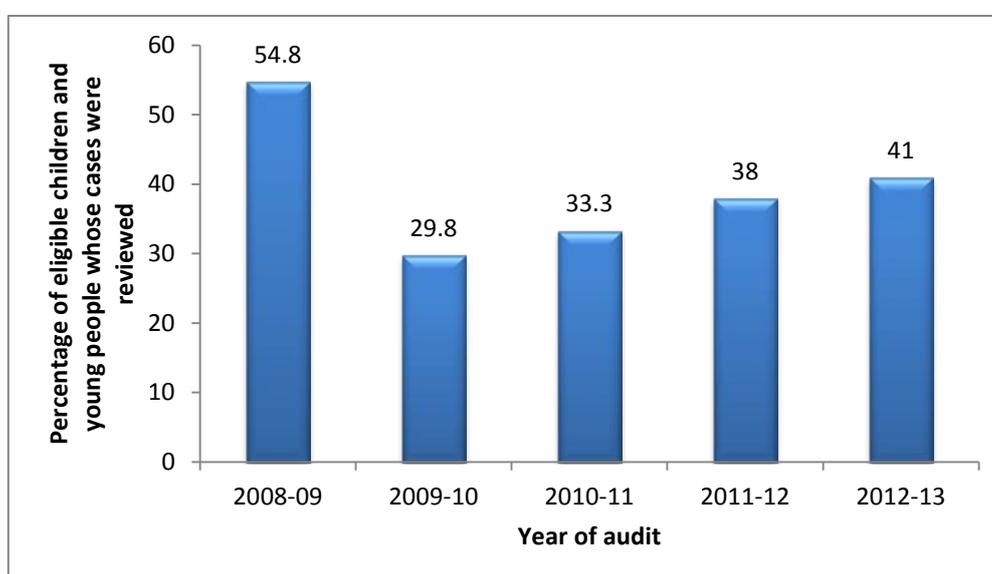
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<sup>24</sup> In 2011-12, 67 per cent of eligible children and young people whose cases were reviewed had been provided with the *Charter of Rights for Children and Young People in Care*.

<sup>25</sup> In 2011-12, 38 per cent of children and young people reviewed had Life Story Books.

In 28 cases, a Life Story Book was considered not appropriate due to the child's incapacity to understand and contribute or because of their circumstances, such as Aboriginal children and young people living in community and being grown up with their culture, law, history and language, or other children and young people who have been placed within their extended family. Therefore, 43 per cent of children and young people, who could have made use of one, did not have a Life Story Book. There continues to be a lack of understanding and appreciation amongst social workers and carers of the purpose of a Life Story Book and the value to children and young people in care.

**Graph 8. Children and young people with Life Story Books**



## Identified systems issues

Social workers and supervisors were willing to discuss systemic issues. In addition to the unallocation of six per cent of cases, reportedly due to inadequate resourcing of Families SA offices, the following issues were identified in this reporting period:

- There appears to be a growth in placements within certain locations resulting in disproportionate numbers of cases transferring in, compared with transferring out, and

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<sup>26</sup> Families SA has been reviewing the Life Story Book for non-Aboriginal children since 2011. There is as yet no final approach to this work. (correspondence, Families SA, received 3/9/2013) This, in part, explains the low rate of use of Life Story Books.

subsequently increasing the number of unallocated cases in those offices. One office had 23 cases unallocated. This would require almost two additional full-time social workers.

- A lack of respite carers in regional areas to provide appropriate and consistent care for children who present with significant challenging behaviours resulting from the trauma they experienced in their early childhood.
- It is increasingly challenging for Families SA offices in metropolitan Adelaide to convene review panels that have independent members. A Principal Social Worker participated in annual reviews on only three of the sixteen occasions, within nine metropolitan offices, that GCYP attended for the purpose of auditing annual reviews. In comparison, a Principal Social Worker participated in annual reviews on 13 of 17 occasions, within six country offices, that GCYP attending for auditing. The engagement of panel members external to Families SA continues to be significantly limited.
- Difficulties regarding interagency collaboration, such as a lack of service or conflict between professionals, were reported at annual reviews, but were acknowledged to not have been reported to Families SA managers who could have addressed the issues at a regional level. This occurred at annual reviews at metropolitan and country offices.
- There appears to greater difficulty in securing housing for young people transitioning out of care via Housing SA. Numerous Families SA offices reported incidences of referrals not being accepted. For those young people whose referrals were accepted, significant waiting times, such as greater than 18 months, were reported.

Systemic issues identified in previous years that remain current are:

- Aboriginal children and young people were not consistently identified specific to their clan group(s). This prevented planning to promote specific cultural connections and culturally appropriate activities, such as language classes, camps and visits to community. Also, the inconsistent development of Cultural Identity Plans further hinders Aboriginal children and young people's connections to their family, community and culture.
- A lack of culturally appropriate placements has resulted in Aboriginal children being placed in non-Aboriginal foster or residential care arrangements. In a number of cases very young Aboriginal children have been placed in a non-Aboriginal foster case placement and formed an attachment with their carer. Advice sought from psychological services indicated that the child's removal from the placement would likely cause significant emotional harm. Aboriginal children and young people within residential care settings were often placed out

of their community, frequently relocating to Adelaide, with little case management support to regularly visit their family and community.

- New family-based placements were difficult to secure for children and young people, and not necessarily just for those with a history of placement instability or complex needs. A lack of family-based placements has resulted in younger children being placed in residential care, children and young people remaining in emergency care arrangements for lengthy periods, and regionally based children and young people relocating to Adelaide, causing significant upheaval and disconnection.
- Sibling groups separated across numerous placements have varying success with meaningful sibling contact arrangements. Sibling contact was impeded by a number of factors, including poor coordination across Families SA offices, uncooperative relationships between carers, inactive involvement of a social worker to facilitate, and the exclusion of children and young people in decisions about contact.

## Conclusion

The purpose of annual reviews is to determine the quality of a child or young person's care arrangements and to discuss their immediate and longer term ambitions and needs. The process should include reviewing the previous recommendations, reflecting on progress made and the impact of actions undertaken. This reflection then strengthens the planning for the year ahead and is integral to the ongoing assessment of, and response to, the child's needs and aspirations. Good annual reviews have the active participation of the child, their carers, external agencies and where appropriate, the birth family. The Office of the Guardian for Children and Young People's audit found that:

- Of the 174 children and young people whose cases were reviewed, 136 (78 per cent) were in stable, long-term placements.
- Of the children and young people whose cases were reviewed, 164 (94 per cent) had at least one significant adult in their lives.
- Ten children and young people (six per cent) including five adolescents approaching independence did not have any significant connections beyond Families SA.
- Forty-two of the annual reviews audited were for Aboriginal children and young people. Thirty (71 per cent) were placed with their extended family or with Aboriginal carers.
- Of the 153 children and young people who were considered capable of directly contributing to their annual reviews, 52 (33 per cent) participated in their annual review, either by attending (six per cent) or by completing a survey (27 per cent). Sixty-seven per cent of children and young people, who could have directly participated, did not. Fifty-seven per cent of those capable had their views represented by either their social worker or carer.
- Sixteen children and young people (ten per cent of those who were capable of presenting their views to the panel) did not have a voice, directly or indirectly.

- Of the 174 children and young people whose cases were reviewed, 151 (87 per cent) were confidently considered safe and reported to feel safe.
- Of the 133 children and young people who were of school age and attending a public pre-, primary or secondary school, it was reported that 111 (83 per cent) had current Individual, or Negotiated Education Plans at the time of the annual reviews.
- Of the 174 children and young people whose cases were reviewed, 139 (80 per cent) were receiving standard health services and, where necessary, specific health and disability services to meet their needs. Twenty per cent were not receiving the services they required.
- Forty-five children and young people (26 per cent) whose cases were reviewed did not have regular contact with the same worker. Of this group, 34 (20 per cent of the total number of annual reviews audited) who were allocated a social worker received less than the recommended monthly face-to-face contact, including three children who were receiving an assessed and approved differential case management response. Eleven children (six per cent) were not allocated to a case worker.
- Twelve of the 48 young people aged 15 years and over did not have transition plans as required by Families SA policy.
- Of the 136 children and young people who had the capacity to understand, 107 (79 per cent) had been provided with the *Charter of Rights for Children and Young People in Care*.
- Seventy-one children and young people (41 per cent) whose cases were reviewed had a Life Story Book. This included 26 Aboriginal children and young people who have been supported to develop a culturally appropriate Life Story Book.

Based on the comparison with the 2011-12 Audit of Annual Reviews it appears that:

- Improvements have been achieved in the following areas
  - placement of Aboriginal children within their extended family or in Aboriginal foster placements;
  - implementation of Individual Education Plans;
  - information to children and young people about being in care; and
  - interagency collaboration in the provision of services.

Although, the results indicate that improvements have been made in the participation of children and young people in their annual reviews, the growth is solely attributed to the use of the survey. There has been a continuing decline in the proportion of children and young people attending their annual reviews since its highest result of almost nine per cent in 2010-11.

- Similar results to last year have been achieved in the following areas
  - children's connections to significant others;
  - children receiving standard health services and, where necessary, specific health and disability services to meet their needs; and
  - number of children and young people who have regular contact with the same case worker.
- GCYP is concerned about results in the following areas
  - the decline of stable, long-term placements, with a marked increase in short-term, temporary and/or inappropriate placements, including the use of emergency care for sustained periods;
  - slight increase in the number of children and young people who did not have a voice in their annual reviews; and
  - the persistent lack of engagement in annual reviews of service providers known to the child or young person to inform decision-making and goal setting.

The audits of annual reviews for the last five years indicate the following trends<sup>27</sup>:

- With the exception of 2010-11, placement stability has been achieved for seven or eight out of every ten children and young people.
- Family-based care, as a proportion of all out-of-home care, has been on a slight decline since 2008-09.
- With the exception of 2011-12, one or two out of every ten children and young people were in short-term or temporary placement arrangements at the time of their annual reviews.
- The proportion of unallocated cases has doubled, from its lowest at three per cent of cases to its current high of six per cent.

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<sup>27</sup> The audits over this time have been slightly above or below 10 per cent of all the reviews which were to have been conducted, so the trends should be taken as an indication only.

- The implementation of Individual Education Plans has remained fairly steady, ranging from 76 to 83 per cent.
- The proportion of children and young people directly participating in annual reviews has almost doubled, although the attendance of children has continually declined.

GCYP has provided written feedback to every Families SA office visited in this audit of annual reviews, with a copy provided to the Regional Director. This enables GCYP to monitor the specific issues that arose for each of these offices. In 2013-14 GCYP will advocate strongly for significant improvements to the quality of annual reviews, promoting consistency across the numerous Families SA offices, as well as advocating for continuous improvements to the inclusion of others in decision-making.

## Appendix A

### Families SA offices visited for the purposes of auditing annual reviews

Office	Number of reviews attended in 2012-13 <sup>28</sup>	Office	Number of reviews attended in 2012-13
Adelaide	5	North Eastern	13
Ceduna	5	Onkaparinga	8
Coober Pedy	0	Port Augusta	20
Elizabeth	6	Port Lincoln	16
Gawler	8	Port Pirie	19
Limestone Coast	0	Riverland	15
Marion	8	Salisbury	8
Mt Barker	10	Whyalla	10
Murraylands	17	Woodville	6
Intercountry Services (formerly known as Refugee Program)	0		

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<sup>28</sup> On four occasions GCYP declined invitations to attend scheduled annual reviews due to prior commitments with other offices. In addition, there were six occasions when annual reviews to which GCYP was committed were cancelled or rescheduled at short notice.