

The circumstances of children and young people in care

A report on the 2013-2014 Audit of Annual Reviews



Government of South Australia

Office of the Guardian
for Children and Young People

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Contents

| | |
|-----------------------------------|-----------|
| Introduction | 1 |
| Annual reviews | 3 |
| Purpose of Annual Reviews | 3 |
| Audit of Annual Reviews | 4 |
| 2013-14 Audit | 4 |
| Limitations of the audit process | 4 |
| Constitution of panels | 5 |
| Findings | 6 |
| Placement | 7 |
| Connections | 11 |
| Cultural identity and connections | 13 |
| Participation | 15 |
| Safety | 18 |
| Interagency collaboration | 19 |
| Education | 19 |
| Health and disability | 21 |
| Case worker and practice | 21 |
| Quality of the review process | 23 |
| Being in care information | 24 |
| Identified systems issues | 26 |
| Conclusion | 28 |
| Appendix A | 32 |

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 2013-14 the Office audited 208 reviews at 12 Families SA offices, or 9.3 per cent¹ 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

¹As of June 2013 there were 2 245 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, 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 six 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.²

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

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:

- 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.

2013-14 Audit

GCYP's goal for 2013-14 was to attend 200 annual reviews in the reporting period. The Office attended 208 annual reviews, equivalent to 9.3 per cent of the children and young people under long-term guardianship orders.³

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 27 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 six occasions feedback was delayed beyond one week and completed within two weeks. The offices visited in 2013-14 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.

³ As at 30 June 2013.

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.

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 Guardianship team supervisor responsible for the case that convenes and chairs the panel.⁴ A Families SA Manager of one of the 12 offices attended and participated in discussions on three occasions. The Principal Social Workers were highly engaged in the annual reviews conducted in country offices, and on most occasions, chaired the panel. A Principal Social Worker was not a member of a review panel in any metropolitan location that GCYP attended for the purpose of auditing.

Two offices facilitated the participation of an independent panel member, both of whom were senior staff members from external agencies. On eight occasions, in offices where there was more than one Guardianship team, the supervisor from another team either participated as a panel member or chaired the panel discussion.

On four visits to Families SA offices, annual reviews were conducted solely by the supervisor, or on one occasion an Acting Senior Practitioner, not a panel. On three of the four occasions, no explanations were offered as to why a panel, as per the practice guidelines, had not been established. On the occasion that the Acting Senior Practitioner was the sole reviewer, the Supervisor's absence was explained.

All but one office included a cultural representative on the panel for reviews of the circumstances of Aboriginal children. Therefore, scheduled annual reviews for Aboriginal children were postponed at that office at the request of GCYP. The engagement of a cultural consultant was achieved primarily via the participation of a regional Principal Aboriginal Consultant.

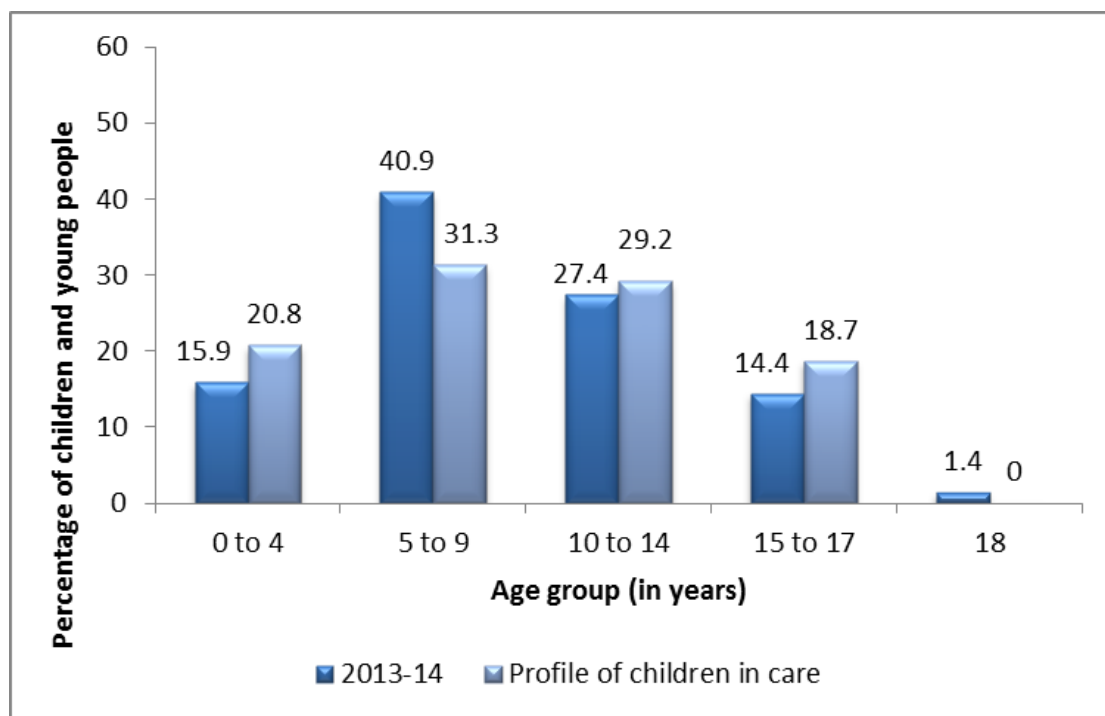
(See p 23 for comments on the quality of the review process.)

⁴ Guardianship team 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.⁵

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



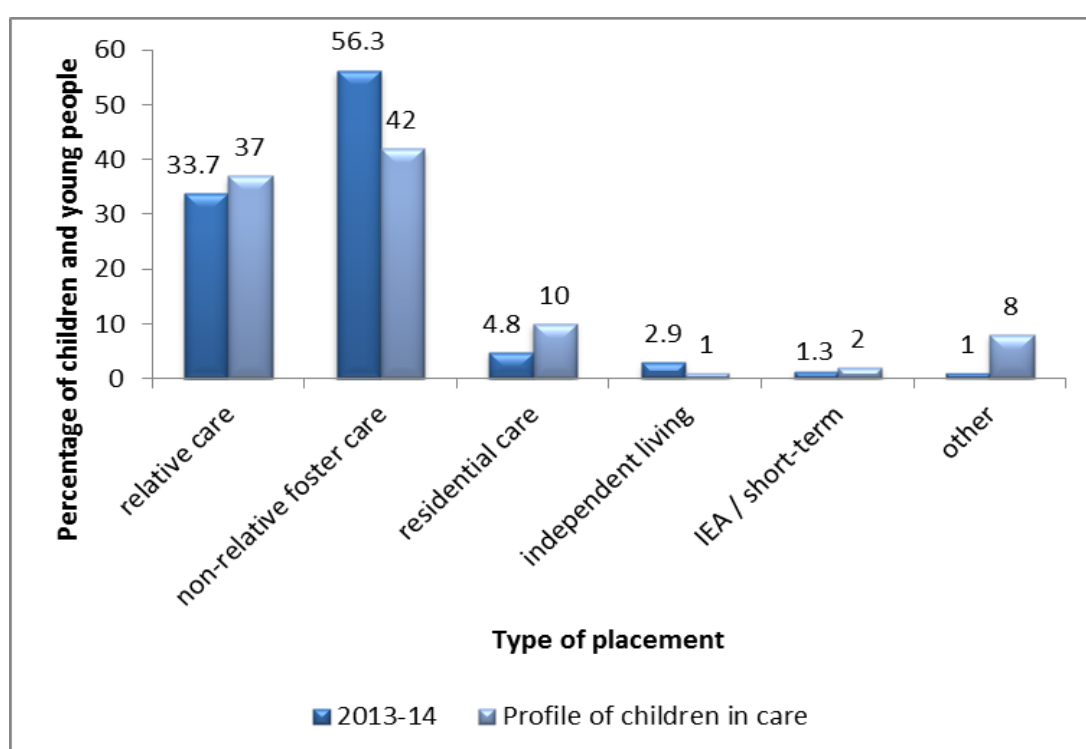
⁵ As at 30 June 2013.

Placement

Type of placement

Graph 2 illustrates the placements of children whose annual reviews were audited in the reporting period. Ninety per cent of children whose annual reviews were audited resided in family-based care, either with relatives or foster carers.⁶ The GCYP had no control over the cases reviewed and only attended those that Families SA offices scheduled for review.

Graph 2. Type of placement⁷



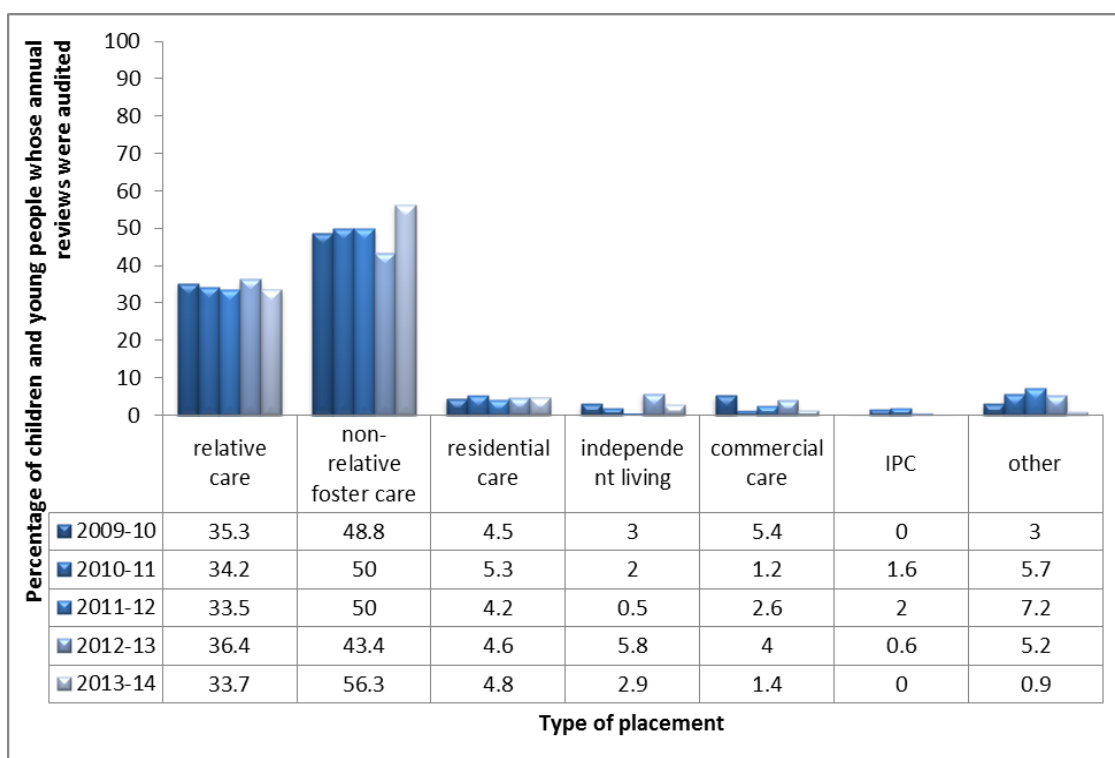
The 'type of placement' is relatively consistent with previous years as seen in Graph 3. The category 'IPC' refers to 'individualised package of care'; a previous placement option for children with high

⁶ In 2012-13, 79.8 per cent of children in care whose annual reviews were audited resided in family-based care.

⁷ As at 30 June 2013, there were 2 657 children and young people in alternative care placements, including 21 aged 18 years or over. 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.

and complex needs.⁸ 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 168 annual reviews (81 per cent) audited, the children and young people were considered to be in stable long-term placements.⁹ 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.

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

⁹ In 2012-13, 78 per cent of children and young people reviewed were in long-term, stable placements.

There were ten adolescents who had been with their carers since early childhood. Nine children and young people had been identified by Families SA for possible transfer of legal guardianship to their long-term carers (known as 'other person guardianship'), reflecting the wishes of the children and the carers.

Long-term, tenuous placement

Eleven (five per cent)¹⁰ 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, which were also observed in last year's audit, 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

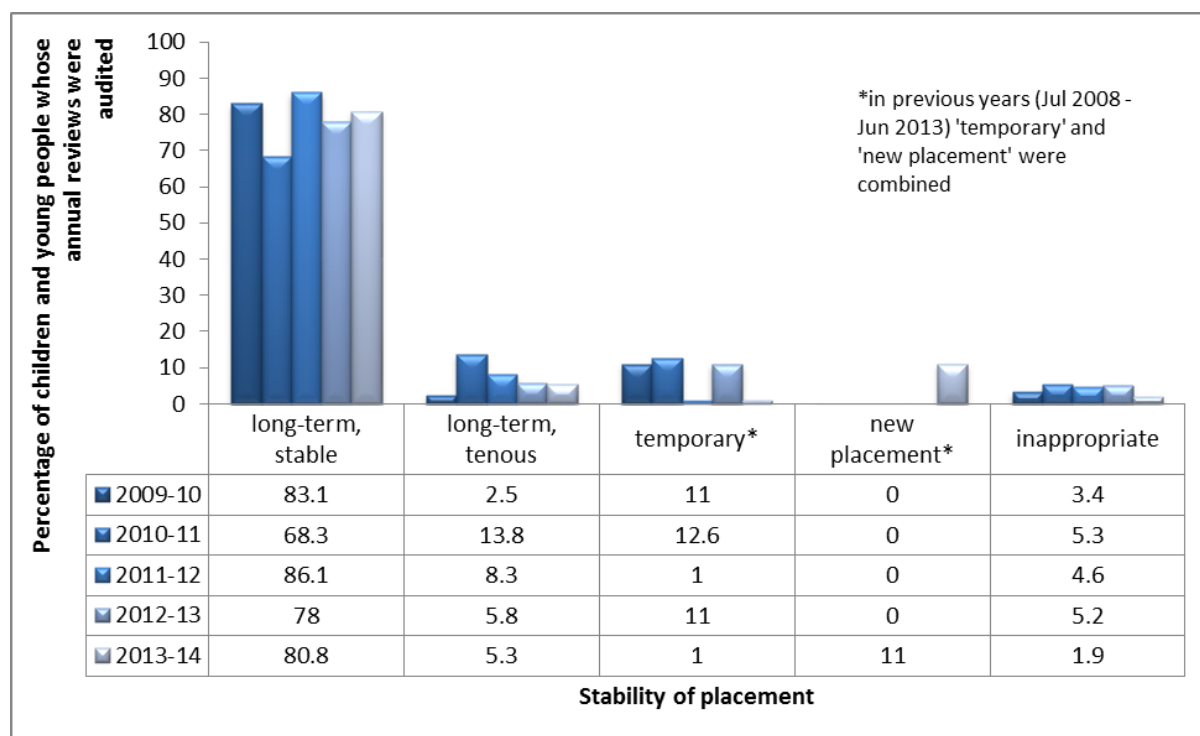
Twenty-three (11 per cent)¹¹ children and young people whose cases were reviewed were in relatively new placements and two (one per cent) additional children were in arrangements that were considered temporary. These included, but are not limited to:

- Six children in residential care placements for the first time
- Five young people transitioned to independent living
- Three children in interim emergency accommodation arrangements following disclosures of allegations of abuse in care.

¹⁰ In 2012-13, six per cent of children and young people were considered to be in a long-term, tenuous placement.

¹¹ In 2012-13, eleven per cent of children whose annual reviews were audited were in temporary or short-term (new) placements.

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



Inappropriate placement

Four (two per cent)¹² were in 'placements' that were considered inappropriate. Three children and young people (two aged 10 years and one aged 16 years) were accommodated in commercial care environments. One of the children had been living in the arrangement for over three years and previous challenging behaviours that prevented placement in appropriate settings had stabilised. An adolescent was living with a family known to her (known as a specific-child only placement) and sleeping on a mattress in a shared living area, with no private or personal space. The young person had a significant history of self-harming and suicidal ideations.

History of placement instability

Twenty-seven children and young people (13 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:

¹² In 2012-13, five per cent of children and young people whose annual reviews were audited were in inappropriate arrangements.

- A five-year old boy with five placements, two of which ended due to care concerns, in three years
- An eight-year old girl with multiple failed reunification attempts, unsuccessful family-based care placement and commercial care across different regions in South Australia resulting in disjointed interagency collaboration due to frequent moves
- A ten-year old boy who had multiple family-based placements and a residential care placement before being accommodated in commercial care

Similar to last 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
- The recruitment, training and expectations of carers regarding trauma-related interruption to child development, support for family contact that reflected children's wishes and quality of care standards.

Connections

Significant connections to trustworthy adults help children and young people in care to build resilience and provide the necessary consistent emotional support. In 196 cases (94 per cent) the annual review identified at least one significant adult in the child's life.¹³ The significant adult was 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 twelve 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 four of this group were adolescents approaching independence. One of the young persons

¹³ In 2012-13, 94 per cent of children and young people reviewed had at least one significant adult in their lives.

was described as isolated with a history of placement instability and reportedly refused to engage with planning and services to transition to independence.

For the most part, good efforts, and in some cases exceptional efforts, were made to ensure family contact was maintained. For 22 children and young people (ten 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 parent(s)
- 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.¹⁴ In eight annual reviews, each of one member of a sibling group, 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 four of these cases, there was no rationale or explanation for the separately placed children not to have contact. In two of the eight cases the significance of sibling relationships were identified at the children's annual reviews but there had previously been no plans to facilitate contact.

One-hundred and seventy children and young people (82 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

¹⁴ 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.

- CREATE Foundation
- Student Representative Councils
- Church

Six 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 20 per cent of the total number of reviews audited. GCYP had no control over the cases reviewed and only attended those that Families SA offices scheduled for review. Twenty-one Aboriginal children and young people (50 per cent of the sub-group) were placed within their extended families, including 17 living with Aboriginal family members. Another three Aboriginal children and young people were placed with Aboriginal carers at the time of their annual reviews.¹⁵ Of the remaining 18 children and young people, 15 resided in non-Aboriginal placements – either foster care or residential care. Three 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, all but one office included a cultural representative on the panel for reviews of the circumstances of Aboriginal children. Therefore, scheduled annual reviews for Aboriginal children were postponed at that office at the request of GCYP. The engagement of a cultural consultant was achieved primarily via the participation of a regional Principal Aboriginal Consultant. In all but five of the 42 cases, it was reported that cultural consultation had occurred to inform case planning during the year.

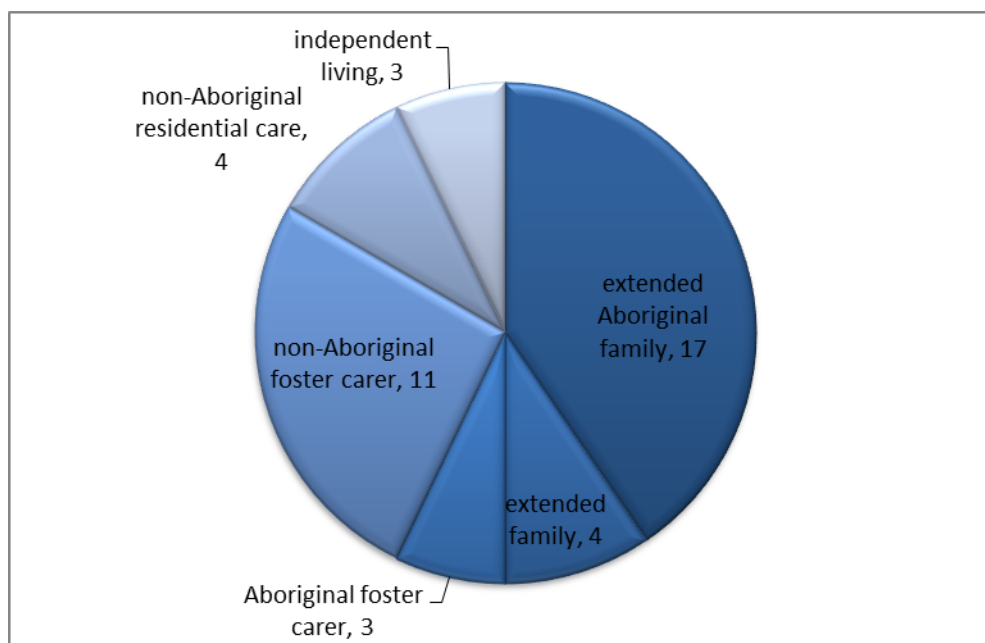
In 34 of the 42 cases (81 per cent) there was evidence that the children and young people were provided with information about their cultural heritage, mostly general rather than specific to clan groups, and 35 of the 42 children and young people had opportunity to engage in activities to promote their 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 Families SA offices. Only 21 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, in 21 cases a plan to nurture the child's cultural

¹⁵ In 2012-13, 71 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 57 per cent in 2013-14.

identity and connections had not been developed specific to the child. A young person whose case was reviewed at a country office commented positively in her annual review survey about her participation in the *Identity Program* which promoted her confidence and pride in her cultural identity. A Principal Aboriginal Consultant who had observed the program also spoke highly of the program content, the engagement of Aboriginal young people and the Families SA staff who had developed and implemented the program.

In 27 cases (64 per cent), it was reported at the child's annual review that the development of an Aboriginal Life Story Book had commenced. In an additional four 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 three living independently), nine of the 15 children and young people had an Aboriginal Life Story Book.

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



The annual reviews of eight children and young people of refugee backgrounds were audited¹⁶. Six children were placed with their extended family or with carers within their culture and were reported to be immersed in their communities. Two young people were living independently, one of

¹⁶ In 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.

whom was described as disconnected from the cultural community and Families SA held significant concerns about her interpersonal relationships.

Participation

One hundred and seventy-one children and young people (82 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, almost two out of every five children and young people whose annual review was audited, presented their views directly to the panel:

- Nineteen (11 per cent of those capable, or nine per cent of the total sample) were supported to attend their annual reviews.¹⁷
- Two (one per cent of those capable) were supported to contribute their views via teleconference.¹⁸
- Forty-six (27 per cent of those capable, or 22 per cent of the total sample) participated by completing the survey form.¹⁹

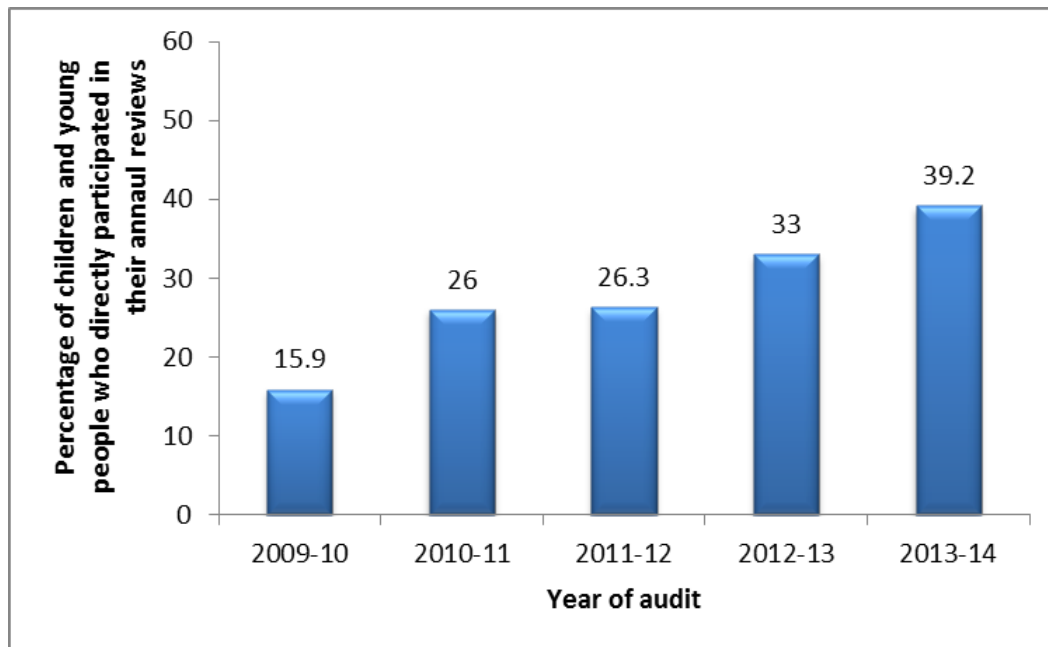
Graph 5 shows that over the past five years of auditing by GCYP, there has been an improvement in the direct participation of those children and young people considered capable to present their views. In previous years the growth has primarily been due to the increased distribution and completion of surveys, however in 2013-14 the increase was due to the almost doubling of children and young people attending annual reviews, reversing previous years' continuing declines since 2010-11 (see the total participation of children and young people represented in Graph 6, which considers all methods of participation available for all children, not only those capable of directly participating).

¹⁷ In 2012-13, 10 children and young people (six per cent) attended their annual reviews.

¹⁸ In 2012-13, no children participated via teleconference.

¹⁹ In 2012-13, 42 children and young people (27 per cent) contributed to their annual reviews by completing a survey that was presented to the annual review panel.

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



In addition to the 46 completed and returned surveys across all offices, it was reported that surveys were distributed to another 15 children and their carers but were not returned at the time of the annual review. Four 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. Based on the reports to the review panel by some 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 were not provided with 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). Two country offices were responsible for half of the direct participation of children and young people in annual reviews in 2013-14. In one of those offices, it was reported that invitations to attend annual reviews and/or complete surveys was extended to all children and their carers.

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 141 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 100 cases (48 per cent of the total reviews audited). In another 18 cases (nine per cent of the total reviews audited), the views of the child were primarily represented by the child's carer. Such representations were not limited to children and young people who did not have the capacity to participate. There were seven 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, carers were considered to have participated 38 per cent of the annual reviews audited. On 43 of the 80 occasions of carer participation, via attendance and/or completion of a carer specific survey, the carers provided their own views regarding a child's circumstances. In the remaining 37 cases, the carers also represented the views of the child in their care.

The voice of the child or young person was absent in a total of 23 annual reviews (11 per cent) for a number of reasons.²⁰ Of significant concern were 14 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 relative carers, and there was no direct contact between the children and Families SA.²¹ 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. Four different offices acknowledged 'little' or 'minimal' involvement with particular children and their carer families.

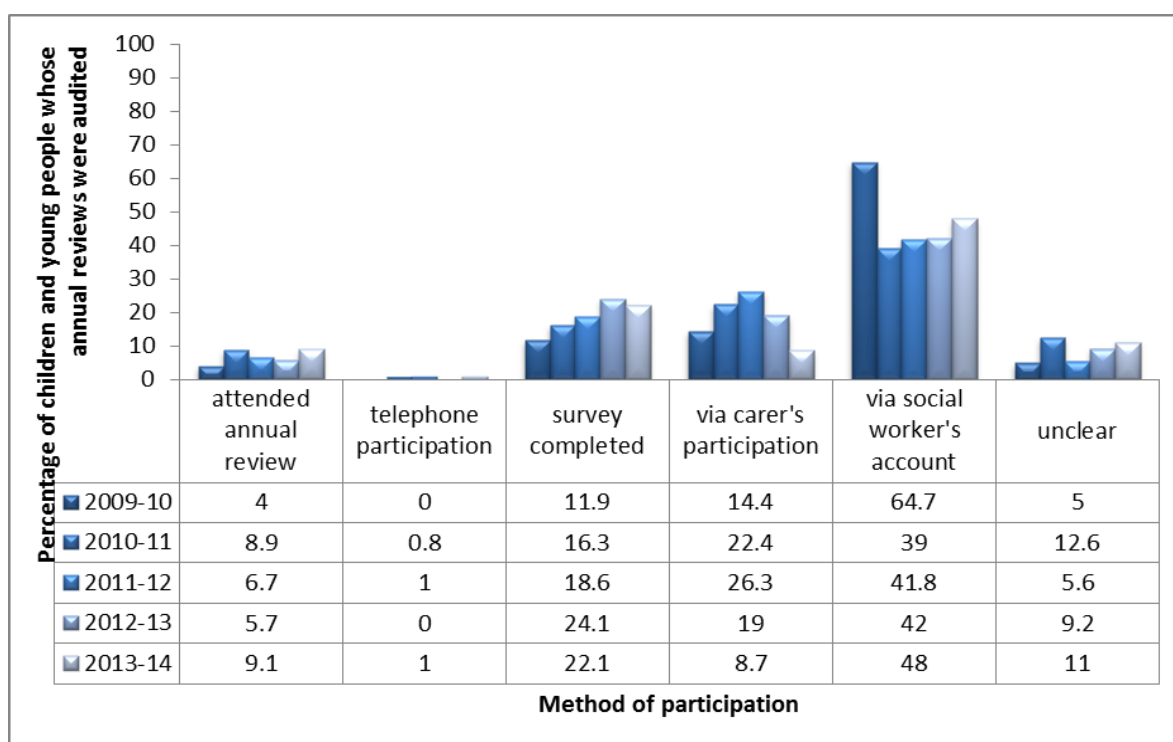
Increasingly Families SA offices were distinguishing between 'administrative' and 'full' reviews, despite there being no such distinction in the annual review guidelines. In previous audit years this was only an identified practice in one office. In 2013-14, two offices reported that the annual reviews for which GCYP attended were not planned to be participatory, therefore invitations to attend were not extended to the children and/or their carers. The active participation of others was

²⁰ This means that there was no direct or indirect (via carer or social worker) representation of the child's views and wishes.

²¹ The cases were unallocated and no interstate casework arrangements had been made. The cases had not been prepared for transfer of guardianship order and case management.

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.

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



Safety

During the audits of annual reviews there were significant safety concerns for nine children and young people. Two children and young people had disclosed allegations of abuse in care. Another three young people were reported to be at significantly high risk due to mental health concerns. A 16 year old in a long-term tenuous placement was reported to wear old and dirty clothes, frequently appeared unwashed and was not engaged in education or with other services. At the annual review, Families SA acknowledged it did not know enough about the child's circumstances and there was no independent reporting of his circumstances or wellbeing.

In another 23 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-nine cases were identified as requiring interagency collaboration. There was evidence of strong interagency collaboration in 99 cases (48 per cent of all cases, and 71 per cent of cases requiring interagency collaboration) to enhance service delivery and ultimately improve outcomes for the children and young people.²² However, there were only nine 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 and Education (regional office).

Twenty-three cases (17 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 (12 per cent). In two cases, of co-located siblings, it was reported that there had been long-standing concerns about the carers' parenting capacities and the quality of care provided to the children. A previous annual review recommended a parenting assessment by Families SA Psychological Services however in the annual review audited in 2013-14 Families SA reported that the assessment had not been undertaken due to a lack of resources. The children had remained in the placement and the concerns had reportedly not been addressed with the carers. The panel agreed the previous recommendation had to be acted upon immediately. A child who had experienced multiple placements across the state had disabilities and was eligible to receive additional services. However the frequent geographical relocations meant the disability specific services were continually interrupted by region transfers and delays.

In 69 cases (33 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-curricula activities. One hundred and sixty-six children and young people were of school-age and attended a public pre-, primary or secondary school. Seventy-eight per cent of them had current Individual, or Negotiated Education

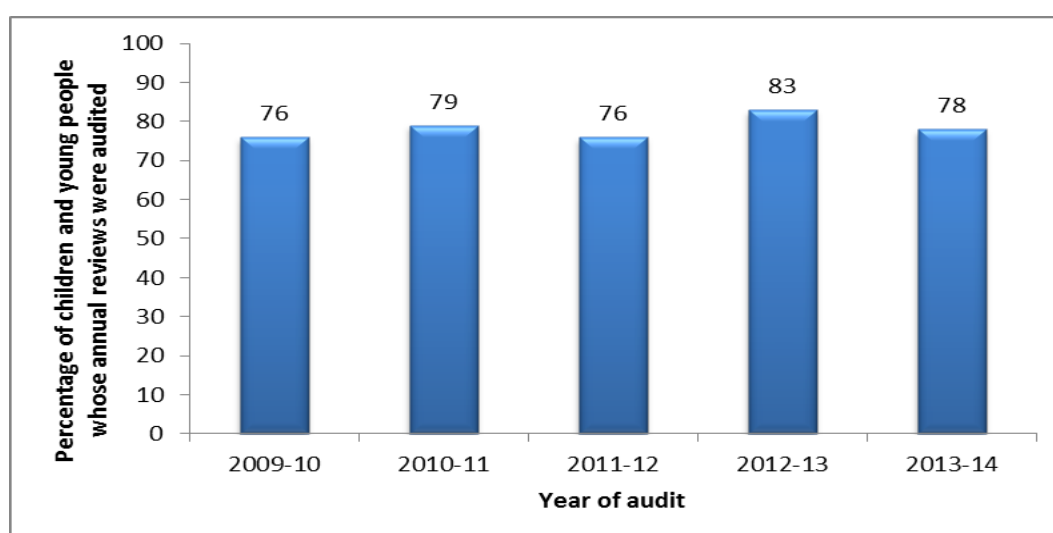
²² In 2012-13, there was evidence of strong interagency collaboration in 62 per cent of all cases and 79 per cent of cases requiring interagency collaboration.

Plans for the school year.²³ For 36 school-aged children and young people attending public schools, (22 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 and average 78 per cent over the last five years.

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

- In two separate regions Families SA personnel expressed concern about particular schools' management of children under the guardianship of the Minister, which was described as punitive rather than reflective of the application of Strategies for Managing Abuse Related Trauma (SMART) when responding to children with trauma-based challenging behaviours. In addition, the convened panels expressed concern that there was an apparent routine use of suspension and exclusion as the only response, rather than as a last resort.
- On five occasions Families SA offices reported disagreements with 12 schools about the responsibility for funding additional school support for children and young people in care.

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



²³ In 2012-13, 83 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.

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.

Seventy-nine per cent, or 165 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 43 children and young people there were numerous issues, and at times more than one issue, impacting upon their needs being met.

- In seven 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 social worker. In two cases the children had been in care for more than four years.
- Three young people were reported to have mental health issues, however only two had been formally assessed. None of the young people were actively engaged with additional services.
- Five children and young people with disabilities were not receiving active support from Disability Services.
- Two children required minor surgery and had been placed on a public hospital waiting list. The Rapid Response framework had not been utilised to ensure the children received priority treatment.
- Eleven 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 31 instances where the allocated case worker had limited knowledge of the child or young person, or was not pro-active in working with the child. Eleven children were allocated to a case worker just prior to their annual reviews. In each case it was acknowledged that the children had not received a service from Families SA and little up-to-date information was known

about the children. 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 nine cases of a group of 35 (26 per cent of the sub-group), transition planning for an adolescent approaching independence had not commenced.²⁴

In 27 (13 per cent) of the cases 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 14 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 22 children and young people (11 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 five of the 22 cases had been assessed and approved for a differential case management response, reducing the level of direct contact dependent on the child's circumstances and assessed needs.²⁵ In another nine cases (four per cent) the regularity of contact between the children and social workers could not be determined based on limited information available at the annual reviews.

There were three children residing interstate. In each of these cases there was phone and email contact between the worker and the carers but no direct contact with the children. Interstate casework arrangements were not arranged and an application for transfer of guardianship and case management was not prepared.

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 the complexity of their case load, location of the child's placement and a refusal by the child to have contact with the social worker.

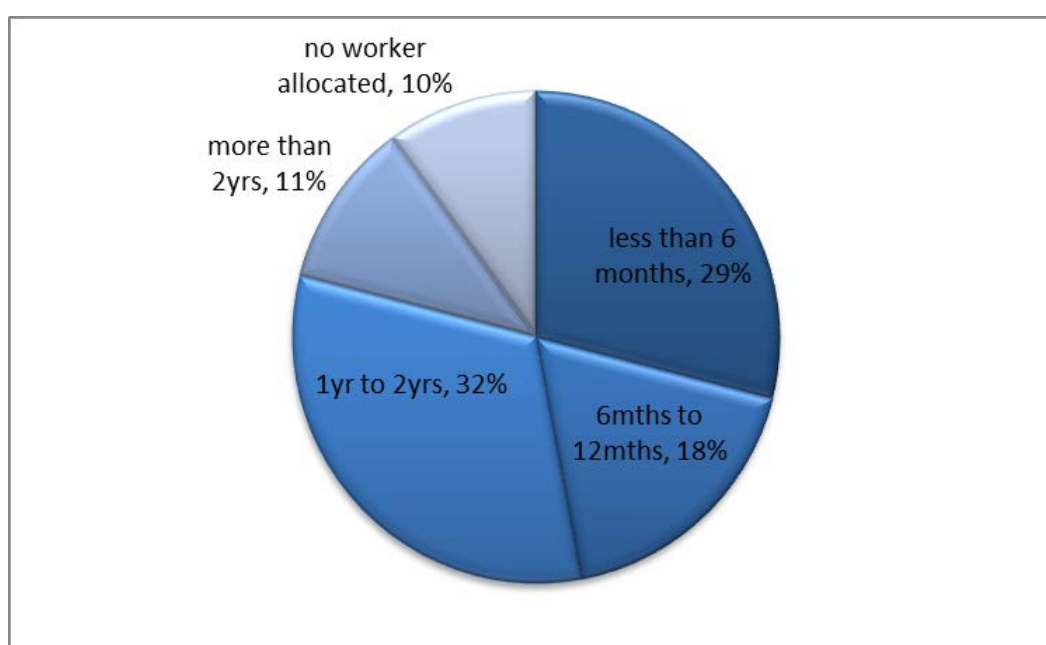
Twenty-one of the cases (ten per cent) reviewed were not allocated to a case worker, nor assessed and approved for differential response. This is the highest proportion of unallocated cases observed

²⁴ Thirty-five 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'.

²⁵ The five children were receiving formal face-to-face contact once every three months.

by GCYP since it commenced auditing annual reviews in 2006. In five of the 21 unallocated cases, the senior practitioner was reported to be attending to critical tasks. However there was neither a proactive relationship with the child nor any facilitation of the child in case planning. An additional 11 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.

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 impacts on the quality of the annual reviews. GCYP has observed engaging and participative annual reviews, often consistently achieved by the same offices.

During 2013-2014 Families SA metropolitan offices were reconfigured, resulting in three guardianship hubs in the metropolitan region. The redesign and relocation of workers and cases interrupted the scheduling of Families SA reviews and, therefore, opportunities to audit annual reviews. Following the commencement of the guardianship hubs, in approximately December 2013, only one guardianship hub extended an invitation to GCYP to attend annual reviews.

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 125 children and young people who were old enough to, and considered capable of understanding the *Charter*, 86 (69 per cent of the sub-group or 41 per cent of the total) had been provided the *Charter*.²⁶ However, although provided, it was not always clear that the social workers had spoken with them *about* the *Charter* to explain what it means.

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. Families SA staff at three offices reported that they were not familiar with the flash cards and were subsequently provided with an entire set for the purpose of workforce development.

Previously, GCYP 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 125 who should have received the *Charter*.

Most children and young people in care rely on oral information from their carers and social workers to understand their circumstances. The disrupted family life of children and young people who come

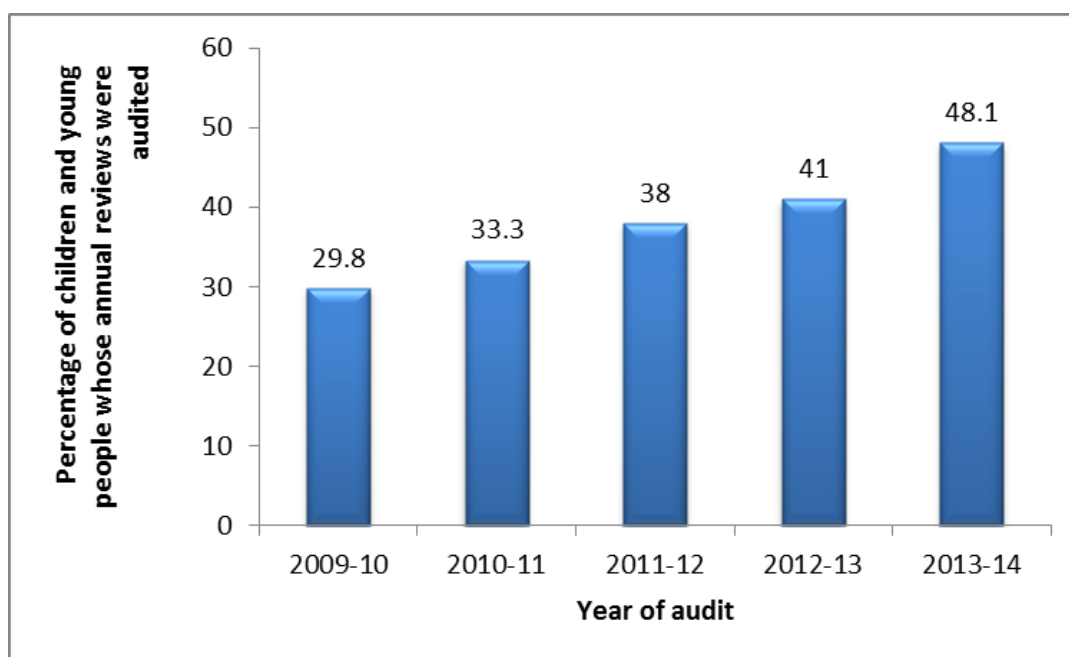
²⁶ In 2012-13, 79 per cent of eligible children and young people whose cases were reviewed had been provided with the *Charter of Rights for Children and Young People in Care*.

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-eight per cent of the children and young people whose cases were reviewed reportedly had Life Story Books.²⁷ Graph 8 illustrates the consistent growth of the creation and maintenance of Life Story Books since 2009-10.²⁸

In 21 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, 42 per cent of children and young people, who could have made use of one, did not have a Life Story Book.

Graph 8. Children and young people with Life Story Books



²⁷ In 2012-13, 41 per cent of children and young people reviewed had Life Story Books.

²⁸ In September 2013 GCYP received correspondence from Families SA that although Life Story Books for non-Aboriginal children had been under review since 2011, no final approach had been decided. This, in part, explains the low rate of use of Life Story Books.

Identified systems issues

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

- A lack of respite carers in country 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.
- The lack of independent members on annual review panels remains a challenge for Families SA offices located in metropolitan Adelaide. An independent panel member participated in annual reviews on only two occasions that GCYP attended for the purpose of auditing annual reviews. In comparison, a Principal Social Worker participated in annual reviews on nine of 14 occasions, within six country offices, that GCYP attending for auditing.
- 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 be greater difficulty in securing housing via Housing SA for young people transitioning out of care. 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.
- 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 care 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 country 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 208 children and young people whose cases were reviewed, 169 (81 per cent) were in stable, long-term placements.
- Of the children and young people whose cases were reviewed, 196 (94 per cent) had at least one significant adult in their lives.
- Twelve 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. Twenty-four (57 per cent) were placed with their extended family or with Aboriginal carers.
- Of the 171 children and young people who were considered capable of directly contributing to their annual reviews, 67 (39 per cent) participated in their annual review, either by attending (11 per cent), teleconference (one per cent) or by completing a survey (27 per cent). Two country offices were responsible for half of the direct participation of children

and young people in annual reviews in 2013-14. Sixty-one per cent of children and young people, who could have directly participated, did not.

- Twenty-three children and young people (11 per cent of those capable of presenting their views to the panel) did not have a voice, directly or indirectly in their annual reviews.
- Of the 208 children and young people whose cases were reviewed, 176 (85 per cent) were confidently considered safe and reported to feel safe.
- Of the 166 children and young people who were of school age and attending a public pre-, primary or secondary school, it was reported that 130 (78 per cent) had current Individual, or Negotiated Education Plans at the time of the annual reviews.
- Of the 208 children and young people whose cases were reviewed, 165 (79 per cent) were receiving standard health services and, where necessary, specific health and disability services to meet their needs. Twenty-one per cent were not receiving the services they required.
- Fifty-two children and young people (25 per cent) whose cases were reviewed did not have regular contact with the same worker. Of this group, 22 (11 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 five children who were receiving an assessed and approved differential case management response. In another nine cases (four per cent) the regularity of contact between the children and social workers could not be determined based on limited information available at the annual reviews. Twenty-one children (ten per cent) were not allocated to a case worker.
- Nine of the 35 young people aged 15 years and over did not have transition plans as required by Families SA policy.
- Of the 125 children and young people who had the capacity to understand, 86 (69 per cent) had been provided with the *Charter of Rights for Children and Young People in Care*.
- One hundred children and young people (48 per cent) whose cases were reviewed had a Life Story Book. This included 27 Aboriginal children and young people who have been supported to develop a culturally appropriate Life Story Book.

Based on the comparison with the 2012-13 Audit of Annual Reviews it appears that:

- Improvements have been achieved in the following areas

- the number of children in stable, long-term placements, similar to levels observed in 2011-12 and 2009-10;
 - the participation of children and young people in their annual reviews, particularly increased attendance at annual reviews, albeit predominantly via two offices; and
 - the consistent growth of the creation and maintenance of Life Story Books, although 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.
- Similar results to last year have been achieved in the following areas
 - children's connections to significant others;
 - implementation of Individual Education Plans;
 - children receiving standard health services and, where necessary, specific health and disability services to meet their needs; and
 - the 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 in the placement of Aboriginal children within their extended family or in Aboriginal foster placements;
 - information to children and young people about being in care and their rights in care;
 - increase in the number of children and young people who were not allocated a case worker;²⁹ 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 trends³⁰:

²⁹ Two-thirds of these children were to be managed by case workers in country offices.

³⁰ 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.

- With the exception of 2010-11, placement stability has been achieved for seven or eight out of every ten children and young people.
- With the exception of 2011-12, one 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 tripled, from its lowest at three per cent of cases to its current high of ten per cent.
- The implementation of Individual Education Plans has remained fairly steady, ranging from 76 to 83 per cent, and averaged 78 per cent over the last five years.
- The proportion of children and young people directly participating in annual reviews has almost doubled, with a sharp increase in personal attendance, although still only two out of every five children who could have directly contributed did so.

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 2014-15 GCYP will advocate strongly for significant improvements to the quality of annual reviews, promoting consistency across the Families SA offices, as well as advocating for continuous improvements to the inclusion of others in decision-making.

Appendix A

Families SA offices visited prior 31 December 2013³¹ for the purposes of auditing annual reviews

| Office | Number of reviews attended in 2013-14 | Office | Number of reviews attended in 2013-14 |
|---|---------------------------------------|---------------|---------------------------------------|
| Adelaide | 0 | North Eastern | 0 |
| Ceduna | 0 | Onkaparinga | 0 |
| Cooper Pedy | 4 | Port Augusta | 0 |
| Elizabeth | 12 | Port Lincoln | 0 |
| Gawler | 13 | Port Pirie | 19 |
| Limestone Coast | 38 | Riverland | 0 |
| Marion | 0 | Salisbury | 0 |
| Mt Barker | 0 | Whyalla | 10 |
| Murraylands | 0 | Woodville | 8 |
| Intercountry Services (formerly known as Refugee Program) | 8 | | |

³¹ As of December 2013, Families SA metropolitan offices were reconfigured into hubs, three of which were responsible for the case management of children and young people under long-term orders.

Families SA offices visited after 1 January 2014 for the purposes of
auditing annual reviews

| Office | Number of reviews attended in 2013-14³² |
|---------------------------|---|
| Ceduna | 0 |
| Central Guardianship hub | 13 |
| Cooper Pedy | 0 |
| Gawler | 17 |
| Limestone Coast | 10 |
| Mt Barker | 10 |
| Murraylands | 4 |
| Northern Guardianship hub | 0 |
| Port Augusta | 0 |
| Port Lincoln | 0 |
| Port Pirie | 21 |
| Riverland | 0 |
| Southern Guardianship hub | 0 |
| Whyalla | 21 |

³² On four occasions GCYP declined invitations to attend scheduled annual reviews due to prior commitments with other offices. In addition, there were five occasions when annual reviews to which GCYP was committed were cancelled or rescheduled at short notice.