

Department of Families, Housing, Community Services and Indigenous Affairs
together with the National Framework Implementation Working Group

An outline of National Standards for Out-of-Home Care

A Priority Project under the National Framework for Protecting Australia's Children
2009 - 2020



DECEMBER 2010

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National Standards for Out-of-Home Care

Introduction

All Australian children and young people have the right to be safe, receive loving care, and have access to the services and support that will give them the chance to reach their potential later in life.

Some families may not have the capacity or strength to provide a stable and caring home environment. This can prevent vulnerable children and young people from receiving the protection, safety and support they deserve.

In these cases, children and young people live in accommodation outside their family homes so that they can receive the support and services they need, in safe and stable environments.

The National Standards for Out-of-Home Care have been designed to deliver consistency and drive improvements in the quality of care provided to children and young people. The 13 National Standards focus on the key factors that directly influence better outcomes for those living in out-of-home care.

The measurement of and reporting on, outcomes is a major feature of the refining and improving of the National Standards over the long term.

Evidence shows that the experiences and quality of care received in out-of-home care can be critical to determining whether a child or young person can recover from the effects of trauma and more able to access opportunities in life.

The National Standards are an initiative of all governments – the Australian Government and State and Territory governments – and is one of 12 priority projects as part of the *National Framework for Protecting Australia's Children 2009–2020*.

Government and non-government organisations, including the Coalition of Organisations Committed to the Safety & Wellbeing of Australia's Children, have worked together to bring about this key, early action under the National Framework.

The National Framework, endorsed by the Council of Australian Governments (COAG) in April 2009, provides an agenda for developing consistent, shared and long-term goals and responsibilities across governments. It also engages the non-government sector and the broader community at a national level.

Protecting children is everyone's business

The investment by governments and the non-government sector in family support and child protection services is significant, yet these separate efforts can still fail many children and young people.

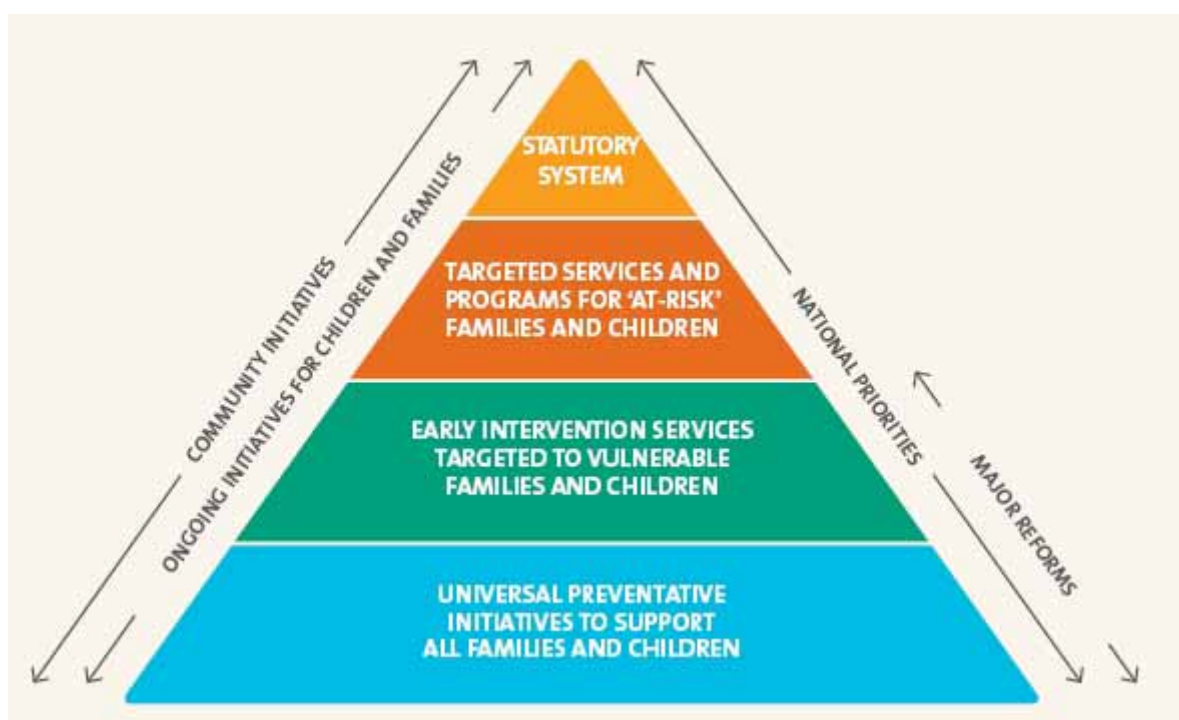
Not only are Australians committed to achieving better care for children, as a signatory to the *United Nations Convention on the Rights of the Child (CRoC)*, Australia has a responsibility to protect children, provide the services necessary for them to develop and achieve positive outcomes, and enable them to participate in the wider community.

The *National Framework for Protecting Australia's Children* is an approach that recognises that the protection of children is not simply a matter for the statutory child protection systems. Protecting children is everyone's business.

At the government level it is not only child protection and community services portfolios that have a role to play in improved outcomes for children in out-of-home care but also other portfolio areas such as health, education, justice, housing and employment. Families, communities, business and services all have a role. Everyone needs to work together.

Research suggests that promoting the safety and wellbeing of children and young people by applying a public health model to care and protection will deliver better outcomes for our children and young people and their families. The components of such a system are illustrated in Figure 1.

Figure 1. A system for protecting children.



Why do children come into out-of-home care?

The vast majority of parents, supported by the community and the broad range of government supports and services available to all families, have the capacity to raise happy, healthy children. Some families need more assistance and the various forms of support services available are often the most appropriate response.

In some cases, statutory child protection services are required where children and young people need to be protected from physical abuse, sexual abuse, emotional abuse, neglect or domestic violence.

Many children in out-of-home care can be safely reunited with their families when their families receive appropriate supports and interventions and some children may be in out-of-home care for a relatively short period. Others may need to be in out-of-home care for the longer term to make sure they are safe and well and to help them overcome the effects of trauma, abuse and neglect.

Research highlights the need for children to have stable and secure attachments, whether it is with their parents or in out-of-home care. A sense of security, stability, continuity and social support are strong predictors of better long-term outcomes after leaving care.

What is out-of-home care?

Out-of-home care provides alternative accommodation for children and young people who are unable to live with their parents. In most cases, children in out-of-home care are also on a care and protection order.

The Australian Institute of Health and Welfare (AIHW) characterises a number of different living arrangements as out-of-home care:

- > *Foster care* – where placement is in the home of a carer who is receiving a payment from a state or territory for caring for a child.
- > *Relative or kinship care* – where the caregiver is a family member or a person with a pre-existing relationship to the child.
- > *Family group homes* - where placement is in a residential building which is owned by the jurisdiction and which are typically run like family homes, have a limited number of children and are cared for around-the-clock by resident carers.
- > *Residential care* – where placement is in a residential building whose purpose is to provide placements for children and where there are paid staff. This category includes facilities where there are rostered staff and where staff are offsite.
- > *Independent living* - such as private boarding arrangements.

Out-of-home care plays a significant role in shaping the lives and development of children and young people who experience it. Out-of-home care that is safe and stable can help children and young people recover from the experience of abuse and neglect.

Out-of-home care services are designed to provide a safe environment, contribute to improving developmental outcomes and assist in addressing issues that led to the out-of-home care placement.

Children and young people placed in out-of-home care are likely to have experienced a significant life disruption and loss and will require support to catch up on some developmental stages.

Children and young people with a disability who have experienced abuse and neglect will require specialized, highly skilled and well-supported out-of-home care.

Many children growing up in institutional and other out-of-home care in the last century were denied the basic right of all children to receive protection, support and loving care. All Australians are committed to learning from this history and improving the opportunities given to our children and young people.

How many Australian children experience out-of-home care?

At 30 June 2009, more than 34,000 children and young people were in out-of-home care. The AIHW reports that the number of children in out-of-home care in Australia increased by 44 per cent between 1999 and 2009. The proportion of children in out-of-home care differs across jurisdictions, ranging from 4.3 per 1000 in Victoria to 9.4 per 1000 in New South Wales.

In 2008-09, the majority of children in out-of-home care were in home-based care (94 per cent), living either in foster care (47 per cent) or with relatives (45 per cent). A small proportion of children lived in residential care (4.8 per cent) or other care arrangements (2.7 per cent).

In 2009, Aboriginal and Torres Strait Islander children aged 0-17 years were over nine times as likely to be in out-of-home care as non-Aboriginal and Torres Strait Islander children (44.8 per 1000 compared with 4.9 per 1000).

Why develop National Standards?

The Australian Government, state and territory governments and the non-government sector are developing National Standards to ensure children in need of Out of Home Care are given consistent, best-practice care, no matter where they live.

Each State and Territory government has a duty of care, and invests a great deal to ensure that the out-of-home care system within its jurisdiction provides the opportunities for optimal development and well-being of children and young people in care.

Each State and Territory government has its own legislative and policy framework governing and regulating their child protection system. Most jurisdictions also already have standards for out of home care. While there are some common elements, there are also areas of diversity in the maturity, focus and range of standards for out-of-home care systems between States and Territories, including a complex history of development, system structure and legislative framework.

Although all governments are working to improve outcomes for children and young people in out-of-home care, the practices, processes and outcomes are diverse when trying to create a national picture of outcomes for children in care.

The National Standards seek to drive improvements in the quality of care so that children and young people in out-of-home care have the same opportunities as other children and young people, to reach their potential in life wherever they live in Australia.

What do the National Standards cover?

The National Standards focus on those children and young people whose care arrangements have been ordered by the Children's Court, where the parental responsibility for the child or young person has been transferred to the Minister/Chief Executive.

The National Standards are designed to improve the outcomes and experiences for children and young people by focusing on the key areas within care that directly influence positive outcomes. These are:

- > health;
- > education;
- > care planning;
- > connection to family;
- > culture and community;
- > transition from care;
- > training and support for carers;
- > belonging and identity, and
- > safety, stability and security

These key areas have been chosen based on broad consultation with children and young people, service providers, carers and governments.

The overall aim of the National Standards is to deliver a more integrated response between all governments, but do not change core governance arrangements. The States and territories retain responsibility for statutory child protection, while the Australian Government retains responsibility for providing income support payments.

Voices of children and young people

Children and young people should be active participants in decisions that affect their lives and have opportunities for their views, ideas and opinions to be heard and acted upon where appropriate.

Participation is meaningful when a child or young person is supported in developing skills and confidence to speak out, to give their views and assert their wishes. Participation of children and young people must be encouraged and reinforced through positive experiences of having their contributions taken seriously by workers and by the system as a whole.

The National Standards seek to ensure that adequate and appropriate information is conveyed to children and young people about their history, plans for their future, education, health and other important areas, as well as jurisdictional practices, policies and legislative requirements that relate to them.

Their views about what works, what can be done better and what should change, will help drive continuous improvement in out-of-home care.

People caring for children and young people

The National Standards acknowledge the primary role played by families and carers in the lives of children and young people. The National Standards are based on evidence that better outcomes occur for those children and young people who are healthy, safe and secure, have strong cultural, spiritual and community ties, have a positive sense of identity, participate in learning and achieving, and have positive family and other relationships.

For healthy development, children and young people in out-of-home care must have safe, predictable care, including cultural safety. Stability contributes to a sense of feeling safe. It can be a broader concept than placement stability and can relate to life more generally, including stability of relationships and connections, stability in schooling and stability of community and/or participation in community activities such as sports teams.

Carers

Carers are the backbone of the system. Caring for children and young people in out-of-home care provides many rewards as well as many challenges. The provision of support that is timely and responsive to the needs of carers and the children and young people they are caring for, and ongoing quality training and development, will help carers deliver the best care possible in often complex or challenging circumstances.

Families

All children and young people have the right to maintain contact with people who are important to them. The importance of parents, family, community and social networks is a constant theme in the literature examining out-of-home care, where the yearning for family and for connection is well known.

Developing and maintaining positive identity through links with family and kin, community, friends and other important attachments can help children and young people understand why they are in care as well as maximise the potential for re-unification and re-connection with family.

Aboriginal and Torres Strait Islander children

Aboriginal and Torres Strait Islander children and young people benefit when well matched with an Aboriginal and/or Torres Strait Islander family that enables them to maintain fundamental links to family, community, land and culture. The continued preservation and enhancement of a sense of identity for Aboriginal and Torres Strait Islander children and young people is of critical importance to their development. Maintaining family, community and cultural connections needs to occur regardless of where and with whom an Aboriginal or Torres Strait Islander child or young person is placed.

Implementation of the Aboriginal Child Placement Principle (ACPP) is fundamental to maintaining an Aboriginal or Torres Strait Islander child or young person's links to family, community, land and culture. The principle recognises that culture for an Aboriginal and Torres Strait Islander child or young person is central to their wellbeing and development.

Overarching principles for National Standards for out-of-home care

- > Children and young people in out-of-home care have their rights respected and are treated in accordance with the United Nations Convention on the Rights of the Child.*
- > Care provided to children and young people living in out-of-home care is focussed on providing a nurturing environment, promoting their best interests, and maximising their potential.*
- > Children and young people living in out-of-home care are provided with opportunities for their voice to be heard and respected and have the right to clear and consistent information about the reasons for being in care.*
- > Care provided to children and young people will promote the benefits of ongoing safe, meaningful and positive connection and involvement of parents and families and communities of origin.*
- > Carers and their families are key stakeholders and partners in the care of children and young people, and their role is to be respected and supported.*
- > Children and young people living in out-of-home care are provided with a level of quality care that addresses their particular needs and improves their life outcomes.*
- > Continuous system improvements are designed to achieve better outcomes for all children and young people living in out-of-home care.*
- > Out-of-home care for children and young people is measured, monitored and reported in a transparent, efficient and consistent manner over time.*
- > Aboriginal and Torres Strait Islander communities are to be involved in decisions in accordance with the Aboriginal Child Placement Principle.*

National Standards for out-of-home care

Standard 1

Children and young people will be provided with stability and security during their time in care.

Standard 2

Children and young people participate in decisions that have an impact on their lives.

Standard 3

Aboriginal and Torres Strait Islander communities participate in decisions concerning the care and placement of their children and young people.

Standard 4

Each child and young person has an individualised plan that details their health, education and other needs.

Standard 5

Children and young people have their physical, developmental, psychosocial and mental health needs assessed and attended to in a timely way.

Standard 6

Children and young people in care access and participate in education and early childhood services to maximise their educational outcomes.

Standard 7

Children and young people up to at least 18 years are supported to be engaged in appropriate education, training and/or employment.

Standard 8

Children and young people in care are supported to participate in social and/or recreational activities of their choice, such as sporting, cultural or community activity.

Standard 9

Children and young people are supported to safely and appropriately maintain connection with family, be they birth parents, siblings or other family members.

Standard 10

Children and young people in care are supported to develop their identity, safely and appropriately, through contact with their families, friends, culture, spiritual sources and communities and have their life history recorded as they grow up.

Standard 11

Children and young people in care are supported to safely and appropriately identify and stay in touch, with at least one other person who cares about their future, who they can turn to for support and advice.

Standard 12

Carers are assessed and receive relevant ongoing training, development and support, in order to provide quality care.

Standard 13

Children and young people have a transition from care plan commencing at 15 years old which details support to be provided after leaving care.

Standard 1

Children and young people will be provided with stability and security during their time in care.

What this means

Children and young people living in out-of-home care are to experience security, stability, continuity of relationships and social support. These are vital to healthy emotional development and provide strong predictors of better outcomes for children.

Children and young people are to be matched with the most suitable carers and the care environment according to their assessed needs.

Research shows that stability, connectedness and security are essential to achieving successful transition to adulthood and are strong predictors of outcomes for children and young people in out-of-home care.

Standard 2

Children and young people participate in decisions that have an impact on their lives

What this means

Children and young people in out-of-home care are actively involved in decision-making about their lives. This is critical to emotional development and self-esteem and is a key provision within the United Nations Convention on the Rights of the Child.

Children and young people are to be provided with objective advice, able to ask for help, have their concerns heard and given information about, and access to, review mechanisms. In all these areas, the level of active involvement will be appropriate to the young person's age and developmental stage.



Standard 3

Aboriginal and Torres Strait Islander communities participate in decisions concerning the care and placement of their children and young people.

What this means

Maintaining connections to family, community and country will help Aboriginal and Torres Strait Islander children and young people to develop their identity, feel connected to their culture and develop their spirituality.

Strategies underpinning responses to the National Framework for Protecting Australia's Children are partnerships between Indigenous families and communities, and between Indigenous agencies, mainstream service providers and governments, in order to provide culturally appropriate responses. Aboriginal and Torres Strait Islander communities' participation in decisions could be through Aboriginal and Torres Strait Islander controlled organisations that participate in decision making with child protection agencies and non-government organisations.

Standard 4

Each child and young person has an individualised plan that details their health, education and other needs.

What this means

The care planning process is to be focused on the wellbeing of the individual living in out-of-home care. The care plan is to include the views of the child and young person where appropriate and developed in partnership with carers, families and significant others. Where applicable, this approach will include cultural plans.



Standard 5

Children and young people have their physical, developmental, psychosocial and mental health needs assessed and attended to in a timely way.

What this means

Children and young people entering care are to have their health needs assessed and receive specialised services to respond to their health challenges, so that their chances for optimum health are maximised.

The child or young person's physical, developmental and psychosocial and mental health needs are to be identified in a preliminary health check. This will provide advice on the specialist services required and the timing of a comprehensive health and developmental assessment.

Children and young people are to have their own written health record which moves with them if they change placements.

Standard 6

Children and young people in care access and participate in education and early childhood services to maximise their educational outcomes.

What this means

Children and young people in care are to have opportunities to experience early learning and education that enables them to fulfil their potential, maximise life opportunities and make a contribution.

High quality early childhood services improve children's outcomes. Giving children a positive start will ensure they have the best possible future, and providing access to high quality early childhood education before formal schooling starts is the most effective way of helping all children reach their potential. Children and young people in care should have the same opportunities as all other children.



Standard 7

Children and young people up to at least 18 years are supported to be engaged in appropriate education, training and/or employment.

What this means

Children and young people in care are to have opportunities to experience education, training and development that enables them to fulfil their potential, maximise life opportunities and make a contribution.

The Commonwealth and State and Territory governments signed a National Partnership Agreement on Youth Attainment and Transitions to work together to improve outcomes in educational attainment; engagement of young people aged 15-24 with education, training and employment; and transitions of young people from school to further education, training or employment. Young people in care should have the same opportunities as other young people to complete their education.

Standard 8

Children and young people in care are supported to participate in social and/or recreational activities of their choice, such as sporting, cultural or community activity.

What this means

Children and young people in care are to have the opportunity to experience a life that is actively connected with the community, including education, social, sporting and cultural opportunities.



Standard 9

Children and young people are supported to safely and appropriately maintain connection with family, be they birth parents, siblings or other family members.

What this means

Children and young people in care are to maintain their relationships with people who are important to them, such as immediate and extended family where it is safe to do so. These relationships are important to the development of their identity, as well as their feeling of belonging in the world.

Standard 10

Children and young people in care are supported to develop their identity, safely and appropriately, through contact with their families, friends, culture, spiritual sources and communities and have their life history recorded as they grow up.

What this means

Children and young people in care are to know who they are and where they have come from. Memories and experiences during their time in care will be recorded in photos and other memorabilia to help them recall the people and events that have shaped their lives.

In particular, shared experiences with family, friends and carer families, as well as school, cultural, spiritual and community experiences and events are encouraged to strengthen the sense of self of children and young people in care.



Standard 11

Children and young people in care are supported to safely and appropriately identify and stay in touch, with at least one other person who cares about their future, who they can turn to for support and advice.

What this means

Children and young people are to have access to at least one adult role model throughout their care. This can be a critically important for children and young people in care and, a vital support for their ongoing development.

Standard 12

Carers are assessed and receive relevant ongoing training, development and support, in order to provide quality care.

What this means

The people who are providing care are to receive training and support to help them to deliver the best care possible in often complex circumstances. Carers are to be recruited, assessed and have access to information and review mechanisms in order to ensure quality care is provided. Where appropriate, carers are to receive cultural competence training.



Standard 13

Children and young people have a transition from care plan commencing at 15 years old which details support to be provided after leaving care.

What this means

Young people transitioning to independence are to have practical help to prepare for the future.

One of the biggest challenges for all young people is to maintain independent living. Developing these skills and abilities enables them to take their place in society and this requires emotional support and practical assistance.

A transition from care plan is to include, details of support to access affordable housing, health services, education and training, and employment and income support and is to be reviewed regularly.



Measuring and reporting on the National Standards

Measures and data collection for the National Standards

The aim of reporting on the National Standards for out-of-home care is to provide, for the first time, a nationally comparable picture of the outcomes for children and young people in out-of-home care across Australia. To do this in a meaningful way, a set of robust and valid national measures need to be developed that accurately reflect the achievement of outcomes and progress against the National Standards.

There are only a small number of nationally consistent and comparable measures currently available that could be used to report at a national level against the National Standards. Given this, there will be a staged approach to the development of new nationally agreed measures to build a sound national picture of the outcomes for children and young people in care.

In the first year, reporting will be on nationally consistent measures that currently exist. These interim measures are:

- a) Standard 1: Placement stability
 - The proportion of children on a care and protection order exiting care who had 1 or 2 placements during a period of continuous out-of-home care.
 - The rate and number of children in out-of-home care who were the subject of a substantiation and the person responsible was living in the household.

- b) Standard 3: Aboriginal Child Placement Principle
 - The proportion of children and young people in out-of-home care placed in accordance with the Aboriginal Child Placement Principle (ACPP), shown by carer type.

- c) Standard 9: Connection with family
 - The proportion of children and young people placed with relatives and kin.

- d) Standard 12 Carers
 - The Total number of foster carer households with a placement.

These interim measures will enable early national reporting on the implementation of the National Standards.

Final measures for each of the National Standards will be developed in consultation with the appropriate technical experts. A schedule for the development and implementation of new measures will be provided to Community and Disability Services Ministers in early 2011. Measures will be developed over time to allow for a complete, transparent and comparable public report will be developed within four years of commencement of the National Standards in July 2011.

Key to monitoring progress against the National Standards is capturing the views of children and young people in out-of-home care about the difference the National Standards are making to their lives.

The Commonwealth Government will fund an annual, national survey of children and young people in care for this purpose, building off the existing surveys in a number of jurisdictions.

Benchmarks for the National Standards

Benchmarks will be developed based on sound research including evidence of best practice.

For some standards, such as health assessments and case planning, there would be an expectation of achievement of 100 per cent of eligible population over time. Setting appropriate benchmarks for other standards, for example stability of placement, will require more rigorous research to determine what is best practice.

The National Standards reporting will also include have broad outcome benchmarks which compare the out-of-home care population with the broader population. The focus for the first 10 years is:

- > Benchmarks for outcomes for children and young people once the young person transitions from care e.g. comparing rates of teenage pregnancy, employment, and homelessness to the general population.
- > Broad age-based population benchmarks for children and young people in care for health and education.

Reporting on the National Standards

Public reporting on the National Standards will be annual to ensure transparency and drive continuous improvement in child protection systems. Reporting of jurisdictional trend data against each of the proposed National Standards will show changes within particular jurisdictions over time, and at a national level, where appropriate.

Initial reporting will be on those National Standards with nationally agreed and defined measures with data available. The States and Territories can also report on their progress on the National Standards separately or as an appendix to the annual report. The first report will be available in the second half of 2012 based on 2010-2011 data and will include performance based on measures with available data.

This approach means full reporting across all National Standards would not be in place immediately. A complete transparent and comparable public report will be developed within four years from commencement of National Standards in July 2011, with the depth of information in the annual reporting growing steadily and incrementally each year until then.

The data collection and initial analysis of data relating to measures under the National Standards will be undertaken by an independent data custodian and, as far as possible, the data collection process will be aligned with existing data collections on out-of-home care and child protection to avoid unnecessary duplication of effort in the collection process. The annual reporting on the National Standards will be part of the *National Framework for Protecting Australia's Children (NFPAC) Annual Report to COAG*.

List of terms

Carer

A carer who is paid a regular allowance for the child or young person's support by a government authority or non-government organisation. The carer is registered, licensed or approved as a foster parent by an authorised department or non-government organisation.

Individualised plan

A care plan developed to facilitate care and the provision of services to children and young people in out-of-home care. It includes, but is not limited to, care plans, restoration plans, individualised service plans, leaving care plans and permanency plans.

It identifies all the participants and records the specific wishes and views of the child and young person and other significant family members. Any dissenting or contrary views are recorded along with any supporting evidence for those views. All parties receive a copy of the care plan and are advised of any subsequent variations.

Comprehensive health and development assessment

A comprehensive health and developmental assessment should ideally be completed on all children and young people within three months of their entry to out-of-home care.

A comprehensive health and developmental assessment should go beyond basic screening to provide in-depth examination and assessment across the physical health, developmental and psychosocial and mental health domains.

The frequency of follow-up assessments should be a clinical decision for each individual and have both case-dependent and age-dependent considerations.

Developmentally appropriate

Assessment processes, actions, decisions and planning involving children and young people should take account of their developmental level across a spectrum of their 'life worlds' including health, education, identity, family and social relationships, social presentation, emotional and behavioural development and self care .

Health record

Relevant health information that is in a consolidated form that documents the child or young person's state of health and identified needs.

Life history

For a child or young person in out-of-home care, a life history (sometimes called a life story book) is a record of their life in words, pictures, photos and documents. Material used for a Life History record depends on a number of factors, including the child or young person's wishes and if information is available. The way a child or young person's history is recorded may vary because of their age and preferences and could be in the form of a scrapbook, photo album, treasure box, video or a computer-designed report.

Out-of-home care

The National Standards focus on those children and young people with Children's Court ordered care arrangements, where the parental responsibility for the child or young person has been transferred to the Minister/Chief Executive.

Preliminary health check

A preliminary health check aims to establish the ongoing relationship between the child, carer and the primary health care provider. The primary health care provider should provide screening and preliminary assessment of the child or young person across physical health, developmental and psychosocial and mental health domains. Importantly, this relationship will establish continuity of care and enable support of both the child and carer over time.

The preliminary health check should provide guidance on the clinical specialties required and timing of the Comprehensive Health and Developmental Assessment.

Transition from care plan

A planned and phased approach to transitioning from care for young people that identifies the required supports, based on individual needs, in areas such as safe and sustainable housing, education, employment, financial security, social relationships and support networks, health – physical, emotional (including self-esteem and identity), mental and sexual, and life and after care skills.

United Nations Convention on the Rights of the Child (CRoC)

The United Nations Convention on the Rights of the Child establishes a specific international regime for the protection and promotion of the rights of children and young people. It is the most widely ratified international human rights instrument. Australia signed the Convention on 22 August 1990 and ratified on 17 December 1990.

As a signatory to the United Nations Convention on the Rights of the Child, Australia has a responsibility to protect children, provide the services necessary for them to develop and achieve positive outcomes, and enable them to participate in the wider community.