Office of the Children's Guardian

Carers Register Fact Sheet 5

Sharing information when an authorised carer transfers from one designated agency to another designated agency

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About the NSW Office of the Children's Guardian (OCG)

The OCG is an independent, statutory authority committed to delivering better outcomes for children and young people in supported and statutory out-of-home care (OOHC). The OCG is a regulator - not a provider of care services.

The OCG accredits and monitors the performance of agencies that arrange statutory and supported OOHC and adoption services. The OCG administers the Carers Register, a database of persons authorised to provide or who apply to provide statutory or supported OOHC in NSW. Household members are also recorded on this database.

The OCG registers and monitors agencies that provide, arrange or supervise voluntary OOHC.

Key information about the Carers Register

- Designated agencies need to enter carer applications and authorisation information into the Carers Register
- Designated Agencies must complete their own carer authorisations even though carers can transfer between agencies
- The Carers Register generates a unique carer authorisation number valid only to the designated agency authorising that carer
- Information can be shared between agencies when it relates to the safety, welfare or wellbeing of a child as permitted by Section 16A of the *Children and Young Persons (Care and Protection) Act 1998*
- Agencies must undertake their own suitability check and assessments using information from the Carers Register and other sources.

Carer Authorisation

A carer authorisation is unique to the authorising designated agency

Carers are permitted to transfer from one designated agency to another however each designated agency is responsible for completing its own carer authorisation. This includes making a determination as to the suitability of the carer and their household members and recording this on the Carers Register. Once approved, the Carers Register generates a unique carer authorisation number which is valid only to the authorising designated agency. This generated carer authorisation number is not transferrable between agencies.

‘Back capture carers’ transferring to another agency

Back capture carers (i.e. those authorised by a designated agency prior to 15 June 2015) who transfer to another designated agency **must** go through a new authorisation process including conducting mandatory probity and suitability checks.

Back capture carers **cannot** transfer to another agency as back capture carers.

Sharing information

In accordance with Chapter 16A of the *Children and Young Persons (Care and Protection) Act 1998*, designated agencies may share relevant information with each other where this relates to the safety, welfare or wellbeing of a child or class of children.

Information that can be shared, includes but is not limited to:

- Probity and suitability checks (i.e. referee checks, health checks, other designated agency checks, pre-authorisation training)
- Assessment information and outcomes/reports
- Carer reviews
- Information about the carer’s household and household members and
- Reportable allegations and their investigations/outcomes. These are subject to the rules regarding reportable allegations and where there is no ‘Contact NSW Office of the Children’s Guardian’ flag entered onto the Carers Register about the individual.

Other Designated Agency Check

All designated agencies are responsible for sharing information with each other as part of the ‘Other Designated Agency Check’.

Where a carer is being transferred from DCJ directly, the DCJ transfer documents may be used as the ‘Other Designated Agency Check’.

Using shared information to inform an assessment

Agencies may use the results and outcomes of checks completed by a previous designated agency as part of their assessment process. However, the authorising agency must review the outcome of these previous checks and make its own determination about suitability based on this.

Designated agencies are required to keep a copy of these checks, the outcome and their rationale for accepting these checks, or not, as part of their own agency files.

Considerations

It is essential that each designated agency make its own determination as to the suitability of a carer and their household.

Where an agency is using the outcomes of checks conducted by another designated agency, the agency should:

- thoroughly review the information and consider how the information contributes to the authorisation assessment being conducted
- make a decision as to whether the information provided by the previous agency is sufficient and current including whether any additional checks are necessary to make a determination
- consider whether all relevant carers and household members were included in the original checks
- confirm the identity of and do a Working with Children Check verification for each individual

- consider the validity of using a National Police Check done by another agency given these are point in time checks and are current only as of the date of issue. A National Police Check has no period of validity, and it is up to the agency's discretion to determine the period of time for which they will accept a National Police Check. Where National Police Checks are shared, agencies should review the protocols around sharing information with the body conducting the National Police Check.
- consider the currency of any Community Services Check and ensure that it includes all carers and relevant household members (16 years and over). This includes any DCJ transfer documents.

Partnership agencies

There may be instances where a non-accredited agency has partnered with a designated agency. Any assessment and authorisation of carers within that partnership is the responsibility of the designated agency. This is due to designated agencies holding the legal authority to authorise carers.

It should be noted that although the authorisation of the carer cannot be finalised by the partnering agency prior to it being granted independent accreditation and completing its registration to access the Carers Register, assessment work can be done in preparation for the transition of any identified carers.

Once the partnering agency achieves its own Provisional Accreditation, carers may transfer to the newly accredited partner agency as long as they satisfy all current carer authorisation requirements. Information including previous probity and suitability assessments can be exchanged between the two agencies as outlined above in the consideration section.

Even where an agency remains within a partnership after achieving Provisional Accreditation, the fact that the agency now holds independent accreditation means that it can legally commence and complete the authorisation of a transferring carer.

More information

Further information about the Carers Register is available from the OCG's website at www.ocg.nsw.gov.au. If you have a question, please email

carers-register@ocg.nsw.gov.au

For information about the OCG's other regulatory responsibilities, including the Working With Children Check, Child Safe Organisations, statutory and voluntary out-of-home care and adoption, please visit www.ocg.nsw.gov.au

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