



**MINISTERIAL ADVISORY GROUP  
ON TRANSITION OF OUT-OF-HOME-CARE (OOHC) SERVICE  
PROVISION IN NSW TO THE NON-GOVERNMENT SECTOR**

**OOHC TRANSITION PLAN  
STAGE 1 – THE ‘WHO’ AND THE ‘WHEN’**

OCTOBER 2011  
PREPARED BY THE MAG TRANSITION PLANNING UNIT

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# Background

The purpose of the transition of services from the government to the non-government sector is to achieve the best possible outcomes for children, young people and their families by delivering a quality sustainable non-government Out-of-Home Care service system for NSW.

Our aim is to reduce the number of children entering the statutory care system by increasing restorative practices that support families and retain children within their family and kin network.

The focus in this plan is the transition of children and young people who enter statutory care, and those who are currently in placements provided by Community Services, to non-government services.

In developing an integrated joined up Out-of-Home Care (OOHC) system that is child-centred, family and culturally responsive, there are opportunities to:

- provide improved services for children and young people in Statutory Foster Care and Statutory Relative/Kinship Care, and
- develop collaborative practice systems that impact on care decision-making to provide alternative responses to statutory care

For the transition to be successful the diversity of service providers across the sector, in terms of their size and capacity to grow, is acknowledged. While some NGOs already have the capacity to deliver more services, others will need time and assistance to assume a greater role.

It is also critical to build flexibility into the service system. This means that new service models, new ways of managing service delivery and new ways of working together must be developed.

Well integrated service delivery requires good partnerships.. The transition's success depends on changing the dynamics of the funder/provider relationship and on how effectively important lessons from the past have been learned.

Finally, in keeping with the vision for this reform, a quality sustainable OOHC service system for the future is one where all service providers fulfil their responsibilities as designated agencies as prescribed in the *Children and Young Persons (Care & Protection) Act 1998*.

This Stage 1 Transition Plan sets the foundations for the transition. While some initial consideration of contracting arrangements and new ways of working together is provided, this plan does not provide the full details on what these service system components will look like.

# Guiding Principles

For the purposes of developing this transition plan stakeholders agreed on the following principles:

1. Services and placements built around the child and their family's needs with a permanency planning approach at the forefront of practice.
2. Placement stability and cultural support are paramount.
3. Joined up teams working together to ensure children and families receive the earliest possible interventions and support services.
4. Children and young people and carers are supported with the information they need to make informed choices about transferring.
5. Ultimately, all Aboriginal children and young people in OOHC will be cared for by Aboriginal carers, supported by Aboriginal caseworkers employed by local Aboriginal managed agencies.
6. All Aboriginal children and young people in OOHC must be placed in a culturally appropriate setting with a strong preference for placements in Aboriginal community controlled organisations or in non-Aboriginal agencies working in partnership with a local Aboriginal agency, with a view to developing capacity and independence.
7. NGOs must have the appropriate cultural capabilities to look after any Aboriginal children and young people in their care.
8. Government and non-government partnerships are based on trust and respect for each other's experience and innovative ideas.
9. Case management responsibility belongs to the agency accepting the placement as the child enters care, regardless of Children's Court proceedings. Responsibility for case management transfers with children and young people moving from Community Services placements to NGO placements.
10. Transition will take place according to service capacity and demand, some cohorts may take longer than others; success and stability will be valued more than expediency.

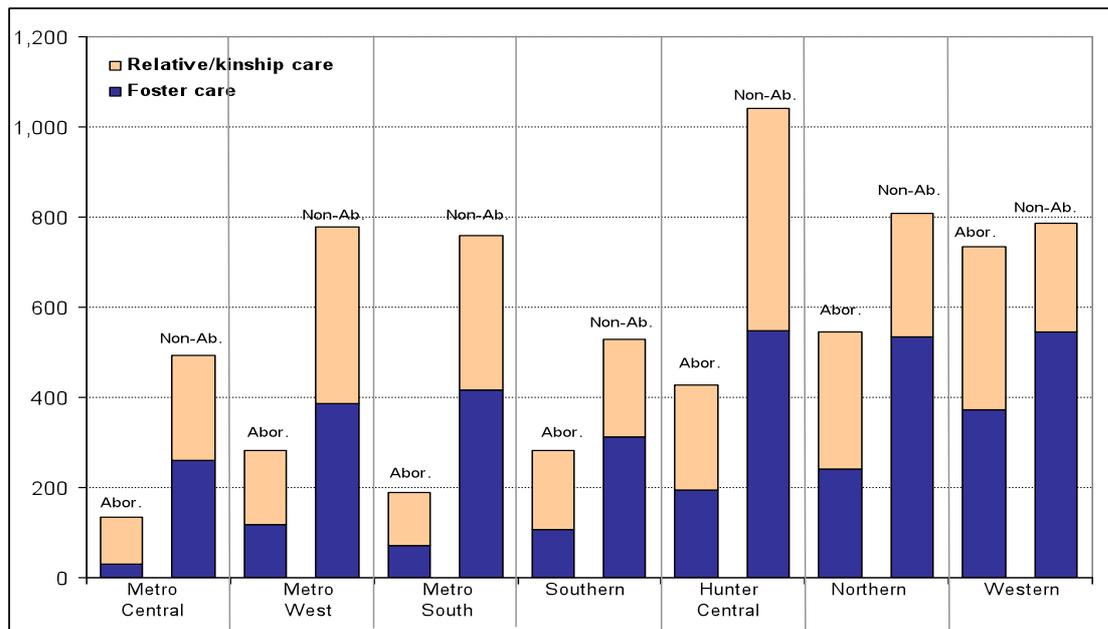
# Service demands – current Community Services placements

At 30 June 2011 there were about 5,200 non-Aboriginal and 2,600 Aboriginal children and young people placed with Community Services in Statutory Foster or Statutory Relative/Kinship Care. Figure 1 shows a breakdown by region.

These figures inform the number of children and young people already in care that may be transferred from Community Services to NGOs. It should be noted that this is a 'point in time' count that varies as children and young people enter and/or leave care.

The data in this section represents only children and young people placed with Community Services in Statutory Foster Care and Statutory Relative/Kinship Care. This differs from other statistics published by Community Services, which cover all OOHC placements, including children and young people placed with non-government organisations, as well as children and young people placed in Community Services supported care.

**Figure 1: Number of children and young people in CS Statutory Foster or Statutory Relative/Kinship Care as at 30 June 2011**



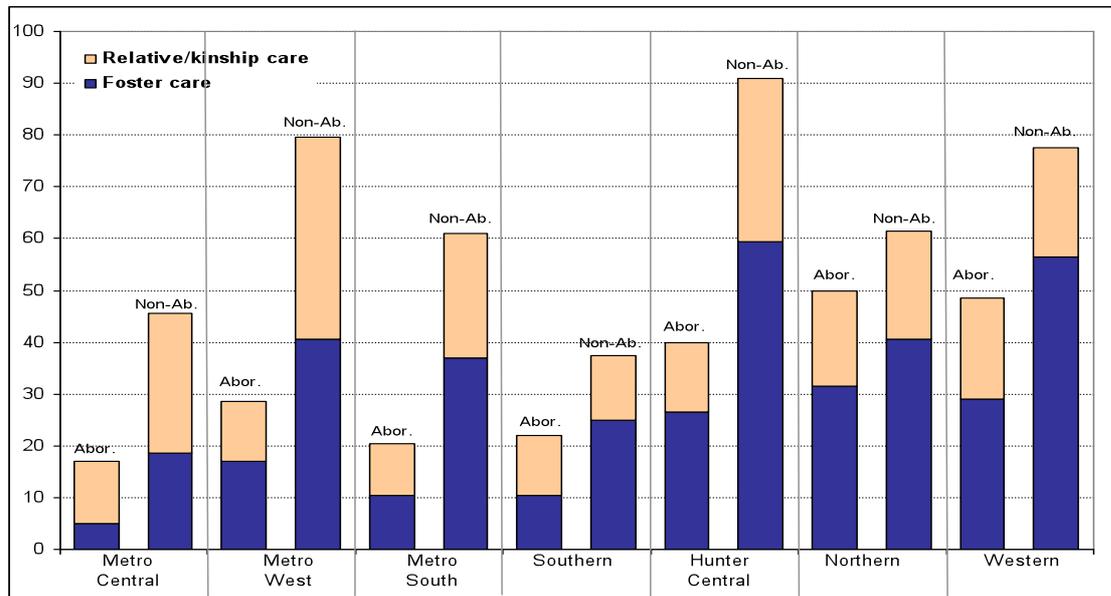
## Service demands – new entries

On average, in a six month period, about 460 non-Aboriginal and 230 Aboriginal children and young people enter Statutory Foster or Statutory Relative/Kinship Care for the first time ever into Community Services placements. Figure 2 shows the breakdown by region, based on first time ever entries during 2009/10.

These figures inform the number of children and young people that may be directed to NGO services in a six month period in addition to transfer of existing Community Services placements of children and young people already in OOHC.

The data in this section represents only children and young people with no prior OOHC history and placed with Community Services in Statutory Foster Care and Statutory Relative/Kinship Care. This differs from other statistics published by Community Services, which covers all entries into OOHC placements, including children and young people placed with non-government organisations, children and young people placed in Community Services supported care as well as children and young people with previous OOHC history.

**Figure 2: Estimated number of children and young people entering Statutory Foster or Statutory Relative/Kinship Care for the first time ever in a 6 month period (based on 2009/10 data).**



## NGO Services and Capacity

The successful transition of all children and young people in Statutory Foster and Relative/Kinship Care from Community Services will require a strong, vibrant and flexible NGO sector. The rationale for the transition to the NGO sector is one of quality, not cost. The NSW non-government sector is widely acknowledged as being better placed to provide quality services to children and young people in care.

It is an imperative that the transition happens at a pace that matches the capacity of the agencies to deliver quality services. Overloading the NGO sector will only transfer some of the frailties of the existing system and this would not be in the best interests of the children and young people in care or their families.

The substantial growth required will be a challenge for agencies and will require investment and support from Community Services teams at all levels and in all regions. The capacity of agencies in the NGO sector differs across regions, across agencies and across populations. Focussed support will maximise the chances of success across the state.

This transition plan is based on the premise that the first wave of growth will be driven by NGOs taking on new placements and current Community Services carers who choose to transfer to the NGO sector.

Work carried out to date suggests that more than half of all statutory placements held by Community Services will be transferred to the NGO sector within two years. NGO agencies and government staff are working productively together to build capacity that will enable the transfer of these and the remaining statutory placements as soon as possible thereafter.

### *Current situation*

The approximate number of children and young people currently in NGO statutory OOHC placements is as follows:

General foster care	1,360
Relative kinship care	90
Intensive foster care	540
Residential care	360
Group / Semi independent	40
<b>Total</b>	<b>2,400</b>

Currently the NGO sector is looking after about 1,990 children and young people in statutory general foster, intensive foster and relative kinship care. This equates to about fifteen per cent of the total number of children and young people in general foster care and relative kinship care, and about 90 per cent of those in intensive foster care in NSW.

The proportion of children and young people in Statutory Foster and relative kinship care looked after by NGOs per region ranges from around thirty per cent in Metro Central to five per cent in Western.

The capacity of Aboriginal and non-Aboriginal services varies on a regional and Community Services Centre (CSC) level. The speed of case file transfers and quality of the relationships with NGOs also varies across the 83 CSCs.

**Plan for transition**

Data are presented below as an indicator of what is likely to happen in the future. It is important to note that the rates of children and young people entering and exiting care, vary over time, so the estimates below will not exactly match numbers in future years.

Table 3 below shows the expected numbers of children and young people who can be transferred to the non-government sector within selected timeframes. These estimates will be refined and confirmed in the Stage 2 Transition Plan. Further consultation will need to occur with key groups such as Connecting Carers and Regional Foster Care Advisory Groups to inform the process for voluntary transfer to the non-government sector for existing Community Services carers.

**Table 3: Estimated numbers of children and young people transferred from Community Services placements to NGOs**

Cohort	Children & young people in CS placements 2009/10 and 2010/11	Transfer first 6 months	Transfer within 2 years	Transfer within 5 years	Transfer within 10 years
<b>FIRST TIME ENTRIES (6 months):</b>					
Statutory Foster Care					
- Non-Aboriginal	290	145 (50%)			
- Aboriginal	140	30 (20%)			
- Total	430	175	100%	100%	100%
Statutory Rel/Kin Care					
- Non-Aboriginal	170	70 (40%)			
- Aboriginal	90	20 (20%)			
- Total	260	90	100%	100%	100%
-					
<b>CURRENTLY IN STATUTORY OOHC</b>					
Total (Foster Care + Rel/Kin Care)					
- Non-Aboriginal	5,200	1,000 (20%)	3,600 (70%)	100%	
- Aboriginal	2,600	130 (5%)	800 (30%)	1,600 (60%)	
- Total	7,800	1,150	4,400	6,800	100%

## Non-Aboriginal agencies

### *Current situation*

Around 1,620 children and young people were in Statutory Foster and relative kinship care placements with a non-Aboriginal NGO; around 80 per cent of these children and young people are non-Aboriginal. The capacity of non-Aboriginal agencies will need to increase over fourfold (to around 6,800 placements) to accommodate all the non-Aboriginal children and young people currently in Community Services Statutory Foster and Relative/Kinship Care placements.

Sixteen different non-Aboriginal NGOs currently provide General Foster Care services across the state. Every CSC has arranged placements with at least one of these agencies. Three of these agencies offer services state wide and have over one third of all currently funded general foster care placements. Two other agencies provide only intensive foster care placements.

Two of the above non-Aboriginal agencies are contracted to provide Statutory Relative/Kinship Care, between them they look after around 70 children, 50 of whom are non-Aboriginal. There are another six agencies accredited to provide general foster care that do not currently have funding to provide placements.

### *Estimated transfer*

Presuming funding levels can be agreed, some non-Aboriginal agencies will be able to start accepting new **first time Statutory Foster Care entries** within the first six months of transition. It is estimated 145 new non-Aboriginal entries (equivalent to 50 per cent of entries over six months in 2009/10) can be accepted in the first six months, and this should increase over the first two years to a point where all new entries are accepted.

Non-Aboriginal agencies will be able to take on **first time Statutory Relative/Kinship Care entries** once funding levels have been agreed. It is estimated 70 new non-Aboriginal entries (equivalent to 40 per cent of entries over six months in 2009/10) can be accepted in the first six months of the transition, increasing over the first five years to a point where all new entries are accepted.

Presuming funding levels can be agreed, some non-Aboriginal agencies will be able to start accepting some children and young people **transferring from Community Services Statutory Foster Care and Statutory Relative/Kinship placements** within six months. Approximately 1,000 non-Aboriginal children and young people (equivalent to 20 per cent of Community Services placements as at June 2011) can be transferred in the first six months and a further 2,600 (50 per cent) within the first two years. The remaining 1,600 non-Aboriginal children and young people (30 per cent) are likely to be in areas with little existing infrastructure and should be transferred within five years.

Figure 4, later in this section, shows the estimated rate of non-Aboriginal children and young people transferring from Community Services to non-Aboriginal NGOs.

## Aboriginal agencies

### *Current situation*

Around 370 children and young people are in Statutory Foster and relative kinship care placements with an Aboriginal NGO. All funded Aboriginal agencies are at, or near, contracted capacity. The capacity of Aboriginal agencies will need to increase about eightfold (to 3,000 placements) before they can accept all Aboriginal children and young people in Community Services Statutory Foster and relative kinship care placements.

Six established Aboriginal agencies are currently contracted to provide general foster care placements. These agencies cover 25 of the 83 CSCs in NSW. One other established Aboriginal agency provides only intensive foster care placements. One of the established Aboriginal agencies has been contracted to develop a model and provide Statutory Relative/Kinship Care and is looking after around twenty Aboriginal children in such placements.

Four agencies are part of a capacity building program. Two of these agencies will be able to take placements within six months, and the others should be able to within two years. These agencies cover eleven CSCs. Partnership arrangements are being established in order to set up three new agencies that will cover a further fourteen CSCs.

For cultural, historical and organisational reasons, existing agencies cannot be expected to deliver services outside their current boundaries, so seven new Aboriginal agencies will need to be established in order to provide services across the 33 remaining CSCs. Subject to community acceptance, these agencies could be developed through auspice and partnership arrangements with other agencies and some may be ready to take placements within one year under the accreditation of the partner agency.

### *Estimated transfer*

Presuming funding levels can be agreed, some Aboriginal agencies will be able to start accepting some new **first time Statutory Foster Care entries** within the first six months of the transition. It is estimated 30 new Aboriginal entries (equivalent to 20 per cent of entries over six months in 2009/10) can be accepted in the first six months, increasing to all new entries over the first five years.

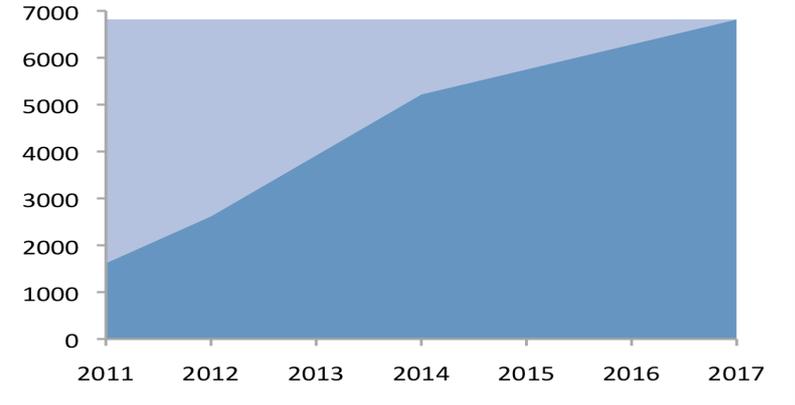
Aboriginal agencies will be able to take on **first time statutory kinship care entries** once funding levels have been agreed. Approximately twenty new Aboriginal entries (equivalent to 20 per cent of entries over six months in 2009/10) can be accepted in the first six months, increasing over the first five years to a point where all new entries are accepted.

Presuming funding levels can be agreed, some Aboriginal agencies will be able to start accepting some Aboriginal children and young people **transferring from Community Services Statutory Foster Care and statutory relative kinship placements** within the first six months of the transition. It is estimated 150 Aboriginal children and young people (equivalent to five per cent of Community Services placements as at June 2011) can be transferred in the first six months, a further 650 (25 per cent) in the first two years, and a further 800 children and young people (30 per cent) in the first five years.

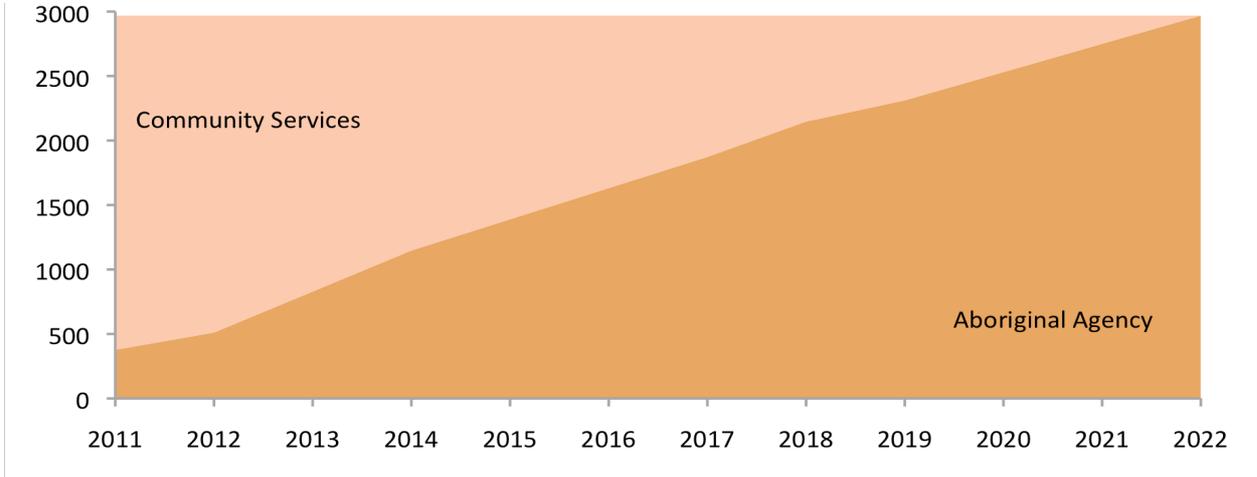
The remaining 1,050 Aboriginal children and young people (40 per cent) are likely to be in areas with little existing infrastructure and should be transferred within ten years.

Figure 5 below shows the estimated transfer rate of Aboriginal children and young people from Community Services to Aboriginal NGOs.

**Figure 4: Estimated transfer of non-Aboriginal children and young people**



**Figure 5: Estimated transfer of Aboriginal Children and young people**



# Where to from here?

Below are the activities that need to be progressed as priorities in order to implement this plan.

## 1. Establish Governance structures

**Regional Implementation Groups** will be established to oversee regional implementation, undertake local service planning, report on implementation progress and escalate issues that may present a risk to successful implementation to the centralised governing body. In addition to this, Regional Implementation Groups will oversee Regional Placement Panels and NGO Provider Panels. Regional Implementation Group membership will include service providers in the Region, industry associations, government agencies, carers and clients.

A centralised body is required to oversee the implementation of the transition plan, monitor progress, make policy decisions and endorse new service provision models. The *Ministerial Advisory Group on the Transition of OOHC Service Provision in NSW to the Non- Government Sector*, which has overseen transition planning, could assume this role with a revised Terms of Reference.

## 2. Establish local Intake, Assessment and Referral mechanisms

**Regional Placement Panels** will be established in all regions to manage intake, assessment and referral of new entries. While it is recognised that a 'one size fits all' approach to developing new processes state-wide won't work, consideration will be given to how the trial of a joint placement panel in the FACS Metro West region can be extended to other regions.

Regional Placement Panels, made up of service provider representatives and Community Services regional staff will be responsible for ensuring that children and families receive the earliest and most appropriate service they need.

Once an agency accepts a placement the agency becomes responsible for case management. This means the agency is responsible for casework activities associated with placement reviews and permanency planning, including restoration. Where Children's Court proceedings are not finalised this will mean a dual Community Services /NGO case management approach to casework, with a designated primary caseworker.

## 3. Reform the Contracting system

In tandem with transition planning, an OOHC Taskforce of senior Government officers from NSW Treasury, Department of Premier and Cabinet, OCCG, FACS and Department of Finance and Services was established in July 2011 to oversee a new OOHC contracting framework. The Taskforce has developed a strategy for the renegotiation of existing contracts with OOHC service providers and the procurement process for future growth in the sector.

Contracts for the future will need to be sufficiently flexible to enable new responsive service models to be developed by the sector.

#### 4. Build NGO capacity

Aboriginal and non-Aboriginal agencies will require support to grow their services. AbSec and Community Services have worked together over a number of years to build capacity of Aboriginal community controlled organisations in NSW to deliver OOHHC services. A commitment to work with Aboriginal organisations to build their capacity in this area was recommended by the Wood Inquiry.

A capacity building plan will focus on the needs of small and medium organisations in regional areas where adequate service system coverage is difficult to achieve. Opportunities to provide additional support, or stronger partnerships to ensure sustainability for non-Aboriginal and Aboriginal organisations will be identified

The plan will need to address the following issues:

- **Carers.** Even though many carers will choose to transfer to NGOs, a significant number of new carers will need to be recruited and trained. Centralised and agency specific carer recruitment strategies will be required.
- **Workforce.** NGOs will require a large influx of case managers and other experienced staff in order to meet the needs of the increased number of children and young people in their care. Regional Implementation Groups should develop localised workforce development programs and look at opportunities for secondments or the like.
- **Governance.** Growing agencies will need to pay close attention to the capacity of their Boards and Management Committees.
- **Partnerships.** The establishment of new agencies may be facilitated through partnerships and auspice arrangements with accredited agencies. Ways of developing and financing such partnerships has still to be agreed.
- **Flexibility.** If agencies are to be tasked with developing new ways of delivering services, a culture of creativity and flexibility must be encouraged and supported by flexible contractual arrangements that enable and foster the new approach.
- **Cultural competence.** Agencies that support Aboriginal children and young people and agencies that support CALD families must be able to work in culturally appropriate ways.
- **Infrastructure.** Agencies face specific problems in growing their presence in rural and remote areas of NSW. Support for infrastructure setup needs to be agreed.

#### 5. Communicate and consult

To date this plan has been developed through an open and iterative process in order to ensure all stakeholder groups are kept informed and receive timely access to information. Initial consultations with peak groups have taken place and strategies aimed at meeting the communication needs of stakeholders are being considered. These include:

- **An OOHHC Transition Communication Plan.** This plan will be an organic document, changing over time as the transition progresses. The initial framework will focus on identifying the issues and communication needs of different stakeholder groups and document strategies for addressing these; and identifying and articulating key messages for different stakeholder groups to assist with message consistency.
- **A Regional Engagement Strategy.** It is critical that NGO and Community Services agency staff and carers are given opportunities to participate in discussions and

have opportunities to hear firsthand how the reform will impact on them. An early task is to complete a 'road show' schedule.

- **'Frequently Asked Questions' (FAQs) and Fact Sheets** for stakeholders to access via the Community Services, ACWA, AbSec, Connecting Carers and Create websites will be developed.

## Actions to date

In some areas we are already seeing changes in practice toward an integrated system of OOHC. A range of pre-transition projects and trials are underway that demonstrate new ways of working together:

- **New Health and Education Pathways:** Since the beginning of Term 3 2010 all students entering statutory OOHC from must have an education plan developed for them within 30 school days. Systems are already in place for this to happen and plans for extending these arrangements to non-government schools are being progressed by government agencies. The *OOHC Health Screening and Assessment Pathway* is operating and *Health Management Plans* are developed by Local Health Districts for children and young people as they enter OOHC. There are plans to extend access to this service to children who are already in care.
- The Cleveland Child Assessment Tool is being trialled for adaptation to the NSW context. This tool was designed for use in the USA to consistently determine the type of placement setting most appropriate for a child based on his or her assessed needs. A joint three month NGO/Community Services trial targeting children entering statutory care or changing a placement was completed in September 2011 and the evaluation report is being finalised.
- An NGO/Community Services placement matching panel trial commenced in October 2011 in the Community Services Metro West region to assess function and capacity to jointly manage the intake and referral process and deliver a systematic and shared placement matching process. The findings from the trial should help inform decisions about new intake, assessment and referral systems, and how NGO caseworkers can take on OOHC case management responsibilities for children as they are placed with an NGO.
- Community Services can now delegate aspects of parental responsibility to NGOs. The Children's Guardian and Community Services have a Memorandum of Understanding that incorporates procedures for information exchange between Community Services and the Children's Guardian and the minimum provisions to be considered by agencies seeking Parental Responsibility delegation. NGOs may wish to take up some aspects of PR for the children they place as the transition progresses.

Other initiatives are aimed at capacity building. These include:

- ACWA has agreed to take on the role of managing *Fostering NSW* and further discussions will take place to move management of the *Fostering NSW* website to ACWA.
- The *KTS NGO Capacity Building and Workforce Development Plan* was approved by the government in September 2010 for public release. Implementation includes the establishment of a KTS NGO Workforce Development and Capacity Building

Steering Committee with representatives from government agencies and NGO peaks who are jointly responsible for coordination and implementation.

- The Community Services Aboriginal OOHC Service Capacity Building Initiative Phase 2 commenced in July 2010. Four Aboriginal organisations have been funded to develop support services and strengthen their position to become accredited OOHC service providers.
- The AbSec Peer Support Program has been set up to establish and maintain foster and kinship carer peer support groups; with a focus on carers in remote rural locations.
- The AbSec/ACWA Growth Partnership Project aims to assist Aboriginal and non-Aboriginal agency partnerships to build Aboriginal NGO capacity.