

# Summary: Access to aftercare financial assistance in NSW

## 1. Purpose of this summary

This document highlights the main issues raised in a paper prepared by a working group drawn from members of ACWA's Transition to Independence Forum (TIF). The paper explores some of the main barriers faced by care leavers in obtaining adequate financial assistance to live independently once they exit out-of-home care (OOHC). A full copy of the working group's paper will soon be made available.

This document is also intended to inform proposed work arising from the recent audit report by the NSW Office of the Children's Guardian (OCG) – *Report on the leaving care monitoring program 2020-21* which identifies 'a need for a sector wide discussion about supports young people should expect to receive after they have left care.'<sup>1</sup>

Furthermore, this document seeks to complement other work recently undertaken in this sphere, such as the recently released report by the Children in Care Collective (CCC), *More Care Required*<sup>2</sup>, which examines the experience of care leavers in NSW and draws on the growing body of leaving care research and related reports. It is also important for ACWA to acknowledge the very significant contribution which is being made by the National Homestretch Campaign which has been advocating for extended care.<sup>3</sup>

We note that in her report, the Guardian has said she 'will explore with the peak bodies, the Association of Children's Welfare Agencies (ACWA) and the NSW Child, Family and Community Peak Aboriginal Corporation (AbSec), opportunities to establish a sector advisory group' to consider her office's report and the review of Permanent Care standards.

In response, ACWA is keen to work with our partner peak, AbSec, and other critical stakeholders, including (but not limited to) the Department of Communities and Justice (DCJ), the CREATE Foundation NSW, and Legal Aid NSW on examining how we can best improve the aftercare support system.

## 2. Background to the TIF working group's paper

Care leavers deserve high quality and easily accessible support to help ensure their ongoing safety, welfare and wellbeing as they transition to independence as young adults. In NSW, an interagency support system, mostly funded through DCJ and underpinned by legislation, standards and a charter, aims to ensure support is provided to those leaving care.

Despite the aims of this system, too many care leavers are still not receiving the basic support they require to meet their needs. Too often they transition from care into poverty, homelessness, incarceration and from being young people considered 'at risk' to being 'a risk' as young adults. For example, the Social Policy Research Centre has looked at the intergenerational transition of risk for care leavers who become young parents.<sup>4</sup>

The TIF, which was established by ACWA in the 1990's, recognised that it should call on its members to offer their advice based on their frontline experience, including their direct interactions with care leavers and the systems they rely on. Following a call for expressions of interest, a small working group was formed, predominantly comprised of individuals who work in specialist aftercare services, to identify systemic problems faced by care leavers. The group's work strongly focused on the critical need for care leavers to be able to access adequate financial support.

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<sup>1</sup> *Report on the leaving care monitoring program 2020-21*, NSW Office of the Children's Guardian, Office of the Children's Guardian, in particular, p.14

<sup>2</sup> *More Care Required: An analysis of leaving care support in New South Wales in 2021*, Children in Care Collective <http://childrenincarecollective.com.au>

<sup>3</sup> The Homestretch Campaign <https://thehomestretch.org.au/>

<sup>4</sup> *From being 'at risk' to being 'a risk': journeys into parenthood for disadvantaged young mothers*, M. Blaxland et al, Australian Social Policy Conference Sept 2019, [www.aspc.unsw.edu.au](http://www.aspc.unsw.edu.au)

### 3. Key Issues identified

The working group's paper identified that potential improvements could be made in the following critical areas:

- Consistency in policies, procedures and practice
- Streamlining financial systems including clear timeframes
- Clear review and appeals processes
- Cultural safety and inclusion
- Improving ongoing accessibility for care leavers to relevant services and support
- Increased support for care leavers in custody
- Clarifying roles and responsibilities for aftercare support for the OOHC sector
- Emergency and immediate assistance

#### 3.1 Consistency in policies, procedures and practice

A number of the findings in the OCG report align with issues identified by the TIF working group, including, core elements of the leaving care planning process. In this regard, the OCG's review found:

*"...that there is not a consistent process across the sector for non-government agencies to submit young people's leaving care financial plans, for DCJ approval. Leaving care plans prepared by non-government agencies are not always recorded on ChildStory<sup>5</sup> before they have left care and it was not always possible, based on a review of ChildStory records alone, to ascertain whether the leaving care financial plans for young people placed with non-government agencies were approved by DCJ prior to the young person leaving care."<sup>6</sup>*

This issue resonates strongly with those working in aftercare. On a related note, TIF members report that across NSW, Leaving Care Plan (LCP) financial approvals differ between Community Service Centres (CSCs) and Child and Family District Units (CFDUs). For example, TIF members have reported that there does not appear to be a consistent approach regarding financial approvals. Specialist aftercare service providers also report that care leavers previously managed by DCJ, have far larger amounts approved in their financial plans than those managed by NGO OOHC agencies, even when the care leaver's needs are very similar.

In addition, TIF members have noted that there is often no clear process to request financial support:

- for matters that have been identified in an endorsed LCP;
- for important matters requiring financial support which might have been in the LCP but where the plan hasn't been formally endorsed; and
- in circumstances where financial support is required but there is no LCP in existence.

TIF members also reported the need for consistency in regard to financial delegations within CSCs and to address frequent payment delays.

#### *Opportunities for consideration*

- Developing clear policies and procedures regarding access to financial plans to promote consistency in practice across DCJ CSCs and CFDUs throughout NSW.
- Developing and implementing policies that ensure equity across LCPs and financial plans, regardless of factors such as the status of the care leavers' case management arrangements.
- Developing a 'good practice guide' that reinforces implementation of policies and procedures, and clearly identifies minimum standards and reasonable timeframes.

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<sup>5</sup> ChildStory is the DCJ information technology system that records information from child's network to support informed decision-making <https://www.facs.nsw.gov.au/families/childstory/what-is-childstory>, Accessed 8 September 2021.

<sup>6</sup> *Report on the leaving care monitoring program 2020-21, NSW Office of the Children's Guardian, Office of the Children's Guardian, <https://www.ocg.nsw.gov.au>, p.7*

- Developing policies and procedures that provide guidance in unique and complex situations, including responses to care leavers who do not have an endorsed LCP, to ensure that they can receive easy-to-access, prompt, and thorough responses to their changing needs, including (but not limited to) additional financial support when required.

### 3.2 Streamlining financial systems including clear timeframes

The *NSW Ministerial Guidelines for the provision of assistance after leaving out-of-home care*<sup>7</sup> provides a list of suggested items that can be requested by and for care leavers but according to TIF members, the decision-making processes behind the approval of these items are not clear to practitioners or the young people they work with. In particular, TIF members have indicated that there does not appear to be any formal guidelines or processes relating to the evidence care leavers need to provide when requesting financial support, and this can lead to inconsistent practice and decisions between CSCs.

In addition, most CSCs require a purchase voucher prior to any payment for goods or services, or a receipt of purchase before providing reimbursement. TIF members have reported that obtaining 'satisfactory' evidence relating to future and past purchases, can present difficulties for carer leavers. The specific practical problems in this area need to be both identified and addressed.

Care leavers can be financially assisted to make purchases and payments by aftercare programs through brokerage funds, or by an NGO OOHC agency, if they have sufficient financial capacity. Brokerage can help to alleviate DCJ payment delays and is provided on the basis that DCJ will reimburse such expenses through the local CSC or the CFDU on receiving the appropriate documentation. However, according to TIF members, reimbursements can take a long time to process and often require constant follow up. In addition, the lodgement of a 'submission for contingency payment' form is *sometimes* required when applying for resources which are not already referred to in a LCP, but it is not clear when this is required.

Formal guidance on reasonable timeframes for processing requests for access to financial plans is needed. If an approved LCP exists and the necessary evidence is submitted by a care leaver wanting to access funds aligned to what is contained in the LCP, it would be beneficial to have clear timeframes for processing these requests. In addition, it would be helpful to have timeframes for responding to additional requests for support where an LCP exists, as well as timeframes for decisions where no LCP is in existence.

#### *Opportunities for consideration*

- Implementing transparent and accessible financial delegation and approval procedures relating to accessing leaving care financial assistance.
- Streamlining application and submission processes for access to financial plans.
- Creating specific financial items within ChildStory (or other relevant financial system) for core and within-guideline items (eg. Opal cards) identified in leaving care financial plans.
- Increasing the range of within-guideline items that can be included in all, or most, leaving care financial plans, based on available evidence of the needs of young people who are leaving care.
- Developing and implementing clear policies on the evidence required to substantiate financial requests by, and on behalf of, care leavers.
- Developing and implementing policy on reasonable timeframes to approve requests, make payments or provide relevant purchase vouchers to access support under financial plans.

### 3.3 Clear review and appeals processes

The NSW Ministerial Guidelines state that 'reviews and amendments are to be expected as the young person's circumstances change, or new issues arise'.<sup>8</sup>

<sup>7</sup> *Guidelines for the provision of assistance after leaving out-of-home care*, NSW Department of Family and Community Services – October 2020: <https://www.facs.nsw.gov.au>.

<sup>8</sup> *Guidelines for the provision of assistance after leaving out-of-home care*, NSW Department of Family and Community Services – October 2020: [www.facs.nsw.gov.au](http://www.facs.nsw.gov.au).

The Leaving and Aftercare financial assistance fact sheet states that if things change, all care leavers need to do is 'ask for assistance'.<sup>9</sup> TIF members report that most care leavers make reasonable requests, often for basic needs to 'enhance their capacity to establish an independent life.'<sup>10</sup>

While it is understandable that some requests are not approved by DCJ, there does not appear to be a process for these decisions to be reviewed when care leavers are not satisfied with a DCJ decision. It is possible to complain to the NSW Ombudsman, and some care leavers are supported to do this where there are significant concerns about the DCJ decision or related process, but this is usually taken as a last resort option and requires additional support by a worker. Accessible options to resolve issues before making an external complaint or commencing formal grievance procedures would be preferable for most care leavers and would assist to de-escalate issues rather than heighten them. This type of approach is also consistent with good complaint handling and administrative decision-making practice.

Furthermore, TIF members have noted that it appears there are no guidelines or a process for escalating a matter if a request for financial assistance is not responded to in a reasonable timeframe.

### *Opportunities for consideration*

- Developing and implementing a policy on the escalation and review process for those circumstances where a care leaver is not satisfied with DCJ's handling of their request for financial or other assistance.
- Developing and implementing complaint processes (which are also available online) which provide information on timeframes for complaint allocation and resolution.

## **3.4 Cultural safety and inclusion**

The OCG report notes the need to 'strengthen approaches to cultural planning to help young people maintain connection with culture, particularly for Aboriginal young people.'<sup>11</sup> TIF members reported that many requests for financial assistance for cultural connection, return to country and cultural activities were denied by DCJ, even with strong supporting evidence. In addition, according to the Child Protection Australia 2019-20 report, the rate of Indigenous children discharged from care in 2019-2020 was higher (12 per 1,000 children) than for non-Indigenous children (1 per 1,000 children).<sup>12</sup>

In NSW, 464 Aboriginal young people aged between 15-17 were 'discharged from care' in 2019-20<sup>13</sup>. Even though some Aboriginal children exit care for reasons other than reaching the leaving care age, the fact is that there are large numbers of Aboriginal young people who exit care each year upon turning 18. Against this background, TIF members have expressed concern that there is only one NSW Aboriginal state-wide specialist aftercare service.

### *Opportunities for consideration*

- Expanding Aboriginal specialist aftercare services to support Aboriginal care leavers.
- Developing and implementing policies that ensure cultural needs are addressed for Aboriginal care leavers.
- Educating the wider OOHC sector about the benefit of, and options for, addressing cultural needs within LCPs, as well as the related financial implications that should be reflected in LCPs for Aboriginal care leavers.

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<sup>9</sup> *Leaving and Aftercare financial assistance: Information for care leavers aged up to 25 years*, NSW Department of Family and Community Services – August 2019: [www.facs.nsw.gov.au](http://www.facs.nsw.gov.au).

<sup>10</sup> Skattebol, J., Hamilton, M., Thomson, C., Blaxland, M., valentine, k. (2019). *Stories of aftercare services and support needs after leaving care: A snapshot from the Stories of Resourcing and Resourcefulness project*. (SPRC Report 11/19). Sydney: Social Policy Research Centre, UNSW Sydney (Version 2 updated on 14 March 2019).

<sup>11</sup> *Report on the leaving care monitoring program 2020-21*, NSW Office of the Children's Guardian, Office of the Children's Guardian, p.2.

<sup>12</sup> Child Protection Australia 2019-20, p.50, Accessed 09.09.21.

<sup>13</sup> AIHW Supplementary data tables (online) S5.1 and S5.2, AIHW Child Protection Collection 2019–20.

### 3.5 Improving ongoing accessibility for care leavers to relevant services and support

The Ministerial Guidelines state:

*Section 166(3) of the Act requires the designated agency to implement the plan they prepared when the young person leaves out-of-home care. To comply with this requirement and ensure the plan is successfully implemented, the agency responsible for supervising a young person's last placement is to offer follow up to the care leaver at regular intervals after their exit from care.<sup>14</sup>*

The above requirement to follow up with care leavers can be difficult to implement and monitor. Care leavers are often transient or highly mobile,<sup>15</sup> so the ability of designated agencies to stay in touch, whether they are DCJ or NGO OOHC agencies, can be very challenging. In addition, young people can become disengaged from their agency or worker for a variety of reasons and there are limited resources available to follow them up if they lose touch, including if the young person is no longer living in the same location as their agency. This challenge can be even more difficult when the agency doesn't have a state-wide footprint, or when they no longer provide OOHC services.

Care leavers often need to make the first approach to access support. This can be intimidating for these young people, particularly if they are homeless; have recently exited from custody; if they are experiencing mental health issues; or have a disability. Having the necessary knowledge and skills to be able to access the right support, can also be made more difficult if care leavers don't know the right words to use, or who they should speak with. On this issue, TIF members emphasised that there should be a no 'wrong door' response to care leavers who need support, and all potential 'first contact' staff in DCJ and NGO OOHC agencies should be able to respond, support and provide warm referrals in a timely way.

TIF members also emphasised that some care leavers require intensive support. However, generally, DCJ and NGO OOHC agencies do not receive additional funding to provide intensive support, so they have to refer care leavers to specialist aftercare services. In turn, these aftercare services have to be adequately resourced to respond to the significant needs of these care leavers.

In ACWA's project which has been examining the needs of children and young people with a disability in OOHC, we have noted that young people with disability who are leaving care, often face additional challenges, including in the spheres of employment and independent living. They also have to navigate the NDIS, without the guarantee of sophisticated advocacy support. Therefore, the issues identified in ACWA's recently released summary report, '*Overview of disability project and key findings*', should also be considered in any examination of how to improve the financial assistance available to care leavers.

#### *Opportunities for consideration*

- Providing a flowchart explaining the steps a young person needs to take to access their financial plan, including specific contacts (i.e., who to approach) and timeframes.
- Developing consistent practices across CSCs to managing aftercare requests and enquiries, through an effective triage process and a dedicated aftercare contact person and email inbox.
- Developing and enabling access to training for CSC and NGO OOHC agency reception staff and caseworkers, to equip them to address a range of aftercare enquiries and issues.
- Including the contact details of the relevant agency and program in the Minister's letter to care leavers to ensure they have a suitable direct contact for aftercare support.

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<sup>14</sup> *Guidelines for the provision of assistance after leaving out-of-home care*, NSW Department of Family and Community Services – October 2020: [www.facs.nsw.gov.au](http://www.facs.nsw.gov.au), p.3

<sup>15</sup> Skattebol, J., Hamilton, M., Thomson, C., Blaxland, M., valentine, k. (2019). *Stories of aftercare services and support needs after leaving care: A snapshot from the Stories of Resourcing and Resourcefulness project*. (SPRC Report 11/19). Sydney: Social Policy Research Centre, UNSW Sydney (Version 2 updated on 14 March 2019), p.6.

- Implementing policies and processes to enable the assessment of care leavers' differing capacities, including the development of comprehensive guidance relating to meeting the needs of care leavers with disability (See also the 'opportunities for further consideration' outlined in ACWA's *Overview of disability project and key findings* document in relation to transition points – with a focus on leaving and aftercare planning).

### 3.6 Increase support for care leavers in custody

Accessing aftercare support while in custody, or after having recently exited custody, has distinct challenges. This cohort of care leavers can have trust issues with those responsible for their care, particularly for those where their time in custody is due to criminal charges arising from incidents with carers or staff. When a care leaver is in juvenile detention, it is sometimes left to Youth Justice to prepare them for post-release, including addressing any aftercare needs, especially if a care leaver turns 18 while in custody. When a care leaver is in adult custody, caseworkers often lack the knowledge and skills to navigate the adult Corrective Services system and care leavers are left to fend for themselves.

#### *Opportunities for consideration*

- Developing interagency partnerships between OOHC caseworkers, specialist aftercare services and Youth Justice and Corrective Services, to help reduce recidivism for care leavers and plan for their supported exit back into the community.
- Developing and offering specific training for Youth Justice caseworkers and Corrective Services welfare staff, as well as providing to these workers, information on critical contacts who can support care leavers who have no adequate aftercare support.

### 3.7 Clarifying roles and responsibilities for aftercare support for the OOHC sector

TIF members have reported that the different roles and responsibilities of DCJ, NGO OOHC agencies and specialist aftercare services in providing leaving care support, do not appear to be clearly articulated. In addition, OOHC agencies do not receive additional funding to support care leavers and are expected to absorb costs from their general OOHC funding – this can limit their ability to provide the support needed. TIF members report that aftercare services are also stretched to capacity, and this can adversely impact the right of care leavers to receive the support that they require.

#### *Opportunities for consideration*

- Developing and implementing clear guidelines on the roles and responsibilities of key stakeholders in providing care leavers the supports that they need, including better clarity around the concept of 'light touch' support.
- Reviewing the adequacy of the funding arrangements to meet the needs of care leavers.

### 3.8 Emergency and immediate assistance

According to TIF members, there appears to be inconsistency in relation to the provision of emergency and/or immediate assistance for care leavers.

#### *Opportunities for consideration*

- Developing policies guiding the provision of emergency and immediate assistance.

## 4. Conclusion

In recent years, there have been multiple efforts to provide guidance for care leavers on accessing financial assistance. In addition to the updated Ministerial Guidelines, in 2018 DCJ developed guiding principles, including the need ‘to continuously monitor the plan to see that it is being implemented as intended, identify new issues or changes to circumstances and provide appropriate supports and referrals – updating the plan as required.’<sup>16</sup>

In August 2019, DCJ produced a fact sheet<sup>17</sup> advising care leavers to contact their caseworker or local CSC to access ‘something already agreed in their plan or something new.’ The *Care Leavers’ Charter of Rights*, published in November 2019, outlines key principles including: ‘Give us the right information, explain things more than once using words we understand’; and ‘Our circumstances change and so do we. Our plans and your support need to be adaptable’.<sup>18</sup> In June 2020, an updated version of the *Your next step* booklet<sup>19</sup> was released and while it is comprehensive, it does not provide details on accessing LCP funds, and it only directs care leavers to the Care Leavers Line and Child Protection Helpline for assistance.

TIF members believe the focus must now turn to the practical implementation of these principles, rights and guidelines with ongoing discussion around consistency, accountability, equity and access. TIF members are ready to work constructively with others to achieve this. There should be no wrong door for care leavers and as the OCG notes, ‘Clarity about aftercare is needed for the sector.’<sup>20</sup> TIF members wholeheartedly agree and welcome opportunities to better tailor support to suit individual care leavers’ needs with reliable consistency.

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<sup>16</sup> *Guidelines for the provision of assistance after leaving out-of-home care*, NSW Department of Family and Community Services – October 2020: [www.facs.nsw.gov.au/download?file=322258](http://www.facs.nsw.gov.au/download?file=322258).

<sup>17</sup> *Leaving and Aftercare financial assistance: Information for care leavers aged up to 25 years*, NSW Department of Family and Community Services – August 2019: [www.facs.nsw.gov.au/download?file=673848](http://www.facs.nsw.gov.au/download?file=673848).

<sup>18</sup> *Care Leavers’ Charter of Rights*, November 2019: [www.facs.nsw.gov.au/download?file=731829](http://www.facs.nsw.gov.au/download?file=731829).

<sup>19</sup> *Your next step*, June 2020: [www.facs.nsw.gov.au/download?file=319362](http://www.facs.nsw.gov.au/download?file=319362).

<sup>20</sup> *Report on the leaving care monitoring program 2020-21*, NSW Office of the Children’s Guardian, Office of the Children’s Guardian, [www.ocg.nsw.gov.au](http://www.ocg.nsw.gov.au), p.3.